



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

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OFFICIAL REPORT  
(HANSARD)

**Thursday, February 26, 2015**

—

**Speaker: The Honourable Andrew Scheer**

## **CONTENTS**

(Table of Contents appears at back of this issue.)

# HOUSE OF COMMONS

Thursday, February 26, 2015

The House met at 10 a.m.

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*Prayers*

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## ROUTINE PROCEEDINGS

• (1000)  
[English]

### FOREIGN AFFAIRS

**Hon. Gerry Ritz (Minister of Agriculture and Agri-Food, CPC):** Mr. Speaker, on behalf of the Minister of Foreign Affairs and pursuant to Standing Order 32(2), I have the honour to table, in both official languages, the treaty entitled International Convention for the Protection of New Varieties of Plants of December 2, 1961, as revised at Geneva on November 10, 1972, on October 23, 1978, and on March 19, 1991. An explanatory memorandum is included with the treaty. I would also add that ratification of this treaty, commonly known as UPOV '91, formally implements Bill C-18, the Agricultural Growth Act, which received royal assent yesterday and is yet another step in our government's economic growth agenda for Canadian farmers.

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### INTERPARLIAMENTARY DELEGATIONS

**Mr. Dean Allison (Niagara West—Glanbrook, CPC):** Mr. Speaker, pursuant to Standing Order 34(1) I have the honour to present to the House, in both official languages, the following report of the Canadian delegation to the Organization for Security and Cooperation in Europe Parliamentary Assembly respecting its participation at the election observation mission at the OSCE Parliamentary Assembly held in Kyiv, Ukraine, from October 26 to 29, 2014.

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### COMMITTEES OF THE HOUSE

#### LIAISON

**Mr. Dean Allison (Niagara West—Glanbrook, CPC):** Mr. Speaker, I have the honour to present, in both official languages, the fourth and fifth reports of the Liaison Committee regarding committee activities and expenditures.

#### PROCEDURE AND HOUSE AFFAIRS

**Mr. Joe Preston (Elgin—Middlesex—London, CPC):** Mr. Speaker, I have the honour to present, in both official languages,

the 33rd report of the Standing Committee on Procedure and House Affairs entitled “M-428, Electronic Petitions”.

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### BUSINESS OF THE HOUSE

**Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC):** Mr. Speaker, there have been discussions among the parties and I believe if you seek it, you will find consent for the motion that follows. I move:

That, notwithstanding any Standing Order or usual practice of the House, the hours of sitting and the order of business of the House on Thursday, April 2, 2015, shall be those of a Friday, provided that any recorded division deferred to or requested on that day in respect of a debatable motion, other than an item of Private Members' Business, be deferred until Monday, April 20, 2015, at the ordinary hour of daily adjournment.

• (1005)

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

**The Speaker:** Agreed and so ordered.

\* \* \*

### PETITIONS

#### IMPAIRED DRIVING

**Mr. Leon Benoit (Vegreville—Wainwright, CPC):** Mr. Speaker, I am happy to present two petitions today. The first is on impaired driving. The petitioners want to toughen the laws for those who cause death through impaired driving. They want to do that through putting in place new mandatory sentencing for those persons convicted of impaired driving causing death, and they also want the Criminal Code of Canada to be changed to redefine the offence of impaired driving causing death as vehicular manslaughter.

#### SEX SELECTION

**Mr. Leon Benoit (Vegreville—Wainwright, CPC):** Mr. Speaker, in the second petition the petitioners call on Parliament to condemn the practice of discrimination against girls occurring through gender-selective pregnancy termination.

*Routine Proceedings*

## CANADA POST

**Mr. Yvon Godin (Acadie—Bathurst, NDP):** Mr. Speaker, the petitioners call upon the government to reject the Canada Post plan for reduced services and to seek other options to upgrade the crown corporation and business plans. That has to do with putting large mailboxes in the city and taking away carriers going from door-to-door.

[Translation]

## AGRICULTURE

**Mr. Yvon Godin (Acadie—Bathurst, NDP):** Mr. Speaker, in the second petition, the petitioners are asking the Government of Canada and the House of Commons to make a commitment to adopt international policies that support small family farmers, especially women, and recognize their vital role in the fight against hunger and poverty and to ensure that Canadian policies and programs are developed in consultation with small family farmers and that they protect the rights of small family farmers in the global south to preserve, use and freely exchange seeds.

[English]

## IMPAIRED DRIVING

**Mr. Mark Warawa (Langley, CPC):** Mr. Speaker, I present a petition that, sadly, informs the House that 22-year-old Kassandra Kaulius was tragically killed by a drunk driver who chose to drive while impaired. Kassandra's family was devastated.

Families for Justice is a group of Canadians who have also lost loved ones who were killed by an impaired driver. They believe that Canada's impaired driving laws are much too lenient. They want the crime to be called what it is: vehicular homicide. It is the number one cause of criminal deaths in Canada. More than 1,200 Canadians are killed every year by drunk drivers.

Families for Justice is calling for mandatory sentencing for vehicular homicide and for this Parliament to support Bill C-652.

## CITIZENSHIP AND IMMIGRATION

**Mr. Don Davies (Vancouver Kingsway, NDP):** Mr. Speaker, I have three petitions to introduce today.

The first petition is signed by thousands of people across the country who want the Canadian government to negotiate 10-year multiple-entry visas with the Government of China, in support of my Motion No. 558.

The petitioners note that this is important to level the playing field for Canadian businesses, to facilitate tourism and family unification, and to put us on a level playing field with American citizens, who have 10-year multiple-entry visa privileges to China.

## THE ENVIRONMENT

**Mr. Don Davies (Vancouver Kingsway, NDP):** Mr. Speaker, the second petition is signed by many people in my riding who would like to see a climate change strategy adopted by the present government.

The petitioners are very concerned about the effects of climate change and would like to see carbon emissions controlled so that we do not end up in an irreversible loop that would threaten our climate.

## CANADA POST

**Mr. Don Davies (Vancouver Kingsway, NDP):** Mr. Speaker, finally, I have a petition signed by, again, thousands of people across the country who want to make sure the government ensures that Canadians receive home mail delivery from Canada Post.

[Translation]

## GAZA STRIP

**Mr. Robert Aubin (Trois-Rivières, NDP):** Mr. Speaker, last fall, in a show of solidarity, people in my riding circulated a petition calling on the government to support a project that would bring children from the Gaza Strip to Canada for care. I am pleased to table the fruits of their labour, signed by over a hundred people.

[English]

## AGRICULTURE

**Mr. Robert Chisholm (Dartmouth—Cole Harbour, NDP):** Mr. Speaker, I present a petition on behalf of more than 200 residents of Dartmouth and the surrounding area. It was presented to me by a group of women in Dartmouth who are part of the Catholic Women's League, a phenomenal group of people who are doing amazing work. Last year, it had to do with the issue around the international mining practices of Canadian companies.

This petition has to do with supporting small family farmers, especially women, and recognizing their vital role in the struggle against hunger and poverty.

The petitioners ask that we ensure that Canadian policies and programs are developed in consultation with small family farmers and that they protect the rights of the small family farmers in the global south to preserve, use, and freely exchange seeds. It has to do largely with the whole question of the diversity of farmers' seeds that are being restricted, increasingly, around the world.

● (1010)

[Translation]

**Mr. Marc Garneau (Westmount—Ville-Marie, Lib.):** Mr. Speaker, I have the pleasure to present this petition, which highlights the fact that the agri-food industry is gradually replacing the immense diversity of small farmers' seeds with industrial varieties, obtaining an increasing number of patents on different seeds and threatening the ability of small family farmers to produce the food required to feed their families and communities.

*Speaker's Ruling*

[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.

\* \* \*

[Translation]

**PRIVILEGE**

STATEMENTS MADE BY PRIME MINISTER REGARDING PRESENCE OF  
CANADIAN FORCES IN IRAQ—SPEAKER'S RULING

**The Speaker:** I am now prepared to rule on the question of privilege raised on January 28, 2015, by the hon. member for St. John's East about alleged misleading statements made by the Prime Minister during oral questions with respect to Canadian military engagement in Iraq.

I would like to thank the hon. member for St. John's East for having raised this matter, as well as the hon. Leader of the Government in the House of Commons, the House Leader of the Official Opposition, and the member for Winnipeg North for their comments.

[English]

In presenting his case, the member for St. John's East explained that, during question period on September 30, 2014, in the week leading up to the vote on October 7 with respect to Canada's role in the mission in Iraq to combat ISIL, the Prime Minister had answered that, "It is to advise and to assist. It is not to accompany" and "Canadian soldiers are not accompanying the Iraqi forces into combat". However, the member for St. John's East contended that recent reports that Canadian ground troops have accompanied Iraqi forces and exchanged fire with ISIL forces were proof that the Prime Minister misled the House and Canadians in a deliberate attempt to downplay Canada's level of engagement.

Arguing that there is no possible way to interpret the current contradiction as a difference of opinion, the member for St. John's East went on to explain how the three criteria had been met for determining that a prima facie of privilege exists; that is, that the statement was misleading, the member knew the statement was incorrect when it was made, and the member intended to mislead the House by making the statement.

The Leader of the Government in the House of Commons responded that the mission is, in fact, to advise and assist and that Canadian Forces should have the right to defend themselves in doing this dangerous work. In support of this, he cited General Tom Lawson's recent testimony in committee regarding the nature of the intervention in Iraq. More specifically, he noted that General Lawson specified that their mandate is a non-combat operation to advise and assist, and involves the use of weaponry only for the purposes of self-defence. With no evidence to suggest that Canadian Forces have undertaken any offensive combat measures, the government House leader argued that, at its core, this matter amounts to nothing more

than a question of debate and not a question of the House having been misled.

[Translation]

The integrity of parliamentary proceedings rests very much on the ability of members to give and receive accurate and truthful information. This explains, in part, why members look to the Chair for guidance and judgement when they feel that this integrity is being challenged or cast aside. This is not done lightly given that, as members know, the House is a forum that gives voice to different viewpoints and opinions. Speaker Milliken recognized this when he stated on December 6, 2004, at page 2319 of Debates: "Disagreements about facts and how the facts should be interpreted form the basis of debate in this place."

● (1015)

[English]

As a result, such grievances are rarely found to be breaches of privilege. The member for St. John's East stated as much when he cited page 510 of *House of Commons Procedure and Practice*, second edition, which states:

In most instances, when a point of order or a question of privilege has been raised in regard to a response to an oral question, the Speaker has ruled that the matter is a disagreement among Members over the facts surrounding the issue. As such, these matters are more a question of debate and do not constitute a breach of the rules or of privilege.

Members are well aware of the Speaker's clearly defined yet limited role in regulating such matters. As Speaker Milliken reminded the House in a ruling on January 31, 2008, at pages 2434 and 2435 of *Debates*:

...any dispute regarding the accuracy or appropriateness of a minister's response to an oral question is a matter of debate; it is not a matter for the Speaker to judge. The same holds true with respect to the breadth of a minister's answer to a question in the House: this is not for the Speaker to determine.

[Translation]

Yet while it is not for the Chair to interpret the meaning of members' interventions, it has a solemn responsibility to ensure that certain conditions are met in disputes of the nature brought forward by the member for St. John's East. As Speaker, I must assess whether there exist the three conditions that would establish unequivocally that the House has been misled.

The conditions are admittedly and deliberately not easily met. This is because, as Speaker, I must take all members at their word. This underscores the way we function every day in our proceedings; all members rely on this and draw advantage from it.

[English]

This places an onerous burden on all members to ensure that their words are selected for their clarity as well as for their accuracy, so as to leave no room or cause for misinterpretation.

In order to find that the three conditions have been met, the Chair must be presented with undeniable evidence that there was a deliberate intent to mislead. Accordingly, having carefully examined the evidence presented, the Chair is unable to conclude that the House is confronted with a prima facie case of privilege in this case.

I thank hon. members for their attention.

*Government Orders***GOVERNMENT ORDERS**

[English]

**RESPECT FOR COMMUNITIES ACT**

BILL C-2—TIME ALLOCATION MOTION

**Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC)** Mr. Speaker, I move:

That in relation to Bill C-2, An Act to amend the Controlled Drugs and Substances Act, not more than one further sitting day shall be allotted to the consideration of the report stage and one sitting day shall be allotted to the third reading stage of the said bill; and

That fifteen minutes before the expiry of the time provided for Government Orders on the day allotted to the consideration of the report stage and on the day allotted to the third reading stage of the said bill, any proceedings before the House shall be interrupted, if required for the purpose of this Order, and in turn every question necessary for the disposal of the stage of the bill then under consideration shall be put forthwith and successively without further debate or amendment.

**The Speaker:** There will now be a 30-minute question period for members to participate in, and I would ask members to keep their questions or comments to around a minute and government responses to a similar length.

The hon. member for Vancouver East.

**Ms. Libby Davies (Vancouver East, NDP):** Mr. Speaker, this is the 89th time that the government has put closure on debate on a bill. It really is a very shameful record. It is an historic but shameful record in the history of this Parliament.

This bill, Bill C-2, is a particularly grievous one and is fundamentally flawed. I find it very ironic that the government itself sat on this bill for months and months—in fact, the better part of a year—before it brought it forward for debate. Now, all of a sudden, it decides it wants to rush it through at report stage and third reading at the last minute.

I want to ask why it is cutting off debate, why it sat on this bill for so long, and why members of Parliament, who have the right to a thorough debate at report stage and third reading of this bill and to discuss all of the arguments that came out of committee, a legitimate process, are now being limited and foreclosed in the House.

• (1020)

**Hon. Rona Ambrose (Minister of Health, CPC):** First, Mr. Speaker, I would like to comment on the member's notion that this bill is grievous. This bill is in response to a Supreme Court ruling, and it follows that Supreme Court ruling to the letter.

As for the amount of time that we have debated this bill, it has now received over 20 hours of debate. The House leader said it has been debated for 12 days. The NDP alone has delivered 64 speeches on this very topic and to date has asked 55 questions. This is third reading. This is the process that bills go through, and all parties have had an opportunity to discuss the bill in committee.

However, what is most shocking is that the NDP does not realize that unless this bill passes, we cannot come into compliance with what the Supreme Court has asked us to do when it comes to these establishments for supervised injection and community consultations.

**Hon. Hedy Fry (Vancouver Centre, Lib.):** Mr. Speaker, there are a couple of questions I would like to ask.

Obviously I agree with my colleague in the New Democratic Party that this bill was delayed for a very long time and that all of a sudden the government wants to rush it through. At report stage, members heard from many people who challenged these proposed measures by pointing out that they did not in fact meet the Supreme Court rulings but overstepped them and are going to be open to a charter challenge.

As well, when the bill was tabled by the Minister of Health, it did not go to the health committee. It actually went to an enforcement committee, the Standing Committee on Public Safety, which is a very strange and puzzling thing to happen. This tells us where the government is coming from. For the government, this is about enforcement and not at all about health. However, it is in fact about health.

The question I want to ask is this. Why is it that members do not have the time to discuss what they heard at report stage, when there were two dissenting opinions by the opposition party saying that what was heard from witnesses was not reflected?

This bill oversteps the Supreme Court ruling in many ways. The Supreme Court had five criteria. This bill, coming from a government that says health is a provincial jurisdiction, actually intrudes completely and in great detail into provincial governments, municipal governments, and local police rulings. In fact, those three groups—the provincial governments, the municipal governments, and the police—all put forward amendments that said this bill was intruding into their jurisdictions.

**Hon. Rona Ambrose:** Mr. Speaker, I believe the member herself participated in the committee discussions. The Minister of Public Safety and Emergency Preparedness and I were both there. It is an issue that affects both health and public safety, and that is why both ministers appeared before the committee to answer any questions that members had.

I am disappointed that the opposition continues to delay the bill, because it has been debated at length and if we do not pass the bill, there will not be a framework for any community to move forward with any sort of an application in this process. Not only has it received ample debate in the House, it is now time for the legislation to proceed. In fact, community groups are asking for this bill to proceed. They are in favour of it. They have mentioned that at committee, and have written a lot of correspondence to me and to the Minister of Public Safety and Emergency Preparedness to share their views. Organizations such as Safer Ottawa, along with various homeowners' associations and tourism-related businesses, have been very vocal in their strong opposition to safe injection sites and want to have the public consultations that are outlined in this bill.

[Translation]

**Ms. Christine Moore (Abitibi—Témiscamingue, NDP):** Mr. Speaker, I just want to say that this bill is especially important to me. We have just completed another stage. A committee study allowed members to hear from experts. I am not a member of the Standing Committee on Public Safety and National Security, so I think it is quite appropriate to talk about this bill. This bill has been on the table for quite some time. The government could have put it back on the agenda before now, since it is in charge of the schedule. It keeps moving time allocation motions without batting an eye.

*Government Orders*

I would like to know if the Minister of Health took the time to talk to the opposition to determine how many of hours of debate might be necessary for further consideration of the bill. What makes her think that a time allocation motion is absolutely necessary for moving forward with the bill? The government makes no effort to reach consensus. It moves time allocation and closure motions as a matter of policy, leaving no room for discussion. I think that is an irresponsible attitude.

Did the minister take the time to consult the opposition parties to discuss how they envision the next stages of the bill?

• (1025)

[English]

**Hon. Rona Ambrose:** Mr. Speaker, the bill has been debated for 20 hours over 12 days. It went to committee. The Minister of Public Safety and Emergency Preparedness and I as health minister were there to answer questions. We are trying to pass this bill.

It is interesting that the member said that this measure is important to her, and that she wants to see it passed and thinks that we are delaying it, yet we continue to experience delays by the opposition.

It is important that this bill pass, because otherwise we have no framework with which to provide public consultations for any municipality or group that wants to apply to have a supervised injection site. The Supreme Court of Canada was clear that public consultations need to happen before any of these supervised injection sites can move forward. However, we have been unable to reach a consensus because the opposition members think that we should not have to consult the public. They think that any municipality or group should have the right to impose a supervised injection site without public consultation.

We do not believe that is the case. We agree with the Supreme Court of Canada and we will proceed with this bill to make sure that the public and neighbourhood groups, whether they be local politicians or the police, have their say.

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Mr. Speaker, the more the Minister of Health speaks, the more we understand the reason for this closure motion, which brings time allocation to the House for the 89th time.

The reality is that the government has refused to bring the legislation forward to the House for over a year simply because it was obvious after the first round of debates that there were many flaws in the bill.

The government has not been willing to accept amendments. There have been concerns raised about jurisdiction and about strangling the safe injection site and what that means for health. There was concern over a wide variety of community impacts as well. We have a government that brought forward a badly flawed bill last year and forced it through. Initial debates reflected very poorly on the government, so it hid the bill for a year and is now bringing it forward with closure, trying to ram it through the House with no due parliamentary consideration.

Is that not the real reason we are seeing closure today? Why did the government sit on the bill for over a year?

**Hon. Rona Ambrose:** Mr. Speaker, we are, right now, debating. I am here to answer the member's questions. We have debated this bill for 20 hours over 12 days. It went to committee. The Minister of Public Safety and Emergency Preparedness and I were available for any questions, and we continue to be.

Canadian families deserve and expect safe and healthy communities in which to raise their children. The respect for communities act would give local law enforcement, municipal leaders, and local residents a voice that they want and deserve before a permit is granted for a supervised injection site.

This bill, just as the Supreme Court ordered, says that in my capacity as Minister of Health, I must consider specific factors when reviewing applications, and the big factor is public consultations. This bill has to move forward before we can have a framework in place that would allow for public consultations.

**Mr. Marc Garneau (Westmount—Ville-Marie, Lib.):** Mr. Speaker, I have to ask the hon. minister how she can say with a straight face that there is great urgency in passing the bill, given that it was taken off the table for such a long period of time.

Now it absolutely has to pass in record time. The Supreme Court is waiting. All of these arguments are being brought forward. However, if all of the arguments she has presented are compelling in terms of speed, why did the bill suddenly disappear off the face of the earth for a very long time?

**Hon. Rona Ambrose:** Mr. Speaker, that is not true. We had consultations on the bill, we took it to committee, and we debated it for 20 hours over 12 days of debate. There has been lengthy debate and consultation on this bill to make sure that we get it right. However, it is time to move forward.

One of the five factors that the Supreme Court outlined in its ruling was expressions of community support or opposition. I know it is hard for the opposition to understand that, because they are on the record as saying that these sites should move forward if anyone desires to open a safe injection site in a community. However, that is not what the Supreme Court said, and it is not what we believe should happen.

We believe that local residents should have a say. At the end of the day, this is about supervised illicit drug use, and there are health and public safety factors to be considered. We believe without a doubt that the public has a right to consultation, and this bill would provide for that consultation.

• (1030)

**Ms. Elizabeth May (Saanich—Gulf Islands, GP):** Mr. Speaker, I thank the hon. Minister of Health, for whom I have immense respect. Much of the legislation that I have supported in the House has come forward from the Minister of Health.

*Government Orders*

Unfortunately, I do not support the bill before us. I think it has been designed to make it impossible to ever again set up a harm reduction site. It goes beyond consulting with communities and appears to be designed to create so many hurdles that no organization would ever be able to open a safe injection site.

For that reason, and because of the need to explore this issue in full debate, I am very concerned that we are again having closure. Closure makes it almost impossible for members of Parliament representing smaller parties, such as the Green Party, the Bloc, Forces et Démocratie, or the many independents who are now in this place to have an opportunity to participate in debate.

This institution exists to examine legislation and work on it together, not push it through like a bulldozer.

**Hon. Rona Ambrose:** Mr. Speaker, that is far from what has happened. This bill has been considered for a lengthy period of time. We have had 20 hours of debate. We have had debate at committee and input from members from all sides of the House. We have had input from people all across the country. I receive correspondence from Canadians all the time on this issue.

However, the Supreme Court was clear about what it required us to put forward in this legislation. The most important requirement is public consultation and making sure that we hear from those in the community who will be impacted by this measure. If a supervised injection site is opened up next to a school, parents want to know. They want to have a say. If it is opened next to a condo complex, the people there would want to have a say. Local municipal leaders want to have a say.

Most importantly, these people are not well. These are people who are drug addicts. We want to make sure, if such an establishment were to open up, that there would be treatment options available. Is this merely a supervised injection site, or are there resources available?

We believe these people need help. They need intervention and treatment. We need prevention programs. We are focused on that and we deliver it, but we want to make sure that it is in concert with this measure.

[*Translation*]

**Mr. Robert Aubin (Trois-Rivières, NDP):** Mr. Speaker, I am not going to speak to the bill itself because now is not the time, but it is the time to ask why a time allocation motion is being moved for the 89th time. Our procedural rules allow us to use a few exceptional measures in urgent matters, but that does not really apply here.

My question is quite simple. After 89 time allocation motions, are we still talking about exceptional measures or a way of governing?

[*English*]

**Hon. Rona Ambrose:** Mr. Speaker, let us remember what this is. The bill is to provide an exemption under the Controlled Drugs and Substances Act so that illicit drugs can be used in a legal way within an establishment. I think all members in the House agree that illicit drug use comes not just with health impacts but with public safety implications. Therefore, the whole genesis of the idea of public consultation is an important one.

We know that there are risks associated with the possession, use, and production of illicit substances, so it is just common sense that if the Minister of Health is going to provide an exemption for an establishment to allow the use of illicit substances, which we know have health implications and public safety implications for a community, we should have a framework that allows for full public consultations with everyone who is impacted.

**Hon. Hedy Fry:** Mr. Speaker, the sudden rush is interesting, and this is what I want to speak about. Why the sudden rush, and why is the Minister of Health here when this was actually under a different committee, not health, where it should have been?

The Supreme Court ruled on this in 2011. We need to discuss the bill in the House and re-debate it, because when the bill went to committee, despite recommendations from many people, as well as provinces, municipalities, and the Vancouver Police Department, not a comma in the bill was changed.

This is part of the issue. The government listens to no one. Everyone is in agreement with the idea of public consultations. There were huge public consultations when InSite was brought in. No one is disagreeing with that. What we want to know is why the government has waited. The ruling was in 2011, and now, all of a sudden, it wants to ram everything through and not allow for debate on why the process at committee, which is important, was actually not listened to. Not a comma in the bill was changed. We need to discuss that in the House.

● (1035)

**Hon. Rona Ambrose:** Mr. Speaker, we did listen to committee members, and we listened to the Supreme Court, municipal leaders, local law enforcement, Canadians across the country, and groups that were concerned about this. However, at the end of the day, the theme was clear. Right from the Supreme Court ruling on down, people wanted to have a say. They want to have a voice about what happens in their communities.

Let us remember the substance of the bill. This is the Minister of Health providing an exemption for an illicit drug to be used in an establishment. Anyone who is within the vicinity has every right to have a voice in the matter. That is what the bill does, so the sooner we get it through, the sooner Canadians can have a voice in the matter.

[*Translation*]

**Ms. Paulina Ayala (Honoré-Mercier, NDP):** Mr. Speaker, there is something that I find very troubling.

I just heard my Liberal colleague say that the committee heard from witnesses and that not even a comma was changed. That is not listening to Canadians. It seems to me that the people who came to committee are Canadian citizens. The minister says that the Conservatives listened to Canadians and that that is what they want. Come on.



*Government Orders*

There is something else that is really bothering me, and that is the undermining of our democracy. We have a parliamentary system and we are not even debating the issue. I find that very dangerous.

I would like the minister to respond to that. Why is the government undermining Canadian democracy and why is it not really listening to Canadians?

[*English*]

**Hon. Rona Ambrose:** Mr. Speaker, I appreciate the member's comments, and I would love it if she could tell me what part of the bill she would like to strike down. Is it the part where we want public consultations with anyone who would be impacted in the neighbourhood of an establishment that received an exemption for the use of illicit drugs? Does she want to get rid of the part where we ask them to document that this is actually helping those who are part and parcel of using the establishment for supervised drug injections, or does she want to get rid of the part where we ask them to show that prevention and treatment options are available for those drug addicts who are using these supervised drug injection facilities?

I would love to know what part of the bill she would like to get rid of. We heard loud and clear from Canadians, from those who care about people who are addicted to drugs and are looking for treatment and intervention, and from those in the community who would be impacted by this, that this is what they want.

**Mrs. Joy Smith (Kildonan—St. Paul, CPC):** Mr. Speaker, I want to thank the minister for her very insightful comments on these questions. I wish all parliamentarians would listen very carefully to what she says, because it is very relevant.

I would like the minister to expand on the response we need to have when we have collaboration across the country and when the Supreme Court and Canadians are saying that there is a certain thing they want, which is a voice. Could the minister address that a little bit more fully?

**Hon. Rona Ambrose:** Mr. Speaker, I return to the substance of this bill. The Controlled Drugs and Substances Act puts in place very strict controls for dangerous and addictive drugs. The Supreme Court's ruling requires that the Minister of Health consider certain factors when reviewing an application for an exemption from these controls.

That is what we are talking about. I would be giving an exemption to an establishment where illegal and illicit drugs would then be used in a supervised manner. It is important that those who are impacted by this, whether it involves public safety or health, be considered.

At the end of the day, we are talking about people who are addicted to drugs. They are suffering. They need help. We want to know if there are going to be programs available. If these supervised injection sites are actually going to help these people who are addicted to drugs, will there be resources available to support them in terms of treatment and options for recovery?

● (1040)

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, the motion we are debating today clearly demonstrates the Prime Minister's lack of respect for process inside this chamber. Once again, we are moving to time allocation, and it is very important that we do not lose sight of that.

An MP's responsibility is to ensure that there is due diligence done at every stage. The Liberal Party health critic raised numerous amendments at committee stage. There is a great sense of frustration that the majority Conservative government just does not have an open mind to anything. It shoves through legislation. It does not want to respond to amendments that are being moved.

My question is not for the minister but for the government House leader. Why does the government House leader not negotiate with opposition parties to make sure that there is more productive work being done inside the House of Commons and in the standing committees of our Parliament?

**Hon. Rona Ambrose:** Mr. Speaker, I did hear from some of the opposition members about supervised injection sites. Let us remember that they are places for the supervised injection of illicit and illegal drugs, which are harmful to those who are addicted to those drugs and which have an impact on the health and public safety of that community.

We have heard from the opposition. What did the opposition say? It wants the current rules to stay in place. In other words, it wants an exemption under the Controlled Drugs and Substances Act to proceed without any public consultation.

Our government heard the Supreme Court, but it heard even more loudly and clearly from Canadians who live in these neighbourhoods and who might have kids going to school next door to a supervised injection site. They want their voices heard, and they have a right to that. The Supreme Court agreed, and that is why we need this legislation to proceed. It is so we have a framework for those kinds of public consultations so that we can hear those in favour and those opposed.

[*Translation*]

**Mr. Hoang Mai (Brossard—La Prairie, NDP):** Mr. Speaker, this is the 89th time allocation motion. I would like the minister to answer my question about the motion we are currently debating rather than talking about the bill. With respect to the bill, we still have a lot to talk about and many issues that we must discuss.

However, with respect to the principle of democracy and our role here in the Parliament of Canada, 89 time allocation motions is a sad record. Unfortunately, it is not surprising coming from a majority government. Let us remember that in its quest to obtain a majority, this government was found in contempt of Parliament.

In light of this 89th time allocation motion, which we are currently debating, I would like the minister to tell us whether she feels the government's approach is good for democracy. Is it a good thing for democracy to cut short debate and not listen to what Canadians have to say?

*Government Orders*

[English]

**Hon. Rona Ambrose:** Mr. Speaker, we have debated this now for 20 hours in the House. It has gone to committee. We are at third reading. However, there is nothing more democratic than hearing from the public on an issue. That is what this bill is about. This bill would provide the framework to consider what others believe, not just the applicant. The applicant would apply to the Minister of Health for an exemption to allow illegal, illicit, and dangerous drugs to be used in a supervised way, but what about those who live in the community? What about parents? What about homeowners? What about the local police? What about the local municipal leaders? Why do they not have a say? They have not had a say up to this point, and they will not until this legislation is passed.

That is why this is all about democracy. It is making sure that Canadians have a say.

**Ms. Joan Crockatt (Calgary Centre, CPC):** Mr. Speaker, I would like the minister to comment. I find it a bit ironic that we are sitting here in the House hearing from members of the opposition about how they want to limit public debate. If it is a pipeline bill or something, they want unending public consultation, and here is a bill that would move us forward into public consultation mode to actually hear from Canadians on the bill.

I would like the minister to comment on that, please.

**Hon. Rona Ambrose:** I appreciate the member's comments, Mr. Speaker.

That is really the irony of this entire debate by members of the opposition. They opposed the bill right from the beginning, because they wanted the current rules to stay in place. In other words, any applicant could move forward with a supervised injection site, where we know illegal and harmful substances would be consumed by drug addicts, without any consultation with the local police, local health authorities, or local municipal leaders. We do not agree with that, and neither did the Supreme Court.

The Supreme Court ruled in 2011. We have debated this for 12 days, for 20 hours. We have been to committee, both the Minister of Public Safety and Emergency Preparedness and I, and it is time for Canadians to have a voice in this matter.

•(1045)

**Mr. Adam Vaughan (Trinity—Spadina, Lib.):** Mr. Speaker, the problem I am having with this is that the government seems to suggest that public hearings are for listening and not for responding. Simply holding public hearings, for other levels of government, means that people get to actually have an impact on a decision. However, when it comes to parliamentary hearings, when it comes to committee hearings, simply running out the clock and presenting a series of statistics on how many hours, how many meetings, or how many minutes of debate were held somehow constitutes a democratic process.

Can the minister highlight one change, a single change, to the bill that was accomplished through the public hearings the government conducted?

**Hon. Rona Ambrose:** Mr. Speaker, the irony is that what this bill constitutes is a change, a major change, to the current process that is now in place. That change allows for public input.

It is ironic that members opposite do not support further consultation. That is what the Supreme Court ruled. It has been, frankly, the genesis of a lot of conflict around this issue, because people have not been allowed to have a voice. They have had no impact. There has been no application process in place where people could actually have input.

I get letters from Canadians all the time. I also get letters from groups that want the bill to pass, because they want to have a voice in this matter.

**Hon. Hedy Fry:** Mr. Speaker, I think this is a farce. We have spent, what, 100 hours over the course of the government's tenure here since 2011 talking about time allocation. That is 100 wasted hours of the time in this House.

We had an all-party committee, where the Province of British Columbia, the municipalities around Vancouver, and the Vancouver Police Department brought in amendments that were consistent with the Supreme Court ruling, and they warned the government that it was intruding in those jurisdictions. This is a government that always says that it cannot do anything for anyone because it is not the jurisdiction of the federal government. Suddenly, it is intruding in jurisdictions, and yet not a change was made.

We need to discuss why the government does not listen at committee stage to anything anyone says. It does not accept any amendments from anyone at all, and then it complains that the opposition refuses to allow public consultation. Everyone has accepted that public consultation should occur. Public consultations went on before InSite was set up in Vancouver, so the minister is not really being honest with everyone in this House when she says that the opposition is opposed to public consultation. We are absolutely not opposed, but we think we should listen to experts and to people who tell the minister what the government should be doing with the bill, but nobody listens in this government.

**Hon. Rona Ambrose:** Mr. Speaker, we have listened to experts. We have listened to the Supreme Court justices. We have listened to health experts, public safety experts, and police members. We have listened to many people since 2011, which is how we drafted the bill.

However, the nexus of all of this is that we also want to hear from regular Canadians about having the illicit use of drugs in a supervised way in their communities.

In terms of jurisdiction, this is an exemption. These establishments only exist because the Minister of Health is able to give them an exemption under the Controlled Drugs and Substances Act, and that is truly within federal jurisdiction. By all means, this is absolutely within federal jurisdiction.

[Translation]

**The Acting Speaker (Mr. Bruce Stanton):** It is my duty to interrupt the proceedings at this time and put forthwith the question necessary to dispose of the motion now before the House.

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

**Some hon. members:** Agreed.

**Some hon. members:** No.

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

**Some hon. members:** Yea.

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

**Some hon. members:** Nay.

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

*And five or more members having risen:*

**The Acting Speaker (Mr. Bruce Stanton):** Call in the members.

● (1125)

[English]

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

*(Division No. 342)*

**YEAS**

Members

Ablonczy	Adler
Aglukkaq	Albas
Albrecht	Alexander
Allen (Tobique—Mactaquac)	Allison
Ambler	Ambrose
Anders	Anderson
Armstrong	Aspin
Barlow	Bateman
Benoit	Bergen
Bernier	Bezan
Blaney	Block
Boughen	Braid
Breitkreuz	Brown (Leeds—Grenville)
Brown (Newmarket—Aurora)	Butt
Calandra	Calkins
Cannan	Carmichael
Carrie	Chisu
Chong	Clement
Crockatt	Daniel
Davidson	Dechert
Devolin	Dreeshen
Dykstra	Eglinski
Falk	Fast
Findlay (Delta—Richmond East)	Finley (Haldimand—Norfolk)
Fletcher	Galipeau
Gallant	Gill
Glover	Goguen
Goldring	Gosal
Gourde	Grewal
Harper	Hawn
Hayes	Hiebert
Hillyer	Hoback
Holder	James
Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)
Kenny (Calgary Southeast)	Kent
Kerr	Komarnicki
Kramp (Prince Edward—Hastings)	Lake
Lauzon	Lebel
Leef	Leitch
Lemieux	Leung
Lizon	Lobb
Lukiwski	Lunney
MacKay (Central Nova)	MacKenzie
Maguire	McColeman
McLeod	Menegakis
Miller	Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)	Nicholson
Norlock	Oliver

O'Neill Gordon  
O'Toole  
Payne  
Poilievre  
Rajotte  
Richards  
Ritz  
Schellenberger  
Shipley  
Sopuck  
Stanton  
Sweet  
Toet  
Trottier  
Uppal  
Van Kesteren  
Vellacott  
Warawa  
Watson  
Sky Country)  
Weston (Saint John)  
Wong  
Yelich  
Yurdiga

*Government Orders*

Opitz  
Paradis  
Perkins  
Preston  
Rempel  
Rickford  
Saxton  
Shea  
Smith  
Sorenson  
Strahl  
Tilson  
Trost  
Truppe  
Valcourt  
Van Loan  
Wallace  
Warkentin  
Weston (West Vancouver—Sunshine Coast—Sea to  
  
Wilks  
Woodworth  
Young (Vancouver South)  
Zimmer — 142

**NAYS**

Members

Ashton  
Aubin  
Bélanger  
Bennett  
Bevington  
Blanchette-Lamothe  
Borg  
Brahmi  
Brosseau  
Caron  
Charlton  
Chisholm  
Christopherson  
Comartin  
Crowder  
Cuzner  
Davies (Vancouver East)  
Dewar  
Dionne Labelle  
Doré Lefebvre  
Duncan (Edmonton—Strathcona)  
Eyking  
Freeman  
Garneau  
Genest  
Godin  
Gravelle  
Hughes  
Kellway  
Lapointe  
Laverdière  
Leslie  
MacAulay  
Marston  
Mathysen  
McCallum  
McKay (Scarborough—Guildwood)  
Morin (Chicoutimi—Le Fjord)  
Morin (Saint-Hyacinthe—Bagot)  
Nantel  
Nicholls  
Patry  
Perreault  
Rafferty  
Ravignat  
Regan  
Saganash  
Scott  
Sims (Newton—North Delta)  
Stoffer  
Turmel  
Vaughan — 104

**PAIRED**

Nil

*Government Orders*

**The Speaker:** I declare the motion carried.

\* \* \*

• (1130)

**PIPELINE SAFETY ACT**

The House resumed from January 26 consideration of the motion that Bill C-46, An Act to amend the National Energy Board Act and the Canada Oil and Gas Operations Act, be read the second time and referred to a committee.

**Ms. Linda Duncan (Edmonton—Strathcona, NDP):** Mr. Speaker, it is my pleasure to rise to speak to C-46, An Act to amend the National Energy Board Act and the Canada Oil and Gas Operations Act. The government has chosen to name the bill as the pipeline safety act.

The measures to increase liability for pipelines are long overdue and very much welcome. However, there are some concerns that the measures may be inadequate, which I will speak to.

Crude oil petroleum products, natural gas liquids, and natural gas move through 71,000 kilometres of existing interprovincial and international pipelines. That does not include the three proposed pipelines to be regulated by the National Energy Board.

This bill purports to reinforce the polluter pays principle. It purports to confirm that the liability of companies operating pipelines would, first, be unlimited if an unintended or uncontrolled release of oil, gas, or other commodity is a result of their fault or negligence; and, second, be a limited liability to a maximum of \$1 billion for pipelines with capacity to transport a minimum of 250,000 barrels of oil per day if there is no proof of fault or negligence.

The bill purports to obligate pipeline operators to maintain the financial resources necessary to cover potential liability. It also purports to authorize the National Energy Board to reimburse government entities for any costs incurred in a spill response.

It purports to improve responses to abandoned pipelines. That is a new measure, as the National Energy Board previously was not regulating abandoned pipelines. It also expands that responsibility to inquire into accidents involving abandoned pipelines. It purports to grant discretion to the National Energy Board to require companies to maintain funds for abandoned pipelines.

It also purports to empower cabinet to establish a pipeline claims tribunal in certain circumstances. The tribunal would examine and adjudicate compensation claims. It also authorizes spending to respond to spills, to establish the tribunals, and to pay for compensation awards that are issued by the tribunal. Furthermore, it authorizes the National Energy Board to recover funds paid out by the government as opposed to the company.

It expands on the polluter pays principle by imposing liability on operators for losses to non-use value of public resources. However, it limits the power of the federal crown to pursue those, and there is some concern expressed at how seriously the National Energy Board will pursue that.

Mr. Speaker, I wonder if I could interrupt. The minister is having a conversation with another member and I am having a very hard time

hearing myself talk. I wonder if they could be asked to move it outside.

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

**The Acting Speaker (Mr. Bruce Stanton):** Order, please. I realize there are several conversations going on in the House. Obviously, when a member has been recognized and has the floor, we ask the indulgence of all members to bring their attention to the speaker who has the floor, who at the moment is the hon. member for Edmonton—Strathcona. Therefore, I would again ask all members who wish to carry on conversations if they might leave the chamber and carry on outside in their respective lobbies.

The hon. member for Edmonton—Strathcona.

**Ms. Linda Duncan:** Mr. Speaker, thank you very much. I asked for your intervention because I believe this is a very important piece of legislation and it is important for us to understand what the bill is and is not doing.

As I mentioned, the bill expands on the polluter pay principle, a welcome intervention, by imposing liability on operators for losses to non-use value of public resources, but it limits the power to the federal crown to pursue compensation for those impacts, and there is some concern that the National Energy Board would not necessarily seriously pursue compensation.

It expands the National Energy Board's powers to order actions by the companies where there are risks to safety or security of the public, to the company employees, or to the pipelines or abandoned pipelines, and for protection of property or the environment.

However, it may be noted that the recently tabled estimates for 2015-16 provide for reductions in the budget of the National Energy Board for the regulation of pipelines contributing to the safety of Canadians and the protection of the environment. So much for the touted equal attention to supporting resource development and environmental protection. No additional resources will be allocated for the ongoing mandate and no additional resources for the added mandate of the NEB for abandoned pipelines.

Natural Resources is also apparently being cut by \$320 million across the board, or 12.6% of its budget. Surely, given the potential payouts under Bill C-46, this is not the time to be paying down the deficit on the backs of the communities impacted by spills.

There would be greater confidence in the commitments of the government to address the impact if a contingency fund were set aside. That will become apparent later in the discussion of the bill, as taxpayers may be left holding the bag under this law.

The Canadian Environmental Protection Agency is also forecast to be cut by \$13.6 million or 44% of its budget. A significant portion of its budget has previously gone to supporting aboriginal consultation. Many of these pipelines go through first nation lands, which are already designated as these lands or are being claimed.

*Government Orders*

Given the number of resource projects proposed and the fact that the NEB does not adequately deliver on public participation in decision-making, it is impossible to understand how the government will fulfill its duty to consult indigenous peoples and how any project will obtain the social licence needed to operate.

Yes, we recognize that these budgets may well be supplemented through the supplementary estimates, but it is astounding nonetheless that at the same moment we are debating a bill touted to improve pipeline safety, the government tables estimates providing no increased funds to deliver on the expanded mandate of the National Energy Board, the tribunal, and for the government to address spill compensation, let alone the coverage of spill clean-up costs.

This is troubling on a number of fronts. The scale of potential risks and the potential impact from major increased daily volumes have increased, in particular given the nature of the products proposed to be piped, in other words, diluted bitumen. First, the Enbridge gateway pipeline proposes 525,000 barrels a day. The Kinder Morgan Trans Mountain expansion would add 890,000 barrels a day, and the TransCanada energy east pipeline, if approved, would add 1.1 million barrels a day.

One can only hope that the intent is to retroactively apply these higher liabilities for pipelines already approved prior to the passage of this law. This law should be triggering significantly enhanced inspection and capacity to respond to breaks and spills as well. This is important given the poor record by the National Energy Board and the pipeline operators in detecting pipeline breaks and spills or in seeking compliance.

The majority of pipeline accidents of late in my province of Alberta and in the Northwest Territories have been discovered and reported, by and large, by citizens or aboriginal hunters and trappers out on their lands, not by the National Energy Board or provincial regulatory agencies, or by the companies themselves. For example, there was the incident in Wrigley.

I had an opportunity to see this when attending a Dene gathering in Fort Providence a couple of years ago, where a hunter came to the meeting and revealed that when he was out on the land, he was sitting down by a marsh and suddenly a bear appeared. There did not seem to be anything he could do to make the bear go away. He would scare the bear away and the bear would come back. So he finally decided that he would investigate what was happening with this strange behaviour of the bear. He discovered a major break in a pipeline and a massive spill. That is one example where the operators are simply not detecting, reporting, and apprising the people on the land of accidents.

• (1135)

In addition, in this case, we had to step in and demand support for the first nation community, which was trying to address the impact of this spill. If we had not done that, the National Energy Board would not have stepped forward.

I could go on and on about the incidents with pipelines in Alberta. For example, there was a spill from the Plains Midstream pipeline near Sundre, Alberta, into a river, then into a drinking water reservoir. It was not reported to the impacted landowners.

In April 2011, there was the largest pipeline spill in history, again by Plains Midstream, with 4.5 million litres of oil spilling northeast of Peace River. Again, that was detected by the Dene Tha' First Nation and not the operator. They ended up having to close the local school because of the fumes from the petroleum. The first nation was deeply concerned about the impacts on the waters, fish, birds, and wildlife they relied upon, and concerned about the many abandoned wellsites and pipelines. That, of course, is an example where, if the first nations are not able to seek compensation for impacts on the waters, fish, birds, and wildlife they rely upon in their habitat, it will become an issue if the government does not step up to the plate.

Again, I remind this place of the Wabamun derailment and spill. Yes, it was not a pipeline, but it took a week for the federal agencies to actually come forward and assist the first nations directly impacted by that incident.

What are some of the concerns that have been identified with the bill? There are some additional concerns with respect to many of the reforms in Bill C-46, including expanded powers and new rights.

The reforms themselves are welcome, including expansion to abandoned well sites, expansion of liability, and the increase in the liability to \$1 billion. However, there are some concerns with the way the bill as drafted; for example, with the adequacy of the upper limit of \$1 billion. We can all recall the Kalamazoo bitumen spill cost \$600 million merely to clean up the spill, and that was before any compensation was given to any of the communities or property owners who were impacted.

Ecojustice has stated that the bill would fail to prescribe mechanisms to actually assess the risk, taking into consideration either the type of materials shipped, whether they are more corrosive, for example: the potential for environmental, and, I would add, health, damages; an accident or compliance history; and the age of the line and, I would suggest, also the maintenance record.

There is no provision in the bill specifying what the National Energy Board is supposed to consider, or the tribunal once it is established.

Second, concerns have also been raised about bankruptcy implications. There is a concern that the polluter pay provisions may be superseded in the case of bankruptcy of a pipeline owner or operator, as bankruptcy law prevails. That is something that merits discussion at committee.

Third, there is concern with the level of discretion vested in the National Energy Board and in the tribunal. There appears to be a discretionary, potentially politically influenced, process. For example, the company must first be designated before the tribunal may review.

It is also not clear whether there would be a permanent tribunal and whether its members would simply sit around, waiting for a pipeline to be designated, or a company designated, or whether it would only step forward at the time that there is an incident and compensation claims are required.

### *Government Orders*

This would also only occur in a situation where the cabinet, in its discretion, has determined, on the recommendation of a minister, that a company does not have sufficient resources to pay costs or clean-up, or the company has failed to comply with an NEB order.

The National Energy Board could then directly reimburse for the impacts or the costs incurred, and the payment could be directed from a pooled fund. The costs could be recovered as a debt, but that is unlikely from a bankruptcy.

The tribunals would be established only, as I said, where a company is designated; in other words, for each incident, not permanently designated.

Proposed subsection 48.18(2) is a little confusing. It states that the Governor in Council, in other words, the cabinet, could only establish a tribunal if it is in the public interest, somehow factoring in the extent of the compensable damage. It is unclear if the concern is with too small a claim or a very large one.

The tribunal would be granted total discretion in how to notify the public. It has been suggested by a number of parties who have participated in other tribunals that there should be clear guidance on who is actually supposed to notify the public that they can seek a claim for damages and how they would go about doing that.

• (1140)

There is also the query of why only the appointment of retired judges. In many cases in these tribunals, it is perhaps more appropriate to appoint people with a technical background who understand pipelines, the impacts and so forth.

The reason this issue has been raised is because the staffing and expertise for the tribunal is at the discretion of the National Energy Board. However, there is no certainty that there will be some form of secretariat with the appropriate expertise to assist the tribunal in its determinations.

It is encouraging that the cabinet may make regulations authorizing the tribunal to award fees, travel and other costs for claimants to present their case. However, that will be by regulation, and it is not clear what the timeline is on the issuance of those regulations to set the guidance.

It is noted that the regulations could fix a maximum compensation, but we do know what factors that is based on, as mentioned earlier. Perhaps it would be a good idea to actually provide criteria for calculating the costs of the impacts.

The imposition of fees, levies and charges for payouts can be drawn from the consolidated revenue fund. However, there is the issue and concern of how seriously the funds will be pursued from the operator or whether there will be reliance on public funds.

The National Energy Board would be empowered to issue regulation-setting rates, but there is no mention of consultation with either the pipeline operators or the public on how it will set those rates for the levies and fees. It will be important for the National Energy Board to report regularly on its efforts to recover the debts incurred or spill cleanup for compensation. However, there is no mention in the bill to that effect.

Regarding cost advances to file claims, it is unclear if the law would allow for the payment of advanced funds to address or cleanup a spill, or if it would also allow for advances to people who would seek compensation to hire lawyers, experts and so forth, which is very important in procedures before a tribunal.

Increasing concerns are being expressed within communities and first nations with the approach to regulating pipelines arising from failed spill prevention, failed detection, failed response to spills and the failure of the National Energy Board or other government agencies to require pipeline proponents to disclose their emergency and spill response plans for public review and scrutiny.

This certainly has arisen in the review of the Kinder Morgan proposed trans mountain pipeline expansion. People along that line are very concerned that they are not getting access to the emergency spill response plan.

The same is the case with the Athabasca Chipewyan First Nation with a review of a pipeline in Alberta. It eventually pulled away from an Energy Board review because it was denied access to that emergency spill response plan for a pipeline and then given less than 24 hours to review the document.

The Alexis First Nation in Alberta has also been demanding greater access to information on the spill from breaches of mines.

The preference of Canadians is the prevention of harm to their communities, the environment, and not mere compensation after the fact. As the expression goes, “Mieux vaut prévenir que guérir”.

The improved measures provided under Bill C-46 will be welcomed and will offer succour to those impacted by major spills. However, that is unlikely to be sufficient to restore trust in the government or in the National Energy Board in the wake of denied access to potentially impacted communities and first nations of emergency spill response plans, the downgrading of federal environmental and fisheries laws, and the diminished opportunity for public first nations to participate in pipeline reviews.

Frankly, in the National Energy Board and provincial energy reviews, there have been many concerns raised. I gave the example of the Athabasca Chipewyan First Nation, which is extremely disturbed that the pipeline will go through its traditional lands, not having access to major documents.

The change to the National Energy Board intervenor rules would limit participation. I gave the example of where the previous minister of Natural Resources dubbed “interveners” in the review of pipelines as “radical groups” who “hijack our regulatory system to achieve their radical ideological agenda”, merely because they sought to intervene to raise concerns with pipeline projects.

*Government Orders*

Concerns have been expressed by the Commissioner of the Environment and Sustainable Development in his 2011 report regarding the long-standing failure by Transport Canada and the National Energy Board to ensure compliance or corrective action, and the failure of the NEB to review emergency procedures of 39% of regulated companies. Absent of increased resources, there is little confidence this will be addressed in a timely manner.

• (1145)

Yes, Canadians recognize that they rely on fossil fuels for use, benefit from revenues from sale and export, and that pipelines are needed to transport the fuel. However, it is reasonable for Canadians to expect their government to regulate the sector in a manner that ensures the protection of their health and environment.

**Hon. Greg Rickford (Minister of Natural Resources and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC):** Mr. Speaker, one would think that one's hypocrisy could only go so far, but it appears not. That discourse was not only free of statistics and quantitative and qualitative evidence, it was fact-free as well.

It is worth pointing out that in the past decade more than 72,000 kilometres of federally regulated pipelines boast a safety record of 99.999%. These pipelines account for 6,000 jobs and \$7 billion in annual sector revenue.

It is even more astonishing coming from that member. Here are some interesting facts. The member voted against increasing pipeline inspections. She voted against doubling the number of comprehensive audits. She voted against implementing fines against companies that would break the law.

In fact, I would bring to the attention of the House the comments she made during her speech regarding the Plains Midstream spill. That company was fined by the National Energy Board on February 12.

Why did that member vote against the very things she has tried to advocate for in her speech.

• (1150)

**Ms. Linda Duncan:** Mr. Speaker, I welcome that question. The hypocrisy is all on the side of the minister.

As he well knows, the measures to improve the environment to better regulate the oil gas and sector were included in the government's omnibus budget bills. No matter how many times we requested the division of those bills so they could be debated and voted on separately, they were refused. The hypocrisy is all with the government.

Our party has continuously called for improved measures and greater seriousness in delivering on what the government calls responsible resource management. It professes that it gives equal attention to environmental protection as it does to resource extraction, but that is far from the truth and far from the matter before us.

As the House is aware, I simply quoted the flaws and the problems identified by the Commissioner of the Environment and Sustainable Development. I rest my case, and the response needs to be to the commissioner on the failure to adequately follow up.

[*Translation*]

**Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP):** Mr. Speaker, I thank my colleague for her excellent speech. I am honoured to serve with her on the Standing Committee on Natural Resources.

I will have the pleasure of giving a speech on Bill C-46 this afternoon, but I would like to ask my colleague a question about liability. The bill limits liability to \$1 billion in the case of a disaster caused by a pipeline where there is no proof of fault on the part of a company. Why did the government choose that amount? In Kalamazoo, in the United States, costs have already reached an estimated \$1.2 billion, and only a tiny proportion of the mess has been cleaned up.

Why did the government peg liability at \$1 billion? Would it not be better to set a higher amount? That seems to me to be nothing more than a round number.

[*English*]

**Ms. Linda Duncan:** Mr. Speaker, I would like to thank my colleague for the terrific role he plays as the critic for natural resources. It is a pleasure to work with him in that role.

I can not answer why the government has chosen \$1 billion. Canadians will be pleased that we have gone from, I think, \$50 million before to \$1 billion. Simply doing it as a one-off for offshore activity, shipping and so forth is inadequate. We are glad the government is coming forward with a larger sum to potentially recover after a pipeline spill.

There is a measure in the bill wherein the discretion of the cabinet could opt to increase that amount, but again there is no criteria given for when it might opt to increase that amount. Again, that topic merits discussion at committee. There is potential for an amendment to the bill to provide criteria either by regulation or within the context of the legislation in those incidents where we would require more than \$1 billion, not only to clean up the spill but to provide compensation.

**Hon. Michelle Rempel (Minister of State (Western Economic Diversification), CPC):** Mr. Speaker, with regard to the question just posed to the member, there is a bit of a false dichotomy in terms of the comparison. In the example that was cited, the operator was found to be at fault. This legislation enshrines findings that have been put forward in case law to ensure there is unlimited liability in cases where things are found at fault.

Therefore, would my colleague clarify that this example is not a correct application of what she has put forward?

**Ms. Linda Duncan:** Mr. Speaker, as I mentioned in my speech at the outset, there are two approaches to liability under the statute. One is unlimited, if it is unintended or uncontrolled release of oil, gas or other commodity as a result of a company's fault or negligence. In the second, it is limited to a million dollars if there is no proof of fault or negligence. Those are often complicated matters and it may well be that the government simply relies on the \$1 billion because of a difficulty in proving fault or negligence.

*Government Orders*

What would probably happen in those scenarios and what the community that would be impacted really would want to have happen, if in an isolated area, would be an immediate cleanup. What will happen is the taxpayers will incur the costs of that more immediate, direct cleanup and eventually try to recover that. It may end up in complicated litigation over whether there was or was not fault or negligence.

• (1155)

[*Translation*]

**Mr. Pierre-Luc Dusseault (Sherbrooke, NDP):** Mr. Speaker, I thank my colleague for her speech.

With this type of issue, whether we are talking about a pipeline spill or a tragedy like the one we saw in Lac-Mégantic, my constituents in Sherbrooke often tell me that they are concerned about the company responsible for the spill. When the company goes bankrupt and the government is trying to find money to clean up the mess the company has caused, what happens next?

That is the kind of question I have heard many times from the people of Sherbrooke. Can a company default on its obligation when it is responsible for a spill? We could be talking about a pipeline in the case of the bill we are debating today.

People are wondering whether there is a way to prevent a company from defaulting on its obligations if it is responsible for a spill. I wonder whether the bill we are studying today addresses the concerns of the people of Sherbrooke.

[*English*]

**Ms. Linda Duncan:** Mr. Speaker, I did note in my speech that there was some growing concern about the factoring in of bankruptcy. That of course would particularly arise where there were abandoned pipelines, as is the case in my province where there are tens of thousands of abandoned well sites. In some cases in residential development of suburbs we discover, after the fact, that there are abandoned well sites and someone has to move in to clean that up. It may be companies have disappeared or may have been bought by another company, and there is the issue of who is liable.

What the relationship would be in the case of bankruptcy and the powers under this legislation to recover the costs are matters that need serious discussion at committee. Particularly what it does is send a wake-up call that time may lapse and the company may be bankrupt. This follows on the Commissioner of the Environment and Sustainable Development's report on the failure of the National Energy Board to move quickly enough to ensure compliance or action to address what it has issued in its orders.

We need measures in both ways. We need to look to the resources and the intention of the NEB and where its priorities lie. We also need to ensure we have dealt with this in the bill.

**Hon. Michelle Rempel (Minister of State (Western Economic Diversification), CPC):** Mr. Speaker, I have quite enjoyed the debate this morning, because we are talking about what the right balance is in terms of this particular set of regulations.

We have had some debate earlier this year in the House around how government should approach regulations, just as a whole, with regard to the red tape reduction act, and I think it is worth bringing

some of that to the front end of my speech, just to get some context for my comments.

With regard to this regulation, we are trying to ensure the health and safety of Canadians. We are trying to ensure a high degree of environmental integrity with regard to transport of energy products, and we want to make sure that the regulations are based on fact, historical analysis, statistically proven probabilities, and consultation with industry and with first nations and aboriginal communities; and we also want to ensure, when we were talking about balance, that the fact-based analysis and the desire to ensure the highest degree of public safety are also contextualized within an opportunity cost calculation, making sure there is stability, transparency, and predictability for industry.

If we talk offline to anyone in industry or even in the NGO community, I would like to think there is a cognizance of the importance of the energy sector to Canada, which I will speak to in a moment. However, really what I think the bill has done, and why I am speaking in favour of it, is balance those three points.

It has a very high degree of regulation in terms of health and safety for Canadians, which of course builds on the responsible resource development package that we put in place in budget 2012. It also would ensure that fact-based analysis were used to develop some of the criteria and some of the amounts for liability that were included in the bill, but then it would also ensure that it is reasonable: it could still receive those high results but also be reasonable in terms of industry expectations to operate, so it has that economic balance.

First, I think it is worth starting at the bottom end and talking about the economic importance of this industry to Canada, because sometimes I find that the policy debate around energy infrastructure and energy policy tends to say, well, maybe we should not have this industry at all; maybe it is something we should completely scale back or, through different types of regulations, seek to curtail. I think what we should be doing with our regulation is acknowledging the importance of this industry and encouraging it to grow, but in a framework of sustainability, both for the health of Canadians and for sustainability of the environment.

I want to start by making my position and our government's position very clear, which is that we do believe that the energy sector is very important to Canada's economy. There is no doubt about this. It creates hundreds of thousands of jobs. I know the figures that are regularly put out are roughly in the neighbourhood of 500,000 jobs. That is not just through direct employment; it is through secondary sectors like manufacturing and services. Certainly, we hear about this from excellent groups like the Canadian oilwell drilling association. It has a huge impact on the economy in terms of job creation.

It also has a huge impact in terms of government revenue. Many of our social programs and our innovation programs are funded by revenues that come in from the energy sector.

We have to go into this debate saying that this is a cornerstone of the Canadian economy. It is important. How do we develop it, and how do we ensure, in this case, the transport of energy products in a healthy and sustainable way?



*Government Orders*

I should also say that we need energy. That is something we do not talk about here. Sometimes when we talk about the importance of the energy industry, we are remiss in not talking about the fact that we need the resources that are produced here, both for our own energy security and because we need energy to do things.

It is essential to have natural gas delivered to our homes, to fire furnaces on cold winter nights like we are experiencing this week, and it is certainly important in terms of looking at a viable, safe, secure source of energy that encourages manufacturing companies to invest in building Canada, that encourages our agricultural sector to grow, and that encourages mobility.

I do not think we can divorce this conversation from the fact that we need this sector from an economic perspective both in the sense of direct economic impact and also in the sense of energy security and being able to see the economy grow through that.

● (1200)

If we need energy and it is important to the economy, how do we transport it? That is the rub. That is why we have the pipeline safety act in front of us today. This bill acknowledges these things: that we have a demand for energy and that it is important to the economy. An interesting statistic is that, according to the International Energy Agency, the world will need 37% more energy in 2040 than it consumes today.

How do we transport it? Pipeline companies are currently moving about three million barrels of oil every day. If we were to turn off those pipelines tomorrow, we would have to add about 15,000 tanker trucks on our roads every day or put another 4,200 rail cars on our railways every day just to meet existing demand. These alternative modes of transportation consume more energy, which of course increases our greenhouse gas emissions. This is an important discussion in the context of our debate on how Canada responds to the issue of climate change. Pipelines offer a clean and efficient way to deliver the energy we need on a daily basis.

Industry knows this, and we know this. It is why we have put this bill forward in this place, to address some of the concerns around what is already a very safe track record. My colleague, the Minister of Natural Resources, talked about a 99.999% safety rate with regard to federally regulated pipelines. When we look at international best practice, we certainly have that here in Canada in terms of health and safety regulations for pipelines. This would take it to the next level.

Going back to the front of the speech, the three components we are seeking on the balance of regulation among health and safety, fact-based analysis, and ensuring that economic balance are the following: incident prevention, preparedness response, and liability and compensation.

Looking at prevention, this particular bill speaks to a number of things. I am going to give some examples of some of the things that are happening in western Canada, which may not be addressed by this bill directly but are important for the context of the discussion. My ministry, Western Economic Diversification, in part seeks to look at the strength of some of our primary industries and ask how we can use the strength in there—through both highly qualified personnel and economic opportunity—to create secondary industries that develop diversification opportunities. It is interesting, because

by some of the regulations we have put in place through our responsible resource development package in 2012, we have incented innovation and new industries by creating opportunities for industry to respond to those.

There are two specific examples I want to speak to with regard to preparedness.

The first is a very interesting centre with which Western Economic Diversification has engaged in funding, and that is C-FER Technologies in Edmonton. I want to spend just a bit of time on this because I know in the previous round of debate one of the questions that were asked by my colleague across the aisle was what is industry doing now.

What I really like about this particular organization is that it focuses on facilitating the use of leading-edge technology by oil and gas pipeline operators in the development of challenging resources. The component of this particular bill that we are trying to push is the creation and adoption of best available technology. Best available technology is something that is changing and growing every day, and our government has been working to fund it. A project that has been recently completed is a facility-expansion program, which includes leasing and operating a new facility in the oil and gas sector and the design, construction, and installation of high-capacity loading testing systems, upgrades, and instrumentations. Basically this centre allows industry a place to test new technologies that pertain to pipeline safety. That includes different widgets that could be deployed in a pipeline to sense leaks. It is very high level technology.

I have been there and I encourage colleagues across the aisle to go and visit this facility. Again, it is a demonstration centre so that new technologies can be translated from the bench into the market. This does two things: first, it encourages long-term safety for these pipelines; and second, it creates jobs because we are taking intellectual property from the bench and commercializing it in Canada. It is an absolutely astounding centre, and I am very proud that we have supported it.

● (1205)

The other component I want to talk about is SDTC Canada, Sustainable Development Technology Canada. This is a group that has been supported by our government, which is involved in the development and commercialization of clean technology, using industry as a driver. As a Calgary MP, I want to bring up Pure Technologies, a very innovative little company in Calgary that has been working with SDTC. It has developed a robot device for pipeline inspection, of which I have a diagram. It looks like a ball. It is a very complicated, technological ball that goes into the pipeline and, based on fluid dynamics, can sense minute fractures in pipelines so that leaks can be detected and dealt with ahead of time.

*Government Orders*

Again, we are looking at ways to ensure that there is prevention with the best available technology. This is another way our government has been working with industry to strike that balance between health and safety and economic development. It is really cool to look at some of the technologies coming out in the development of a secondary industry around clean technology for pipeline safety.

Looking at the second component of this bill, preparedness and response, I will speak from my notes, but then I want to speak about another project that has an economic diversification angle with regard to this particular aspect of the bill.

The pipeline safety act would ensure a robust response in the unlikely event of an incident. We talked about that 99.999% success rate. The new legislation would require companies operating pipelines to have a minimum level of financial resources. It would also require that these pipeline operators keep a portion of that money readily accessible for rapid response should an incident recur.

The bill would also give the National Energy Board the authority and resources to take control of an incident response or cleanup if, in exceptional circumstances, the company is unable or unwilling to do so. This means the government would provide a financial backstop so that the board has the resources needed to complete the cleanup and take necessary action. Any funds provided by the government would be recovered from industry, again adhering to the government's polluter pays principle that we have talked about so many times in this place.

I would like to draw attention, though, talking about preparedness, to the importance of training people on the job. Sometimes this can be difficult for the energy sector, given that it is in remote northern conditions. We have been looking to work with industry and some institutions on best practices to ensure that training can be delivered.

A couple of weeks ago, I announced a project with the Justice Institute of British Columbia. The Justice Institute is a world leader in providing training and leading thought on safety training. It is actually launching a project that is going to have commercialization benefits, called Praxis, by which it puts simulated situations in web-enabled training. It is working with industry to have rapid response.

The interesting thing is that the intellectual property in those simulations can actually be commercialized into different software packages. Again, we are seeing economic spinoff on the service provision and commercialization on the new technology side and ensuring that companies have the preparedness and incident response requirement built into their companies. It is a great project and something I hope people look into, because it is really great and it is happening here in Canada.

With regard to liability and compensation, the third pillar of the bill, as I said, which would enshrine the polluter pays principle into law. There are two components, which I will speak to very briefly, as I know that the criteria around this will be examined more at committee. First, for unlimited liability, right now this is in practice through common law, but this bill would clarify unlimited liability when companies are at fault or negligent. This would be put explicitly into law in Canada. With regard to absolute liability, it would put an amount in place irrespective of fault or negligence for

all companies operating pipelines, and it would set that amount at \$1 billion.

I know that some questions have come up with regard to that particular amount, such as why this amount would be in place, how it was arrived at, and that it is not enough. When we talk about how we develop regulations, that fact-based analysis, historical analysis examples demonstrate that this level of absolute liability and financial capacity would provide world-class coverage. The average cleanup costs of major pipeline spills in North America result in costs in the range of \$20 million to \$50 million in the case of absolute liability.

● (1210)

With the time I have remaining, I should probably talk a bit about our government's response to climate change, because invariably the energy sector and climate change are a linked discussion. Certainly that has been the case this week with regard to some decisions made by our neighbours to the south on energy infrastructure.

It is important to talk about what we have done on this file, because the theme of my speech is how we develop balanced regulations. We need to talk about the same thing with respect to our response to climate change.

We have taken a sector-by-sector regulatory approach whereby we work with industry to set targets that produce tangible reductions in greenhouse gas emissions. An example is the light-duty passenger vehicle sector, where these regulations will eventually result both in lower fuel costs for consumers and in reduced greenhouse gas emissions, which is a win-win for all. We have worked closely with the coal-fired electricity sector. Both of these sectors were major sources of emissions, and we have seen those emissions reduced. That is a huge accomplishment of this government.

With respect to international action, we have said that in order to see real reductions internationally, we need an agreement that sees all major emitters commit, not just a small percentage of them. We have been working toward that goal through our participation in the Conferences of the Parties.

Also, we invest heavily in research and development with respect to not only climate change adaptation and working with communities to respond to climate change but also in researching new technologies, monitoring standards, and best practices. We are researching new technologies through the Canada Foundation for Innovation and the Natural Sciences and Engineering Research Council of Canada. We commit quite a bit of funding, through the Natural Sciences and Engineering Research Council, to climate change research through the climate change and atmospheric research program. This also builds on basic research in other areas as well that feed into the specific domain .

In the few minutes I have left, I want to go back to the start of my speech and talk again about balance and pragmatism in putting forward regulations.

*Government Orders*

This is about seeing action in climate change. It is about ensuring that we have health and safety for Canadians, but it is also about ensuring that these regulations are based on fact-based analysis of what we have seen happen in the past and what is likely to happen in the future and do not put a shock on industry. These proposals were developed hand and foot with industry. They were developed in consultation with first nations groups. We want to make sure that when we put regulations forward, they achieve that balance.

I would be remiss if I did not talk about my opposition colleague's response in this area, which I found to be not responsible. I will speak specifically about the Liberal Party.

I have watched the Liberals' comments on pipelines with some curiosity. On June 19, 2004, their leader said, "I'm also supportive of the idea of a west to east pipeline." Then on May 29 he said, "I am very much in favour of the west/east pipeline". Then on the 13th he said that the energy east oil pipeline is not socially acceptable.

I think it is reasonable to have a debate in this place that looks at what the liability limits are, how we are achieving that balance, and what would cause a shock to industry, a necessary shock that would see a health and safety component put in place, versus just an ideological happenstance discussion that really does not serve industry, the public, or health and safety.

I am encouraged by some of the debate that occurs. I hope that my colleagues opposite will put this bill forward to committee. It can be studied in greater detail in terms of some of the assumptions about the facts and statistics put forward to calculate some of the specific liability limits and rules. However, I hope that it will not devolve into a flip-flopping debate, as we have seen from the leader of the third party.

• (1215)

**Ms. Linda Duncan (Edmonton—Strathcona, NDP):** Mr. Speaker, I listened with great interest to that commentary. It is regrettable, given the seriousness of this bill, that the hon. member gave little attention to talking about the significant measures in this bill or to cogent recommendations on how we can further strengthen it.

I am a little bit troubled that the minister is saying that when we are talking about compensation for spills from pipelines, we should be balanced and take a pragmatic approach in regulation. That is deeply troubling.

This specific bill is supposed to be about pipeline safety and about putting in place significant measures to genuinely offer a way in which people can be compensated. This bill is not about the mumbo-jumbo that we are hearing about what our energy policy should be. I hope that when we get to committee, we will have a discussion about the specific measures under the bill.

I did find what the minister talked about very interesting. I do follow up with these projects that Western Economic Diversification Canada supports. If the minister is genuinely concerned about acting on climate change, I would be happy if her agency gave greater attention, or at least equal attention, to supporting the renewable energy sector. She has continuously rejected it when it applies to invest in jobs in Alberta and in exporting clean technology to the rest of the world.

I look forward to her response about when the government is going to move from further research and dialogue about addressing climate change and the regulation of the fossil fuel sector and actually take action to address the impacts of the oil and gas sector.

• (1220)

**Hon. Michelle Rempel:** Mr. Speaker, to be clear, this is why I was trying to talk about balance. What I define as pragmatism in regulation is putting forward a target for health and safety that is absolutely stringent and world-leading, which we have done in this bill, and then, with this bill, ensuring that the liability limits cover it.

Enshrining unlimited liability in law when it comes to fault or negligence being proven is excellent. That is a very good best practice. Having \$1 billion of coverage required for absolute liability in law takes that coverage in Canada one step further.

My colleague asked questions regarding my portfolio, Western Economic Diversification Canada. I am very proud to say that this year, with deep consultation with industry and different community groups, we put in place five very clear priority areas for our ministry. They are innovation, ensuring the acceleration of economic opportunities for first nations and aboriginal peoples, skills training, trade and investment, and the ITP program. We now have a comparative-based call for proposals model for our fund, which ensures that opportunities are evaluated in an investment portfolio model. I encourage everyone to apply for these funds. We have just closed the last round of applications, and evaluation is going to be based on a very clear and transparent evaluation framework.

**Hon. Greg Rickford (Minister of Natural Resources and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC):** Mr. Speaker, members can imagine how thrilled I am to have my colleague not only stand up for her province but represent her ministry so well. It has not been involved in the debate thus far that I can recall, but she understands as a member of Parliament for the prairies that pipelines offer a unique solution that other forms of energy transportation cannot.

The squeeze on the mining sector, grain farmers, and the forest sector right now is immense. It is going on in Canada, and it is being grumbled about and will arise a little later this winter in the midwestern United States.

This debate is right. The fact that we can bring in a piece of legislation that protects the interests of miners, the forest sector, and grain farmers is one thing, but this piece of legislation also represents the best available technology. We are giving the National Energy Board those considerations through this piece of legislation. That is something that this member is a bar-none expert on. She mentioned a few aspects in her speech, but I consider her an expert on getting innovation from the bench to the marketplace.

*Government Orders*

When it comes to pipeline integrity, to safety, and to detection, and to the elements of this bill, which are prevention, preparedness, and response, I would like to give her an opportunity to expound on other examples of Canada leading the way in technology and innovation in pipeline safety and security as a strategic business unit of the energy sector.

**Hon. Michelle Rempel:** Mr. Speaker, as my colleague knows, this is an area that is near and dear to my heart. Prior to entering politics, I worked at the University of Calgary in its research services division, where I was pleased and thrilled to work with some of the best minds in the world in terms of clean technology and public policy with regard to this area.

With regard to my portfolio, we had the Alberta Innovates Technology Futures. We partnered with the Government of Alberta to start the Materials and Reliability in Oil Sands research and development consortium to develop innovative coatings and welding techniques that would reduce wear and corrosion on pumps, pipelines, and other equipment.

I could go on and on, because we are seeing that as government puts forward strong, stable, balanced regulation, industry is responding. Industry is also proactively looking at their corporate social responsibility mandate in ensuring that those technologies are being adopted. It is a really cool pull into the market that has been created both by strong government legislation as well as by expertise in western Canada. It is a great thing to see.

• (1225)

[*Translation*]

**Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP):** Mr. Speaker, I thank my colleague for her very interesting speech.

We are talking about the fundamental polluter pays principle. She talked quite a bit about balance. I would like to know what she thinks as a member of Parliament and a member of cabinet about the government's reasons for introducing such legislation, which affects oil pipelines but not other products like natural gas or solvents, which can also be transported via pipeline.

I would also like to know why she thinks the bill, if it is amended, would only affect pipelines transporting more than 250,000 barrels of oil a day and not those that transport 100,000 barrels, for example.

Why does the government's plan have this limit?

[*English*]

**Hon. Michelle Rempel:** Mr. Speaker, I was trying to listen in French. If I understood my colleague's questions correctly, he asked why we have this legislation and why it affects this and not other materials.

Certainly we want to ensure that the bill would have a very positive impact on high-volume pipelines, which are regulated very well. We also want to work with smaller operators to ensure that the regulations are not too onerous on them, while also reflecting a high degree of health and safety requirements.

I think the bill gets that right, but I should mention that it is not just about looking at the pipeline. The bill also reflects some of the things we have put in place to ensure that the build-out is safe.

Changes we have made to the Canadian Environmental Assessment Act, as well as making the environmental assessment process more robust through the RRD process, are very good things.

I should also mention that we increased the budget to the National Energy Board in 2012 by \$13.5 million and in 2014 by \$28 million for increased audits and project reviews so that we could have that high degree of safety in the build-out as well.

We have a very robust piece of legislation that Canada can be very proud of, and I hope that my colleagues will vote to send it to committee.

[*Translation*]

**Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP):** Mr. Speaker, I am pleased to rise to speak to Bill C-46. I am even more pleased about the fact that this is the first bill on natural resources that I have the honour to debate in the House as the official opposition critic for energy and natural resources.

This is an extremely important issue, particularly because of the various challenges we are currently facing and the projects that are under way. In my riding, the energy east project will pass through Témiscouata. It is a major project. Clearly, there are many other major projects all over the country that are directly affected by Bill C-46, which seeks to make the transportation of oil via Canada's pipelines safer.

The government asked us how we are going to vote at second reading. I can confirm that we are going to support the bill at this stage. We are not doing so because the bill is perfect, and in the next few minutes I will have the opportunity to explain the problems with this bill that the Standing Committee on Natural Resources should work on.

In our opinion, this bill is a good first step. Finally, after putting so much pressure on the government, we are truly pleased that the government is willing to reinforce the polluter pays principle, not just in words but also in the legislation.

As my colleagues no doubt know, since our leader, the member for Outremont, took over the reins of the New Democratic Party, he has spoken at length about this country's need to enforce the polluter pays principle, not only in the area of natural resources but also in all of our country's industrial and economic sectors.

He has also spoken about the need to take into account external economic impacts, for example the cost of the pollution caused by various industries, in order to reflect the actual cost of production, not only from an economic perspective for the consumer or the producer, but also from an environmental perspective and from the perspective of how it could affect large communities.

*Government Orders*

On this side of the House, we recognize the importance of the oil and gas industry across the country. We know that this industry accounts for approximately 7% or 8% of Canada's GDP and that it has an impact not only on the western part of the country, but also on regions such as Quebec and Ontario. However, if we want to enshrine the polluter pays principle in law, we will have to do so in a consistent and comprehensive manner.

In describing the bill, which is what I plan to do for the next few minutes, we realized that the generally positive points might not go far enough, such as establishing no-fault liability. Thus, at the end of the day, all companies could be liable in the event of a disaster. Even if it is not the company's fault or if negligence is not proven, the liability could be as high as \$1 billion, depending on the amount established by the National Energy Board, by cabinet or by the governor in council.

While the \$1 billion is positive when you consider that there is currently no implicit responsibility in Canadian legislation or regulations, it does minimize and water down the polluter pays principle. Even if the company is not at fault, it is nevertheless a question of a pipeline built and operated by a company that must eventually take full responsibility for it. We are therefore faced with the following problem: even if there is no fault assigned, taxpayers could end up bearing financial responsibility.

If a disaster occurred that cost more than \$1 billion in cleanup and environmental costs, some of that burden could be placed on taxpayers through the government. We see this as one of the bill's weaknesses.

If we really want to remain true to the polluter pays principle, we need to follow through on the reasoning and make the company fully responsible.

Clearly, if the pipeline has a defect and the company is not responsible and a third party is, liability could be placed on the third party. However, if there is an operational issue and the company is responsible for the pipeline, then it must be fully responsible for any damage caused and for all environmental costs.

• (1230)

However, if the company is found to be at fault or negligent, under the bill, costs and damages could be much higher. This amount would be determined by either the governor in council or the National Energy Board.

We support the fact that this legislation will finally hold companies responsible for abandoned pipelines. Beforehand, the responsibility was implied but not necessarily very clear. My colleague from Edmonton—Strathcona mentioned in her speech that this is a serious problem in Alberta, where there are many abandoned oil wells connected by equally abandoned pipelines. These abandoned infrastructures pose a problem, because most of the time, the companies that owned them no longer exist, which creates legal uncertainty regarding cleanup costs.

It is therefore good that the responsibility of companies for these underground pipelines in Canada, even after they stop operating, is explicitly stated in this bill, because we are talking about major projects and companies that are relatively stable economically and financially.

How can we ensure that the companies will assume these costs? Under the bill, any company that is operating a pipeline that matches the standards set out in the bill, namely pipelines that have the capacity to transport at least 250,000 barrels of oil per day, must have liability coverage of up to \$1 billion. Once again, we support that. This money will be used to ensure that the company is immediately liable in the event of an incident and will also serve as a deposit in case a pipeline ceases operations, so that the company remains responsible for any potential cleanup costs or costs associated with subsidence, for example.

The bill thus provides for protection against any damage that could result on the land under which a pipeline passes. It is perhaps minimal compared to the growing costs associated with these pipelines but it is still a recognition of the company's responsibility.

It seems like I am praising the government, but we have to acknowledge the progress that has been made in pipeline safety and the positive aspects. For example, the bill authorizes the National Energy Board to establish a pipeline claims tribunal for claims following a pipeline leak or disaster.

It used to be extremely complex and onerous for a land owner to get compensation for a major pipeline spill. The legal system is very complex and there are a lot of costs up front for a person who suffered damages.

This bill includes a provision authorizing the National Energy Board and the governor in council, at their discretion, to establish an administrative tribunal following a disaster in to order hear and compensate the parties who feel adversely affected by the disaster. This is progress because it will make the administrative process easier—if the National Energy Board and the governor in council use their discretion wisely, that is.

Those are the positive aspects of this bill as I see them. This is progress, and it is why we are voting in favour of this bill at second reading. We could then consider the bill further in committee and propose amendments to improve these provisions, which seem more watered down than they could be.

As far as the bill's flaws are concerned, we can name three. First, I mentioned several times the issue of the discretion of the National Energy Board and the governor in council, or cabinet.

• (1235)

It would have been preferable to provide greater certainty in this bill and give it more teeth, if you will, so that some elements would be triggered without relying on the National Energy Board or the Governor in Council to provide good governance or wise decision making.

In fact, a number of these tools that, in principle, should improve the safety of pipelines are not guaranteed. Their application will be at the discretion of the National Energy Board and the Governor in Council. We all hope that will happen, but it will be determined on a case-by-case basis with no guarantees.

*Government Orders*

Furthermore, we really wanted the government to understand that pipeline safety impacts not only the transport of oil, but also the transport of natural gas and other products, such as solvents used in the oil sands. Quite often, the bitumen is treated in one area and the solvent, after being separated from the bitumen, is reshipped to the extraction site. These solvents are highly toxic and very dangerous. It would have been good for such a bill to cover the transport of these products, whose risk to the environment is similar to that of oil.

Furthermore, it is hard to understand why the government limited its new safety standards on pipeline transportation to pipelines that transport more than 250,000 barrels a day. Why did it not impose these standards and new restrictions on pipeline transportation safety on all interprovincial pipelines that fall under the jurisdiction of the National Energy Board and the federal government?

Yes, it is a step in the right direction that the government is now applying, even partially, the polluter pays principle. That is why we will support the bill. It is also an important issue for the government and the industry, because it is a question of confidence in the industry. I can speak from personal experience, because one of the main concerns in my riding and in Quebec as a whole, given what I have heard about the energy east project, has to do with transportation safety with respect to rivers, waterways and watersheds, among others. That is a big concern that recently came up in a Harris-Decima survey of Canadians' views on the transportation of oil and gas, either by rail or by pipeline. Less than half of Canadians have confidence in the pipeline transportation system.

Lots of people talked about social licence. That is why it goes without saying that for the in-depth study and to reassure people that transporting oil by pipeline will not have a negative impact on their community, there must be elements in place to ensure safety and rapid response in case of a disaster. There must also be a mechanism in place to ensure that companies pay adequate compensation for all environmental disasters that occur on private property or even on public property. The government should have gone in that direction.

One could even argue that they took too long to go in this direction because it has been some time now since the government was reminded of its responsibility for pipeline safety and the safe transportation of oil and fossil fuels in general. It should have taken action on this long ago, and many members of society have criticized it for that, not just environmentalists, but also communities directly affected by that transportation, be it underground or by rail.

If we look at all of the projects, some will certainly be influenced or affected by this bill. It could help the communities that are stakeholders in this. I am talking about energy east, of course, and northern gateway is another one that is affected. This might enable communities to look at this from another angle.

● (1240)

We should not necessarily expect the government to have carte blanche when it comes to getting its projects approved by the communities. It can take a positive approach, or a relatively positive one in this case, but communities have still expressed a lot of concerns. I am not talking just about municipalities; I am talking about aboriginal communities too. For example, in the case of northern gateway, Kitimat could be severely affected if there is a disaster, and that has been brought up a number of times. The

government seems unable to reassure that community. The government should have a responsibility to intervene directly in talks about pipelines with first nations; that should not be left up to the company. The government, which has a responsibility toward first nations, should be able to get involved in these matters.

It refuses to do so. As a result, these projects have no social licence. Ultimately, not only is the government doing nothing to increase safety standards, but according to most experts, it is also limiting consultation periods as well as the effectiveness of the environmental assessment process. It has sped up the process to supersonic speeds. I am using that language because, in the case of the energy east project, the National Energy Board has only 15 months. In fact, the deadline for intervening or even commenting on the energy east project in Quebec is March 3, which is next week. The problem is that TransCanada, which of course is the company behind the energy east project, has not yet even decided if there will be an oil port in Cacouna. Rumour has it that the route could change significantly. Apparently, Cacouna could be replaced by Baie-des-Sables, Bécancour or Lévis, for example. It is not clear if plans have been finalized, but the board seems to think that it has to act immediately because of the extremely tight deadlines that were imposed by the federal government's legislation.

The same thing goes for the issue of environmental assessment, given that there used to be separate processes. The National Energy Board dealt with the pipeline itself while environmental issues went through a separate process. To address some of the shortcomings, the government obviously could have changed the two processes to try to increase their effectiveness. However, in the end, by merging the processes and handing responsibility over to the National Energy Board, the government did not do the industry any favours, quite the contrary. These days, there is a lot more resistance to these projects, precisely because the process seems extremely inadequate for people who want to intervene and for those who are affected and worried and are feeling dismayed about how quickly everything is moving. In the case of energy east, we are talking about a major project involving 1.1 million barrels that the board has to handle in 15 months.

*Government Orders*

We are talking about the polluter pays principle, the federal government's responsibility, and the principle whereby the federal government should ensure the best provisions for the industry. These provisions are not just intended to make shipping and economic expansion easier. The government also has a responsibility to ensure that the economic, regulatory, and legislative conditions governing the oil and gas industry are stable enough to ensure long-term consistency. The companies and industry need to know that their economic environment is secured for the long term. At present, given how the government operates and the changes that were made, the companies are right to question the merits of the government's policies.

In the case of Bill C-46, the measures are a step forward in pipeline safety. That is why we support the bill. However, there is still some uncertainty when it comes to ensuring that natural resource development, which is important to Canada's economy, could grow responsibly and sustainably, as we gradually transition Canada's economy to one that is based more on renewable energy, of course.

• (1245)

**Ms. Paulina Ayala (Honoré-Mercier, NDP):** Mr. Speaker, this bill mainly tackles the problem of the polluter pays principle, but not other matters. I am worried about that. We are going to support the bill so we can discuss it.

Today in *Le Devoir*, there is an article about the municipal revolt against energy east:

At least 75 cities have voiced concerns about the TransCanada pipeline...The mayor of Mascouche...is not mincing words...“We do not want this project. That is clear.”

Canadians are worried about protecting many people's wells and also about protecting the environment. I hope that this flaw in the bill will be corrected. Communities must be consulted and mobilized in a significant way. If oil companies really want to obtain public approval, Canadians must have the assurance that these projects are sustainable and that approval processes are open and fair.

How can we harness these resources in a sustainable manner while protecting the environment and fostering the creation of value-added jobs in Canada? I would like my colleague to elaborate on this because it is not really addressed by the bill.

**Mr. Guy Caron:** Mr. Speaker, I would like to thank my colleague from Honoré-Mercier for her question. The issue of social licence is important. Projects such as energy east would have no social licence without any real consultation. TransCanada and the National Energy Board held consultations and set up booths in the various municipalities and communities that are affected. However, they must do more. There must be real dialogue with the municipalities and communities, which have the impression that TransCanada and the National Energy Board are just trying to convince them.

Take for example, the liquefied natural gas or LNG industry, which still has its merits. A company that I will not name wanted to set up an LNG tank, following one of the three diagrams prepared by the engineers. When these three options were proposed to the public, people identified weaknesses in the two options that were the cheapest for the company. The third option did not seem to present any problems. The company therefore submitted the third project, even though it was more expensive, and set up the reservoir.

This community therefore had its say before the project was carried out. These people did not feel as though the company was trying to convince them to accept the least expensive option. Accordingly, social licence was easier to obtain. This bill also makes it easier to obtain social licence because it responds to some of the concerns that municipalities and communities have about the responsibility of companies. However, it does not address all of their concerns.

• (1250)

[*English*]

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, the importance of our national pipelines is incredible in the sense that Canada has been blessed with natural resources, whether it is the oil sands or natural gas. However, to get products to market, we do not have very much in terms of options. It is either pipeline development, if we are going to be expanding, or rail. I think most Canadians would rather see it go through pipelines, which is something the Liberal Party of Canada would also like to see.

The member has already made reference to this, but I would like to reinforce it. It is important, as we look toward potential growth and the delivery of these commodities, that we have consultations with the public as a whole, particularly first nations and other communities, to get what is often referred to as a social licence to proceed.

Could the member comment on how critically important it is that we get that social contract?

[*Translation*]

**Mr. Guy Caron:** Mr. Speaker, I thank my colleague from Winnipeg North for his question. It is a very important one.

The concept of social licence is fundamental to the first nations, which are involved in these processes, but often not as a partner. More often than not, they are pressured on the projects, whether it is political pressure or pressure from the companies.

As I mentioned in my speech, I also agree that the oil and gas industry is hugely important to Canada's economy. This is evident not only in the west but also all across Canada. I was pleased to see that the bill included the two primary means of transportation: pipelines and rail transportation. In both cases we need regulations to keep everyone safe and to hold the companies involved accountable, whether we are talking about pipeline operators or, in the case of rail transportation, rail operators.

*Government Orders*

We know that the government introduced another bill to make companies more accountable. We will study its merits, as we are currently studying the merits of the provisions to increase the accountability of pipeline operators. We will also study the merits of the provisions for the environment and for landowners who could be affected by a spill and who have concerns.

[*English*]

**Mrs. Kelly Block (Parliamentary Secretary to the Minister of Natural Resources, CPC):** Mr. Speaker, we know that Canada has a world-class pipeline safety system. In many respects, no other country in the world has legislation that is as comprehensive. For example, while the United States and the United Kingdom have similar legislation in place, the \$1-billion minimum financial capacity and absolute liability limit are unique to Canada.

Alongside these measures, Canada's pipeline safety system already transports 99.999% of product safely, as was mentioned earlier. With this in mind, I would ask if the member opposite supports what can fairly be described as the best pipeline safety system in the world.

• (1255)

[*Translation*]

**Mr. Guy Caron:** Mr. Speaker, I thank the Parliamentary Secretary to the Minister of Natural Resources for her question. We have both served on the committee together.

I would not necessarily use such laudatory and glorious language. Nevertheless, we will support the bill at second reading because it really is a good step forward. However, nobody should make the mistake of thinking that this is a pure and complete application of the polluter pays principle.

The reason is that if there is an absolute liability of \$1 billion without having to prove fault or negligence on the part of the company, and if the disaster or catastrophe costs more than \$1 billion, taxpayers—the government—could be affected and forced to pay part of the cost. According to the polluter pays principle, those costs should be covered by the company, which must take every precaution to minimize the risk of a disaster. Even though this is a positive step in that direction, it is not a complete application of the polluter pays principle.

When it comes to statistics, I do not necessarily want to talk about the ones that the government likes to bring up. However, other studies indicated that in the case of TransCanada and energy east, the company would be unable to locate leaks amounting to less than 1.5% of the flow. Now, 1.5% can add up to millions of litres along the length of the pipeline, so that is a huge amount of oil that could cause significant damage and affect individuals.

I do not necessarily want to get into statistics, but it is important to look at this kind of study, respond to it, and determine whether the statistics are wrong. If the study is correct, then we need to be able to address that concern. That would improve and optimize the safety of the pipelines we are talking about.

[*English*]

**Mr. Leon Benoit (Vegreville—Wainwright, CPC):** Mr. Speaker, I am delighted to speak today on the government's new pipeline

safety act. I will be splitting my time with the new member for Whitby—Oshawa.

During this debate, all members have reminded us of the great importance of Canada's energy infrastructure. We heard how Canada's pipeline network functions as a vital energy highway, delivering oil and natural gas to our homes, our businesses and industry, and supplying energy to all forms of transportation. While the New Democrats would prefer to deny this fact, it is clear that we all benefit daily from the energy that Canada's pipelines carry. We rarely think about this key infrastructure because, quite frankly, there is rarely a problem with it because it is so safe.

Canada has a vast network of federally regulated pipelines—in fact, over 73,000 kilometres. Those are just the federally regulated pipelines across this great country. In addition, 70 pipelines deliver oil and natural gas across the Canada–U.S. border every day safely and reliably.

In 2013, Canada and the United States' energy trade was the largest in the world, at some \$140 billion that year. That is far more than total trade between any other two nations on earth. Today, historic volumes of Canadian energy are being supplied to the United States. In fact, Canada and the United States have dramatically reduced their oil imports from offshore. I think most of us in the House would agree that that is a good thing. At the same time, oil imports from each other are at record highs, contributing to greater North American energy security and economic growth in both countries.

As large as Canada's pipeline network is, the United States' pipeline system is even larger. According to the Pipeline and Hazardous Materials Safety Administration, an agency of the U.S. Department of Transportation, there are over 2.6 million miles of pipelines in America moving oil and natural gas throughout the United States. The American pipeline network is more than 50 times the length of the United States interstate highway system, which really makes the point that it is a tremendously huge system and a very safe one as well. Again, since pipelines have proven to be the most efficient, safest, reliable, and energy-efficient way to transport oil and gas, we rarely think about these energy highways and the fact that they link most communities throughout North America.

When it comes to pipeline safety, Canada's record is outstanding. Our pipelines are among the safest in the world. Between 2008 and 2013, 99.999% of the oil and products shipped by federally regulated pipelines arrived safely. Canadians can and should be proud of that record. Instead, I hear criticism and doubt from the members, particularly the NDP across the aisle. We have seen the conversion on the road to Damascus, as it were, of the Liberal members opposite. I am happy to see that they have got on board, after seeing that it is something they absolutely have to support.



*Government Orders*

Moving that same amount of oil by road or rail would require 15,000 tanker trucks or 4,200 rail cars every day, and would consume more energy and cause higher greenhouse gas emissions. The choice to move these products by pipeline is clearly the right one. There is no doubt about that, and I honestly do not think anyone in the House would deny that truth.

When it comes to safety, Canadians demand and deserve the very best. We want our communities to be safe, and we want the environment to be protected. That is why the pipeline safety act is so important. In short, we understand that public safety and environmental protection are necessary conditions for energy development. The pipeline safety act is one more way in which we could continue to build public confidence in our 73,000 kilometres of pipelines.

● (1300)

Bill C-46 would build upon Canada's already impressive pipeline safety record by focusing upon three key areas: prevention, preparedness and response, liability and compensation.

Bill C-46 would include preventive measures that would clarify the rules and responsibilities of pipeline owners to prevent pipeline incidents, increase safety for Canadians, and provide better environmental protection.

The bill would require companies operating major oil pipelines to have \$1 billion in financial resources at their disposal, with sufficient resources always on hand to ensure an immediate and effective response.

We would enshrine the polluter pays principle in law so that polluters, not Canadian taxpayers, would be held financially responsible for the costs of damages that any incident might cause.

We would introduce absolute or no-fault liability so pipeline operators would be held responsible, even when fault or negligence has not been proven. That is an important point that I think has been somewhat missed, even though we have had quite a bit of debate on the legislation.

For companies operating major oil pipelines, the amount for absolute liability would be set at \$1 billion.

Of course, our first priority is to prevent spills from happening in the first place. That is why we are proposing amendments to the National Energy Board Act that would build upon other recent improvements our government has implemented. These include increasing the number of inspections and audits conducted each year and giving the National Energy Board the authority to levy monetary penalties.

As well, we would ask the NEB to provide guidance on the use of the best available technologies in pipeline projects. This would include materials, construction methods, and emergency response techniques. As a result, the National Energy Board, one of the most respected energy oversight bodies in the world, would be involved in all stages, including new construction of pipelines.

We are proud of Canada's safety record with pipelines, but we have no intention of resting upon our laurels. There is no room for complacency when it comes to the safety of Canadians or the safety of our environment. Bill C-46 would reflect our government's

commitment to doing even better, in spite of the fact that the record of pipeline companies is already impeccable.

We also understand the importance of consulting with Canadians, including with aboriginal peoples who are often living closest to where our natural resources are found. That is why, beyond this new legislation, our government is also taking an inclusive approach to safety and resource development. We are deeply committed to working directly with aboriginal peoples throughout Canada, in all aspects of pipeline safety operations, including planning, monitoring, incident response, and related employment and business opportunities.

The Government of Canada has a constitutional duty to consult with aboriginal communities whose aboriginal and treaty rights may be adversely affected by a proposed project, and we are doing that. We believe that aboriginal peoples must be partners in everything we do, from ensuring the safety of our pipeline system, to protecting our marine environment from incidents, to sharing in the benefits of developing our resources. That is why our government is determined to forge ahead with a strong and lasting partnership with aboriginal peoples in the responsible development of our resources and our pipeline safety system.

We have seen the NDP continuously vote down all of our increased pipeline safety measures, and Canadians know they simply cannot rely upon the NDP to prioritize their safety or the environment. Canadians can trust our government. With Bill C-46, we would be making Canada's world-class pipeline safety system even safer.

I urge all hon. members, from both sides of the House, to support the truly effective proposals put forth by this legislation. I look forward to hearing the rest of the debate on the bill.

● (1305)

[*Translation*]

**Mr. Pierre-Luc Dusseault (Sherbrooke, NDP):** Mr. Speaker, I thank my colleague for his speech.

I wonder whether he could provide more details about a measure I would have liked to see in the bill. I am not sure if it is there, which is why I am asking him.

One of the big concerns in Sherbrooke is the fact that when a company is responsible for an oil spill, or a spill involving some other product that is harmful to the environment, the company usually goes bankrupt. It no longer has any resources and can therefore dodge its environmental responsibilities. In the end, taxpayers are the ones who end up covering the cost of repairing the damage.

Does the bill contain any measures for situations where companies can shirk their obligations following an unfortunate spill, no matter where in Canada it occurs?

*Government Orders*

[English]

**Mr. Leon Benoit:** Mr. Speaker, when it comes to major pipeline spills, the average cost of the cleanup is between \$5 million and \$20 million for major spills. For smaller spills, it is much less.

The bill proposes \$1 billion in absolute liability where no fault would have to be proven, and companies would have to have the resources available to cover the cost of the cleanup to that extent. Further, if it turned out that they were found liable and the costs were somehow above \$1 billion, which is hard to understand when it is now between \$5 million and \$20 million for major spill cleanups, those companies would still be responsible for the full cost of the cleanup.

It is in the bill; it is clear and it is substantial. Many would argue that the government may be going a little too far with this. I have heard that concern. We will certainly have to be conscious of the smaller companies when it comes to the \$1 billion absolute liability, but I do believe that it would be taken care of.

The member does not have anything to worry about when it comes to companies covering the cost.

• (1310)

**Mr. David McGuinty (Ottawa South, Lib.):** Mr. Speaker, I thank my colleague for his speech. We worked together previously in the Standing Committee on Natural Resources.

I have a question that relates to this bill and the whole question of pipeline safety, because it is impossible to distinguish pipeline safety from the transportation of oil by rail. As the member knows, as chair of the natural resources committee, on present courses, if all of the pipelines that we are contemplating building are built—one to the west, one to the south, which appears to be on permanent hold, and one to the east—in nine years from now, based on the plans to continue exploiting fossil fuels from our oil sands, we will have 1 million barrels a day in excess oil capacity that will not be transported by pipeline.

Can the member help us understand how the government sees this question of pipeline safety and this incredible risk of longer trains carrying many more cars with oil? We saw what happened at Lac-Mégantic. We saw another explosion last week in the United States.

**Mr. Leon Benoit:** Mr. Speaker, I thank the member for his question. He served with me on the natural resources committee for a number of years. I know that he has looked at this issue before.

I really have a lot more confidence in our oil companies than believing they are going to produce excess capacity. Maybe the member meant excess capacity beyond what these three new pipelines would carry. I see now from him that that is what he was indicating. If that is the case, companies will build another pipeline. That is what happens. They are not going to produce substantially more than what they can move, and all companies would prefer to move most of their oil by pipeline.

I have a lot of confidence in the oil companies working with the pipeline companies, as long as we can start getting these pipelines built. There have been a lot of roadblocks thrown in the way that have caused undue delay. I would suggest that the balance will be there, and Canada will continue to grow its economy based on

natural resources as one of the major building blocks, including the oil and gas sector.

**Mrs. Pat Perkins (Whitby—Oshawa, CPC):** Mr. Speaker, Bill C-46 is a piece of legislation with many compelling reasons to support it. First and foremost, the legislation would raise the bar even higher on Canada's already stellar pipeline safety record. Given the 99.999% safety record federally regulated pipelines have, we know that pipelines are a safe and efficient way to transport energy. However, as close as this track record is to perfection, we know that Canadians expect us to improve on this record even further. Our goal is simple: no spills. That is precisely what this legislation is about.

As the Minister of Natural Resources made abundantly clear, the Government of Canada is committed to ensuring that Canada has a world-class safety regulatory system for pipelines. He left no doubt that there will be no development unless rigorous environmental and regulatory reviews indicate that they are safe for Canadians and safe for the environment, because public health and environmental performance are non-negotiable.

The pipeline safety act is a solid illustration of responsible resource development in action. It would strengthen environmental protection and would create new jobs at home while providing energy security for our international trading partners abroad. The legislation is just the latest concrete action in this commitment.

The bill builds on previous pipeline safety measures our government has implemented. These have given the National Energy Board new authority to levy administrative monetary penalties and to increase the number of board inspections and audits.

I know that Canadians can count on our government to take action. Our pipeline safety act would go even further, strengthening incident prevention, preparedness, response, liability, and compensation. The legislation would give the National Energy Board even greater powers to hold the pipeline industry to account and would ensure that the sector would pay a hefty price if it let environmental standards slip.

These measures alone are reason enough to support the bill, yet there is another equally critical factor to consider: our time-limited opportunity to ensure that Canada's energy sector will continue to succeed, creating future prosperity for all Canadians.

*Government Orders*

As we know, Canada has the third-largest proven oil reserves in the world and is the fifth-largest producer of natural gas. These valuable resources are already a major economic driver in our country. The oil and gas sector accounts for over 190,000 direct jobs and nearly 7.5% of Canada's gross domestic product. Canada sold \$117 billion in energy products to the world in 2013. This represents over a quarter of our total merchandise exports. That money makes its way into the pockets of all Canadians, whether directly, through business activity and jobs, or indirectly, through the benefits of resource sector royalties.

On average, for the past five years governments at all levels collectively received about \$23.3 billion annually from the oil and gas sector. That is equivalent to the amount spent educating 1.6 million Canadian children in the public school sector or what governments would be spending on health care for nearly five million Canadians. This figure is just a fraction of what it could be. Hundreds of major resource projects worth more than \$675 billion are under way or could come on stream over the next decade. This is truly a once-in-a-generation opportunity.

The Canadian Energy Research Institute says that over the next 25 years, the total value of the goods, services, and jobs generated by the oil sands alone could reach \$2 trillion. That works out to \$85 billion a year, and I have only talked about oil thus far.

● (1315)

According to the Conference Board of Canada, between 2012 and 2035, the natural gas industry could invest over \$386 billion in Canada. Close to half of that, \$181 billion, would be destined for British Columbia.

Of course, none of this will happen without adequate infrastructure to move our energy products to coastal ports in world markets. Without pipelines, Canadian oil and gas will continue to be stranded. In fact, we are already paying a price for the lack of pipelines. Discounted oil prices led to an estimated loss of \$13.3 billion in revenues to Canadian producers in the year 2012.

We need new pipelines to reach new and different markets than what we have traditionally relied upon in the past. At the moment, virtually all Canadian exports of oil and gas are headed south to the United States. Canada will continue to be a key supplier to our American neighbours, but shifting global demand and supply conditions make it imperative that we broaden our customer base. Fortunately for us, there are enormous and fast-growing replacement markets we can tap into if we make our energy supplies available to them.

The International Energy Agency predicts that demand for energy will increase by one-third over the next 25 years. Two countries, China and India, will account for nearly half the increase. Some may suggest that renewable and alternative sources of energy negate the need for oil and gas. However, the International Energy Agency says that even with the progress being made in this area, it will not be enough to meet the demand, and that by 2035, three-quarters of the global energy demand is expected to be met by fossil fuels.

Canada can seize this historic opportunity to create high-quality jobs, economic growth, and long-term prosperity for all Canadians. The conditions are ideal for us to do so. Beyond our energy prowess,

Canada has other important advantages that support the responsible development of our energy resources and associated infrastructure. For instance, Canada is one of the best countries in the world in which to invest. Canada placed second in Bloomberg's recent world ranking of business-friendly nations, and KPMG has concluded that Canada's total business costs are the lowest in the G7. They are more than 40% lower than the United States.

To capitalize on these strengths, our government has launched an ambitious free trade agenda. Free trade deals have been reached with 10 countries. They include Canada's most comprehensive trade agreement to date, which is with the European Union. The European Union represents a market of 500 million people and annual economic activity of \$18 trillion. It is the largest marketplace in the world.

More recently, Canada has concluded a free trade agreement with the Republic of Korea, the fourth-largest economy in Asia. This landmark achievement will provide access for Canadian businesses to a population of 50 million people.

We have the perfect mix of growing global energy demand, growing Canadian energy supplies, and an economic environment conducive to increasing energy trade around the world. All can work to Canada's benefit.

The pipeline safety enhancements proposed in this new legislation to strengthen incident prevention, preparedness and response, and liability and compensation will help prepare Canada for these new economic opportunities. This legislation clearly demonstrates our government's commitment to public safety, environmental protection, and meaningful engagement with aboriginal people. By emphasizing prevention, responding quickly in the event of an incident, and making sure that companies, not Canadians, are liable for any costs, the act would ensure that we maintain a truly world-class safety system.

For all these sound reasons, I urge all parties to support this worthy and necessary legislation. The time to act is now.

● (1320)

**Mr. Don Davies (Vancouver Kingsway, NDP):** Mr. Speaker, Bill C-46 takes a long overdue first step toward a true polluter pays regime for pipelines in Canada, which has always been an element of the NDP's plan to grow the economy while also protecting the environment. I think this is a positive first step.

Presently in Canada some of the pipeline proposals are to export raw bitumen, which is not only a substance that will float to the bottom of the ocean and that cannot really be contained but is a substance that represents the export of jobs. That bitumen could remain in Canada and be processed here, creating all sorts of good, high-paying jobs for Canadians. I am wondering if the member has an opinion as to whether Canada should be seeking to try to process bitumen in Canada.

My second question is on climate change. Does she have any concerns that increasing our exports of fossil fuels will contribute to global carbon emissions, leading to climate change, and does she have some ideas on how we should be dealing with that?

*Government Orders*

**Mrs. Pat Perkins:** Mr. Speaker, with respect to raw bitumen and the export of jobs, this is actually about the pipeline and moving material. What we are doing is ensuring the safety of the mobility of the goods. Pipelines have proven over the years to be the safest way to move oil and gas. We have a 99.999% safety record. We are ensuring that we continue that safety and the environmental responsibility attached to that. We do not want it to injure people or our environment. Certainly we have proven that we have put the resources behind it to do that.

In terms of climate change and what might happen in the global economy, I am not entirely sure what the regulations are in various countries throughout the world and what they might do. On exporting it to those countries, I am sorry, but I cannot answer the question as to whether that would have an effect on climate change, but I would advocate that we try to mitigate that as much as possible.

• (1325)

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, there is no question that Canadians want to see strong legislation that will provide a sense of security and safety related to our pipelines, whether it is the ones currently in place or future pipelines. To that degree, we have been supportive of the legislation the government has brought forward and see it as a step forward in this whole process.

One of the concerns the leader of the Liberal Party expressed yesterday in question period was the opportunities that have potentially been lost, and I should not use the word “potentially”, because of the government's inability to work with industry, with U. S. law-makers, and in particular, with President Obama in regard to the Keystone XL pipeline. The government talks about the benefits of the pipelines and what they prevent in terms of rail traffic and traffic on our roads and so forth. When it comes to the expansion of the pipelines, the government has not done that well.

Could the member explain why she believes that the government has not been able to take more tangible action with regard to the Keystone XL pipeline?

**Mrs. Pat Perkins:** Mr. Speaker, the issues south of the border are complex, and it is certainly a political situation. President Obama is dealing with issues in his country the way he feels is necessary.

We are offering some of the best opportunities in pipeline safety. This is something I believe will be a growing opportunity for Canadians, because we have great liability and compensation plans in place, preparedness and response and prevention plans we have put in place, and increased inspections. All the things we are putting in place will alleviate the fears and concerns people will have.

Opportunities are going to present themselves. Things do not happen overnight. Certainly they are being worked on.

**Mr. Fin Donnelly (New Westminster—Coquitlam, NDP):** Mr. Speaker, I will be splitting my time with the hon. member for Victoria.

I am pleased to rise in the House today to speak to Bill C-46, An Act to amend the National Energy Board Act and the Canada Oil and Gas Operations Act.

I will begin by stating that Canada's natural resources are a tremendous asset and the energy sector is a critical component of our

economy. From oil, gas, trees, fish to mining, the New Democrats recognize the vital role that natural resources play in the Canadian economy.

However, unlike the Conservatives and the Liberals, the NDP has presented a clear vision which leverages our natural capital to create wealth and prosperity, while maintaining a high level of social, cultural and environmental integrity. The New Democrat vision for resource extraction focuses on three key principles of sustainable development.

The first principle is environmental integrity. It requires us to ensure that polluters pay for environmental impacts they create instead of passing those costs on to future generations.

The second principle is partnerships. It requires that government ensure that communities, provinces, territories and first nations benefit from resource development and that we create value-added middle class jobs right here in Canada.

The final principle is long-term prosperity. It focuses on leveraging Canada's natural wealth to invest in modern, clean energy technology that will keep Canada on the cutting edge of energy development and ensure affordable rates into the future.

For far too long, Canadians have been told that they have to choose between the economy and our environment. That is a false choice. It is an approach that is stuck in the past. In articulating our balanced approach, the New Democrats believe that our natural resources must be developed sustainably. Polluters must pay for the damage they cause. This is common sense and is fair.

While natural resources are undoubtedly a central component of the Canadian economy, only Canada's New Democrats recognize the need to move away from our overreliance on fossil fuels and have a vision for development that promotes economic prosperity and job creation that goes hand-in-hand with social, economic and environmental responsibility.

For most residents of B.C.'s Lower Mainland, like those in my riding of New Westminster—Coquitlam and Port Moody, having government approach natural resource development through a collaborative approach, with the principles of sustainability at its core, is a necessary precondition for their support of resource projects.

While the Liberals and the Conservatives have been happy to rubberstamp pipeline projects, the New Democrats believe that major resource projects must be judged on their merits. That means projects must be subjected to a rigorous and robust environmental assessment process. Assessment criteria must include an impact assessment of our emissions and climate change impacts on Canadian jobs and on national and regional energy security.

*Government Orders*

Public consultations must be credible and democratic, not shallow, limited or paper-based. Projects must honour the legal obligations of our duty to consult first nations. Clearly, such rigour has been absent in the review of the northern gateway and Kinder Morgan proposals in British Columbia, and the same flawed process is now being applied to the energy east pipeline.

Despite the divisive pipeline politics that the Conservative government has created, Bill C-46 is a much needed and long overdue first step toward a polluter pays regime for pipelines in Canada. Although the bill can be seen more as an initial step than a giant leap forward, the fact that polluters will be absolutely liable for harm caused by a pipeline spill is a step in the right direction.

Once passed, Bill C-46 will ensure that any company operating a pipeline will be liable in the event of a spill, even if it has not been negligent and has not broken any laws. For companies whose pipelines have the capacity to move at least 250,000 barrels per day, that limit will be up to \$1 billion. That monetary amount can be increased by the government in the future, but the bill would prohibit cabinet from lowering it. That too is a good thing.

Despite the purported goal of implementing the polluter pays principle, Canadians may still be at risk as the limit in Bill C-46 places a liability of \$1 billion when there is no proof of fault or negligence. This means that taxpayers may still be on the hook for oil spills costing more than that.

• (1330)

While the \$1 billion limit for some companies may be a big improvement over the status quo, it still would not completely cover the cleanup cost of an accident, such as the Enbridge Kalamazoo River spill in Michigan. According to recent estimates, that spill, the largest in U.S. history, cost more than \$1.2 billion to clean up, not including compensation for damages, and still damages remain today.

While not a pipeline spill, I think of my home province of British Columbia and the disastrous Mount Polley mine spill that happened last August as an example of how a breach of a tailings pond can have a major environmental consequence, which may not be immediately apparent. With Mount Polley, which many say is the worst environmental disaster in British Columbia's history, the extent of the damage is predicted to remain unknown for years, even decades, as toxins can slowly accumulate in the environment, from lake bottom, to fish and wildlife, to people. This underscores that the \$1 billion threshold might not be high enough, given the ambiguous cleanup times often associated with these types of disasters.

Finally, Bill C-46 would actually take a step backward by eliminating the government's ability to recover cleanup costs for a pipeline spill under the Fisheries Act, which applies in certain circumstances to make a polluter absolutely liable without limit. In the absence of such unlimited liability, the government, and therefore Canadian taxpayers, may still be on the hook for oil spills. This is just plain wrong and highly unfair.

If the government is so convinced that pipelines operate within a mature industry, then the industry is one that can and must pay for itself. Instead, the fact that the bill would not completely enshrine the polluter pays principle, means Conservatives are giving yet another

handout to their friends in the oil patch by making taxpayers liable for oil spill risks.

I support imposing liability for oil spills on pipeline operators. However, ultimately, it remains imperative that we prevent oil spills from happening in the first place instead of concentrating solely on who is responsible for the cleanup.

To that end, we need better regulation and oversight. The New Democrats are committed to rebuilding a robust environmental assessment process to undo the damage done by the Conservative government.

The New Democrats understand the need to move away from our overreliance on fossil fuels and have a vision for development that promotes economic prosperity and job creation, hand in hand with social and environmental responsibility. However, until modern society can curb its dependence on fossil fuels, ensuring the utmost precautions are in place to prevent environmental degradation caused by spills, including imposing a financial liability on the operators of these pipelines, is vital.

As we have witnessed, a failure to properly regulate the natural resource sector can have a disastrous consequence for natural habitats and the environment in which we live. I will relay the impact of a spill that happened in a neighbouring community of mine.

Kinder Morgan was ordered by the courts to pay a mere \$150,000 for a 224,000 litre spill of albian heavy synthetic crude oil into Burnaby's Westridge neighbourhood and Burrard Inlet, which my riding is connected to and shares. Nearly 78,000 litres poured into Burrard Inlet, impacting 1,700 kilometres of shoreline. Following that spill, Kinder Morgan spent almost \$15 million in remediation costs and millions more for personal property damage. Imagine this pipeline twinned and the amount of tanker traffic in the Inlet doubling or tripling.

Residents along this pipeline are hugely concerned about an oil spill that would impact their property, neighbourhood, community and, indeed, the surrounding environment. Many people are concerned, and we need to address these issues. As I said, the bill is a step in the right direction, but it does not go far enough.

*Government Orders*

• (1335)

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, I am not convinced that the New Democrats are being fully transparent on the issue of their positioning with respect to pipelines. When we listen to members speak to it, they give the impression that pipelines and the potential building of pipelines to meet market demands, not only for today but going into the future, is a bad thing, that we should not be building or adding to the 70,000-plus kilometres of pipeline infrastructure we currently have.

My question for the member is related to what he truly believes. Does he recognize the potential of getting more resources out of the ground for export purpose, for local consumption in Canada? If so, that would require either additional pipelines, increased train traffic or semis on our highways. Which one does he prefer?

**Mr. Fin Donnelly:** Mr. Speaker, it is a little rich that my hon. colleague feels our position is not solid when the Liberal position is all over the map. That is the issue. If we look at the record, it is much closer to the Conservative approach than the New Democrat approach.

The New Democrats feel we need to have proper liability costs. We need to move to a value-added system where we increase refining in our country. If we take oil out of the ground, we must get the most value out of that by ensuring as many good-paying jobs are created from it. We also need to look at a transition to renewable clean energy future. Canadians are looking for that. They are calling for it around the world.

A critical piece my colleague is overlooking is the social licence that is needed from communities in which we are proposing resource projects, whether it is communities in cities or in rural areas and first nation communities.

Both those parties have not taken seriously the importance of having to work with communities, provinces, first nations and individuals.

• (1340)

**Mr. Don Davies (Vancouver Kingsway, NDP):** Mr. Speaker, I congratulate my hon. colleague on an excellent speech and for the fine work he does on behalf of a balanced and intelligent energy and environment policy in our country.

My question is one that I asked my Conservative colleague a few moments ago, and that is about the relationship between pipelines and climate change.

Conservatives, to their shame, pulled Canada out of the Kyoto accord. Liberal Party Eddie Goldenberg, the former assistant to the Liberal prime minister said that the Liberals never had any intention of every implementing Kyoto. In fact, greenhouse gas emissions rose under Liberal administration.

If we are to increase pipelines in the country, if we are to move resources, what are Canada's obligations or the proper policy course for us in order to play a responsible role on the world stage in dealing with climate change?

**Mr. Fin Donnelly:** Mr. Speaker, I know how much work my hon. colleague does in his riding of Vancouver Kingsway.

It is a good question and it is an important one. It is an often overlooked question, especially from the government, dealing with climate change, which some would argue—certainly our youth would argue—is the most pressing challenge of our time.

My colleague mentioned that the government had pulled out of the Kyoto accord. Many Canadians are just flabbergasted, to be honest. They cannot believe a government would show not only a lack of leadership, but would pull us out of a world agreement.

The New Democrats believe we should go forward and tackle this tough problem. We had the climate change accountability act. It went through all the stages of the lower House and unfortunately was killed by the upper house, the unelected, unaccountable Senate when it called a surprise vote to kill it. Unfortunately, it would have been the only national bill on climate change.

This is an important element that must be linked to any kind of resources extraction or pipeline proposals. We must accommodate for how we reduce the carbon in our atmosphere.

**Mr. Murray Rankin (Victoria, NDP):** Mr. Speaker, it is a great honour to rise, and I wish to salute my colleague from New Westminster—Coquitlam for his excellent speech just now. I wish to avoid repeating some of the fine points he made, but I need to say a couple of things at the outset.

First, this false dichotomy of environment versus the economy, as he explained so eloquently, is simply a relic of the past. It is another example of the Conservatives' effort to divide Canadians, as they have done so effectively using terror as a wedge. They do this on the environment all the time as well. The rhetoric of the \$20 billion carbon tax comes to mind, to their everlasting shame. However, that need not be the case at all in a bill like this.

Second, I want to congratulate the government for finally moving forward with something to deal with pipeline liability. It is long overdue. It is something that has been so long called for that the Conservatives have finally woken up and done the right thing.

I wish to say at the outset that I am going to talk about three things in the bill that bear repetition.

The first thing is the enormous amount of discretion given to the cabinet and to the National Energy Board. It looks great to say we are enabling a whole bunch of things to be done. The legal reality on the ground, of course, is very different. It is only if the regulator chooses to go ahead that anything meaningful will happen. I just hope Canadians are not deluded into thinking that somehow things are going to change. They may change—it is an excellent first step—but only if regulators choose to exercise the discretion that has been given to them in the bill so frequently, as I will say. That is what this bill is about.

The second thing that needs to be said is that environmental legislation and liability legislation ultimately have to do with whether there is enforcement. To use a Shakespearean metaphor:

*Government Orders*

...full of sound and fury,  
Signifying nothing. That is unless and until the bureaucrats make the rules that would be enabled in this bill. Again, it is an enabling statute. If those rules that are made, once made, are not enforced because there are deals between the companies and the regulators and the like, so what? That reality needs to be put front and centre as we debate this enabling legislation.

I also wish to speak about orphan pipelines. I think that bears some discussion. First, this is an effort, no doubt, to increase the public's confidence in the regulation of our pipelines. A recent Harris/Decima poll conducted by the government pointed out that only 27% of Canadians are confident that the Government of Canada is able to respond effectively to a significant oil spill on water; a few more, 32%, think it can do better with oil spills on land. Canadians do not feel confident that pipelines, tankers, and trains that are transporting dangerous goods will do so safely. That is what the polling suggests. When it comes to rail transport, only 29% of Canadians feel confident that it is safe, and only 37% of Canadians believe oil tanker transport is safe; yet 47%, almost half, are confident pipelines can be made to transport oil safely. I say that because we need to talk about the enormous amount of diluted bitumen that is being moved through our waters, across our land on trains, and in pipelines. If Canadians have little or no confidence in those measures, then of course we need to work on that. To the government's credit, this bill is some effort to do so, if anything is effectively done with the powers that would be given.

I wish to say at the outset that this is indeed a good first step, and should therefore be taken in that context.

When the minister was speaking to this bill at first reading, he talked about how the bill would stipulate that companies have a legal obligation to respond to requests that the National Energy Board may make in relation to audits. It is passing strange that companies do not have to do so now, I gather. That is rather disturbing.

It says that the National Energy Board would strive to align federal and provincial pipeline safety zones. That is not good enough. The Transportation of Dangerous Goods Act is an excellent example of co-operative federalism where, for dangerous goods that are moving by trucks or other ways, we have a federal set of regulations inches thick that are incorporated by reference in each of the provinces. We have a one-size-fits-all, coast-to-coast approach for the transportation of dangerous goods. For the minister to say we would strive to align pipeline standards surely is not sufficient.

● (1345)

Speaking of things that are not sufficient, the thing that concerns me the most is this notion of companies remaining responsible for abandoned pipelines in perpetuity. I have some experience with that. After a company has abandoned a pipeline, is long gone, and has had an amalgamation or transfer of ownership, in what practical way is the National Energy Board going to be able to make it continue to be responsible for that abandoned asset?

Some people will be aware of the Britannia Beach mine in British Columbia as they go up to Whistler. It was a copper mine during the First World War. It was a multi-billion dollar liability. There was acid rock drainage seeping into Howe Sound. When the companies were finally hit with a cleanup order by the province under the

Environmental Management Act, they had to go back and do forensic accounting to try to find out who the successors in title were to the ancient companies that were the owners of the assets of the mine over time. It took a lot of time and money. Ultimately, they were found.

The problem is that it is very difficult to go after people. To blithely say that there is liability for abandoned pipelines in perpetuity needs more than just mere words. It is a very complicated matter to seek liability.

I said I would be positive about the bill, and I wish to say that the idea of unlimited liability in certain circumstances is an excellent idea. Absolute liability for up to \$1 billion, regardless of fault, is an excellent idea. However, what happens after \$1 billion? I suppose then that negligence has to be proven in a court of law.

To people listening, \$1 billion might sound like an enormous figure, but that is only until we put it into context and understand it. Simply, the Kalamazoo spill in Michigan has already cost \$1.2 billion for the cleanup, let alone liability to others. Enbridge owned that pipeline. It wants to bring us another pipeline in our province, called the northern gateway pipeline.

That sum of \$1 billion sounds like a lot, and I congratulate the government for the notion of absolute liability, but in context, it may not be adequate. After that, one would have to prove negligence in a court of law. Sometimes, fault and negligence are not easy things to establish.

Another thing in the bill that I think is an excellent idea, and I congratulate the government for it, is providing the government with the ability to recover costs associated with so-called non-use value environmental damages. There is no guidance on what that means, but the Supreme Court of Canada has contemplated that damages to the environment itself and the cost to the environment is worthy of cleanup. That is excellent to find in a Canadian statute, and I congratulate the drafters for putting it in. In the future, I hope that courts will pour meaning into what "environmental damages" might mean.

As I mentioned, the problem with section 48 of the National Energy Board Act as amended for abandoned pipelines is of concern. The NEB would be given the power to take necessary measures when a company does not comply with a particular cleanup order, but only given this power with respect to abandonment and abandoned pipelines. It does not relate to operating pipelines. It is not clear. I suppose in committee we could understand, if the government is open to amendments, whether that could be clarified. I say "open to amendments", because in my experience, the Conservative government is rarely, if ever, open to amendments, unless they come from its side of the aisle.

*Government Orders*

The bill is a comprehensive bill. I mentioned some of its deficiencies. I need to say, as I go back to where I started on public confidence, that it was way back in 2011 that the environmental commissioner pointed out that the National Energy Board was failing to fix a number of known problems and ensure that pipelines would be properly maintained. Here we are, and the Conservatives have still not implemented the regulations for proper oversight and inspection from four years ago. Action would be required.

To conclude, it is a nice first step. It is good to see that there are things there, all of which require discretion and enforcement. I hope that, when we get this bill to committee, we can make it better.

• (1350)

**Ms. Joan Crockatt (Calgary Centre, CPC):** Mr. Speaker, I think the public could be justifiably quite confused by what the NDP is putting forward here today, because what is false is that the member claimed the Conservatives are somehow setting up a false dichotomy between the economy and the environment. What is actually the case is that the Conservative Party is the only one in this House that has been consistently standing up for our environment and for our economy, and today's bill shows just that.

In fact, we have been moving forward with protecting lands the size of the entire country of Greece, at the same time as putting forward legislation, like the pipeline safety act, which would ensure that we have a very safe transportation method for some of our energy products.

I would like to ask the member opposite why the NDP continues to undermine public confidence in what is the safest pipeline system in the country, in the world. This is a fantastic pipeline system. Would the member opposite explain this to us? Does the NDP support what can fairly be described as the best pipeline safety system in the world?

• (1355)

**Mr. Murray Rankin:** Mr. Speaker, I am not quite sure, but there were perhaps a dozen questions in there. The one I will start with is the one that dealt with the false dichotomy between the environment and the economy, asking me to comment on the wonderful things the current government has done about the environment.

I am standing here because I ran in a by-election, because people in my community are outraged by the current government's environmental record. The gutting of the Canadian Environmental Assessment Act, the gutting of the Fisheries Act, the failure to consider first nations in environmental assessment in a meaningful way, and the Conservatives' abysmal record on climate change are only starters.

To suggest we should stand to salute the eradication of our environmental legislation is something I shall not do. I am embarrassed, in fact, to be a Canadian when I think about our environmental record.

Setting aside vast tracts of land in the Arctic does not constitute environmental management if we do not manage those parks, if we do not provide a budget for parks officers to actually do something with those lands.

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, again, what I would like to do is emphasize the magnitude or the size

of the infrastructure for which the federal government is responsible. We are talking about well in excess of 70,000 kilometres of pipeline. There is a responsibility we have as a national government to ensure that we provide a sense of security and safety around those pipelines and that there is a consequence, in certain situations, that the company that ultimately put that pipeline into place would be held accountable for mishaps that would take place.

The idea of the polluter pays principle is incorporated into the legislation. There are other aspects of the legislation that would move us forward.

I disagree with the Conservative member's assertion, in terms of the best in the world. I think our companies here in Canada strive to be the best in the world, in terms of providing that safety, but that is no thanks to the government. The government has not been providing leadership on that issue.

However, for the first time we do have this, and my question to the member is this. Would he not agree that having a polluter pays principle would force companies out there to give extra consideration to the importance of having safe and secure pipelines because, ultimately, they would have to pay for their mistakes?

**Mr. Murray Rankin:** Mr. Speaker, the fundamental point that I think was being made is the importance of the polluter pays principle as a recognized concept in environmental legislation. I believe the bill would go some distance to achieve that.

However, again, I want to say, as other Liberal members have said in first reading debate, that really there is a lot about discretion that needs to be nailed down here. The government may; the NEB may; and if they do not, so what?

That is what I find so disturbing about legislation like this. It kind of hoodwinks the Canadian people, because what if there is no budget given to do anything? Would the polluter pay then? I do not think so.

It is full of sound and fury, but I hope signifying something.

[*Translation*]

**Mr. Pierre-Luc Dusseault (Sherbrooke, NDP):** Mr. Speaker, I thank my colleague for his excellent speech.

I was wondering whether the member thinks, as I do, that social licence is also extremely important in efforts to carry out huge energy projects like this one.

We are talking about new rules associated with transporting natural resources and the dangers this involves, but I wonder whether the member could also talk about the importance of social licence for these projects and the fact that we also need to take that into account.

[*English*]

**Mr. Murray Rankin:** Mr. Speaker, I very much appreciate the thoughtful question by my colleague from Sherbrooke. Social licence is really the order of the day on pipelines, tankers, and the like. It is really critical that they achieve it. I really believe companies can achieve it if they follow some important principles set out in the bill, such as polluter pay and internalization of their costs, working with the National Energy Board.



*Statements by Members*

As the Leader of the Opposition has put it so effectively, sometimes the Conservative government gives companies a poisoned chalice. They get these great regulations that they need not necessarily comply with, and then they cannot build their pipelines because no one, certainly in my part of the world, wants anything to do with ones like the Enbridge northern gateway pipeline. They do not have social licence because the government has tried to jam them through without any public involvement.

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## STATEMENTS BY MEMBERS

• (1400)

[English]

### SEX EDUCATION

**Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC):** Mr. Speaker, if anything demonstrates the need for the House to quickly pass Bill C-26, our Conservative legislation for tougher penalties against child predators, it is the decision by the Liberal Party in Toronto to introduce sweeping changes to how grade school children are taught sex education.

This curriculum was written by someone charged with two counts of distributing child pornography, one count each of making child pornography, counselling to commit an indictable offence, and agreeing to or arranging for a sexual offence against a child under 16. As a hand-picked provincial Liberal deputy minister, this powerful party insider was caught only after an international online probe. If withdrawal of this Liberal policy can prevent one child from being groomed for exploitation, it really must be withdrawn.

On behalf of the parents, grandparents, and the vulnerable children of Ontario, we demand that the federal party leader order this outrageous policy to be withdrawn now.

\* \* \*

[Translation]

### HOUSING

**Mr. Raymond Côté (Beauport—Limoilou, NDP):** Mr. Speaker, the people of Beauport—Limoilou tell me they find it tough to deal with the rising cost of various living expenses, including housing. In the Quebec City region, low-cost housing is getting harder to find. The situation is quite serious because we know that one in three people in Quebec City spends more than 30% of their income on housing.

According to the 2011 national household survey, the gap between the increase in the price of housing and the increase in salaries gets bigger every year. The federal government's contribution to building affordable housing, which is quite small for a G7 country, has been in steady decline for 20 years. It went from 1.3% of the budget in 1993, to 1% today.

It is time to reinvest heavily in order to provide housing to every Canadian in a difficult financial situation. When will this government understand that housing is a right?

[English]

### ALZHEIMER'S DISEASE

**Mrs. Stella Ambler (Mississauga South, CPC):** Mr. Speaker, last Sunday, Julianne Moore won the Academy Award for best actress for her portrayal of a college professor suffering early-onset Alzheimer's disease. *Still Alice* is a powerful story of an accomplished and engaged professional, fighting to stay ahead in a race she knows she will eventually lose.

Alzheimer's disease is the most common form of dementia in Canada. It is also a progressive and irreversible disease. Sadly, there is no cure. The number of Canadians living with it is expected to double by 2031, and women represent 70% of new cases.

Our government understands the tremendous burden that dementia can place on those it touches, as well as on society in general, and has invested over \$220 million dollars for research into Alzheimer's disease and related dementias since 2006. Government partners include the Alzheimer Society of Canada, the Women's Brain Health Initiative, and Baycrest.

Ms. Moore said in her Oscar acceptance speech that people with Alzheimer's deserve to be seen, so that we can find a cure. I agree, and I encourage all Canadians to witness this performance that is very much worth seeing.

\* \* \*

### BAHÁ'Í COMMUNITY IN IRAN

**Hon. Irwin Cotler (Mount Royal, Lib.):** Mr. Speaker, tomorrow is the global day of action for the Education is Not a Crime campaign to dramatize the painful reality that education is a crime for the Bahá'í community in Iran, a case study of the persecution and prosecution of the Bahá'í, Iran's largest religious minority, who are treated as non-citizens devoid of fundamental rights, including being arrested for their beliefs at an alarming pace; violent attacks on the Bahá'í continuing to go unpunished amidst a culture of impunity; state-sanctioned incitement to hatred of the Bahá'í dramatically increasing, by tenfold in 2014 alone; and seven Bahá'í leaders continuing to suffer arbitrary imprisonment, torture, and detention, in which the trial of the seven is a trial of the Bahá'í community as a whole.

The Iranian government has made being a Baha'i a crime, but we can change that. We can give voice to their rights. We can tell the Iranian government, as Bishop Tutu put it, that banning the Bahá'í is hurting Iran and the Iranian people. As former Iranian Canadian political prisoner Maziar Bahari put it, and the slogan for this global campaign reads, we can light a candle on their behalf.

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### RELIGIOUS FREEDOM

**Mr. David Anderson (Cypress Hills—Grasslands, CPC):** Mr. Speaker, yesterday I extended an invitation to colleagues to join an international network of legislators committed to advocating against religious persecution and supporting religious freedom for all.

*Statements by Members*

Last June, a small group of parliamentarians gathered together in Oxford. An agreement was reached to begin to build a wider international coalition. This plan became a reality in Oslo in November 2014 when interested MPs from around the world met to launch the International Panel of Parliamentarians for Freedom of Religion or Belief. They pledged to work together to see an end to belief-based persecution.

Members of IPPFoRB hold various political perspectives, diverse religious beliefs, and hail from many different countries. These currently include Argentina, Brazil, Burma, Canada, Costa Rica, Dominican Republic, Germany, Italy, Malaysia, Nepal, Norway, Pakistan, South Africa, Sri Lanka, Turkey, the United Kingdom, and Uruguay. What we share in common is our belief in the importance of freedom of religion or belief. We are committed to see those freedoms strengthened worldwide.

Again, I extend the invitation to any interested legislators to join.

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● (1405)

[Translation]

**INTERNATIONAL WOMEN'S DAY**

**Ms. Hélène LeBlanc (LaSalle—Émard, NDP):** Mr. Speaker, in recognition of International Women's Day, which falls on March 8, I would like to salute the women of LaSalle—Émard.

They are vibrant and engaged in our community organizations. They encourage young people, help families in need and provide activities for seniors and people who are isolated. Through their work at Centre du Vieux Moulin de LaSalle, Corporation L'Espoir, Table de développement social de LaSalle, Cercle de fermières du Québec or Groupe des Aidants du Sud-Ouest they show they are always attuned to the community's needs.

[English]

I want to salute the women of LaSalle—Émard who volunteer for numerous causes, at the H.O.P.E. Food Bank, the Legion, the Action Centre, and in other cultural associations. They bring comfort to people in need and help build a better community.

[Translation]

The women of LaSalle—Émard are resilient and optimistic and bring together the people of their community. They are compassionate and creative. I salute them and thank them for their ongoing efforts to build our community, a community where no one is left behind.

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**STORMONT—DUNDAS—SOUTH GLENGARRY**

**Mr. Guy Lauzon (Stormont—Dundas—South Glengarry, CPC):** Mr. Speaker, I am so proud of my riding and the many wonderful organizations and groups that are doing great things. Our local francophone community in Cornwall is an excellent example.

Today I have the honour to welcome members of Cornwall's francophone community. Today on Parliament Hill, people from the Centre culturel de Cornwall are presenting a great project that they worked on with local students.

In celebration of National Child Day, students from the La Citadelle school and their teacher, Josée Poirier, created a unique art campaign. Each student received a chair, chose a theme and then chose a style and method of presentation.

Quite simply, their work is beautiful and unique. I invite my colleagues to stop by the Speaker's salon to see these beautiful works of art immediately after question period.

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[English]

**METROPOLITAN MEFODIY**

**Mr. Peter Goldring (Edmonton East, CPC):** Mr. Speaker, an ecclesial leader of great repute, a proponent of Orthodox unity, the devout head of the worldwide Ukrainian Autocephalous Orthodox Church passed away on Tuesday.

Metropolitan Mefodiy stood for Ukraine and the Ukrainian people, from the Orange Revolution to Euromaidan. He advocated for the unity of the Orthodox church in Ukraine.

I met with Metropolitan Mefodiy in January in Kyiv. For hours, we discussed Ukraine and Orthodox unity. He believed that Orthodox unity would lead to greater social and political stability in Ukraine.

Ukraine, indeed the world's Orthodox church, lost a great ecclesiastical leader on Tuesday, a pious man of the people.

On behalf of Canada, I would like to express our sincerest condolences to Metropolitan Mefodiy's family, his ecclesial colleagues, friends, and everyone with whom he had a human and spiritual connection. Memories eternal.

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**BURNSVIEW SECONDARY SCHOOL**

**Ms. Jinny Jogindera Sims (Newton—North Delta, NDP):** Mr. Speaker, I rise today to congratulate the students of Burnsville Secondary School in my riding of Newton—North Delta. Following a project about social change, these students wrote personal essays reflecting their lived experiences. They have published these essays in a book that will be on sale at their school next week. The proceeds will go toward a new playground for children living in a transition house in Surrey—Newton.

As a teacher, parent and grandparent, I make no secret of the fact that young people are my inspiration, and the efforts of these students demonstrate why.

To the students at Burnsville Secondary, I applaud their project. Their passion and commitment to a better future for their generation is commendable. They are leaders in our community and we adults are learning from their example.

I would also take this opportunity to recognize all the amazing teachers that do an awesome job every single day across this country from coast to coast to coast.

•(1410)

### B'NAI BRITH CANADA

**Mr. Mark Adler (York Centre, CPC):** Mr. Speaker, it gives me great pleasure to welcome B'nai Brith Canada to Parliament Hill today. Led by a team of experts, they are here to testify before the human rights subcommittee regarding the threat posed by Iran.

Their message is clear: Iran is one of the world's leading sponsors of terrorism and the driving force behind international terrorist organizations like Hezbollah and Hamas. The Iranian regime also continues its attempt to acquire nuclear weapons. This despotic regime has repeatedly threatened to "wipe" Israel off the map.

Israel, like Canada, faces many threats. Canadians are being targeted by terrorists simply because they hate our society and the values it represents.

That is why it is so important to hear from an organization like B'nai Brith, which, since its founding in 1875, has been engaged in combatting anti-Semitism, bigotry, and racism in Canada and abroad.

Canada does not sit on the sidelines when our values are threatened as some would have us do. Therefore, we are grateful for the leadership and insight that organizations like B'nai Brith Canada have shown. I know all of us on this side of the House would like to thank B'nai Brith for their commitment to the values that make Canada the best country in the world in which to live.

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### MOUNT SAINT JOSEPH HOSPITAL

**Mr. Don Davies (Vancouver Kingsway, NDP):** Mr. Speaker, Mount Saint Joseph Hospital has an emergency department that is staffed by excellent medical professionals. However, it is severely overcrowded and under strain. The emergency department was built to handle 14,000 visits per year. It is now seeing over 28,000. Up to three patients are being housed in rooms built for one and physicians are treating patients in the hallways. There is no proper isolation capability, which is a serious concern for the control of infectious disease. Patient privacy, proper medical histories, and staff safety are being sacrificed.

The hospital requested \$24 million from the provincial government to build a new emergency department. Unfortunately, this funding was refused by the B.C. Liberals.

MSJ provides the only emergency department conveniently accessible to east Vancouver residents. Because the department is only open until 8 p.m., residents are put at unnecessary risk as they are forced to travel to Burnaby or the west side of Vancouver to receive emergency care.

I request that the federal government work with its provincial counterpart to ensure that this important facility can better protect the health of Canadians.

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### TAXATION

**Mr. Chris Warkentin (Peace River, CPC):** Mr. Speaker, our government is committed to lowering taxes, and keeping them low

### Statements by Members

for all Canadians. With the strong leadership of our Prime Minister we will balance the federal budget, and we are continuously putting forward measures to help Canadian families do the same.

We are proud that 11 million Canadians of all ages and income levels have opened an account that allows them to save tax-free with the tax-free savings account. We introduced the TFSAs as a way for Canadians to save for retirement, for their children's education, or for a down payment on a house. The vast majority of accounts belong to low- and middle-income earners.

However, the Liberals and the NDP will raise taxes and will reverse these benefits. They will implement a carbon tax that would hurt the Canadian economy and kill Canadian jobs.

The facts are clear. Only our Conservative government can be trusted to keep taxes low, and that is exactly what we are doing.

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### 2015 CANADA WINTER GAMES

**Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.):** Mr. Speaker, March 1 will mark the closing ceremonies of the 2015 Canada Winter Games, which are being hosted by the City of Prince George, British Columbia. The games showcase Canada's sports excellence, sportsmanship, health, and active living. This year's 17-day national competition will have welcomed about 2,400 of our best athletes in 19 sports ranging from alpine skiing and hockey to table tennis.

I was not aware that tennis table was a winter sport.

[*Translation*]

The games, which were run by volunteers, were a great success, and these volunteers deserve the recognition of all Canadians for their remarkable efforts. There is no question that the games help the athletes make a name for themselves, boost local economies and provide high-quality entertainment for people all across the country.

[*English*]

On behalf of my colleague, the member for Etobicoke North and the Liberal spokesperson for sports, and the Liberal Party of Canada, I congratulate everyone.

\* \* \*

•(1415)

### TAXATION

**Mrs. Susan Truppe (London North Centre, CPC):** Mr. Speaker, our government stands with and for Canadian families. That is why we implemented the family tax cut and enhanced the universal child care benefit. Under this plan, 100% of families with children will have more money in their pockets to spend on their priorities and their family. The average benefit for each of these families will be around \$1,100, with the vast majority going to low- and middle-income households.

### Oral Questions

Meanwhile, if given the chance, the NDP and the Liberals will impose a job-killing carbon tax and reverse our tax cuts.

This Conservative government is delivering the largest tax breaks in Canadian history, and we are proud of that record.

\* \* \*

#### LIBERAL PARTY OF CANADA

**Mr. Dan Harris (Scarborough Southwest, NDP):** Mr. Speaker, a new right-wing political party is haunting the land, one that is hell-bent on sending Canadian jobs to the U.S. while cheerleading American Republicans on the Keystone pipeline and looking the other way on climate change. It is a party that thinks Canada-U.S. relations should be like they were under Ronald Reagan and Brian Mulroney. It is a party easily browbeaten into lining up behind the latest attacks on our fundamental freedoms, a party that writes off manufacturing jobs and believes in big corporate tax cuts.

Is this a new Reform Party or a new Canadian Alliance Party? No. It is the Liberal Party. Under the Liberal leader, the views of middle-class families are being drowned out by oil lobbyists and CEOs. Progressives in places like Toronto are being ignored, while the Liberal leader falls into step behind draconian Conservative laws.

Canadians deserve better. They deserve a party of principle that will stand up for civil liberties, the environment, and Canadian jobs.

\* \* \*

#### TAXATION

**Mr. Jay Aspin (Nipissing—Timiskaming, CPC):** Mr. Speaker, under the leadership of our Prime Minister, our government will balance the budget and put money back where it belongs: in the pockets of hard-working Canadians.

Our family tax credit and enhanced universal child care benefit will give 100% of families with kids an average of more than \$1,100 per year to spend on their priorities. Families in Nipissing—Timiskaming and across Canada will receive nearly \$2,000 per year for every child under six and \$720 per year for every child between six and 17.

The Liberal leader will reverse our tax cuts and will do exactly what the Liberal elites always do: raise taxes for ordinary Canadians while handing that money over to bureaucrats. Moms and dads do not need to be told how to spend their money.

Our Conservative government is the only party Canadian families can trust. With our family tax cut and benefits, we are proud to be standing up for their future.

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## ORAL QUESTIONS

[Translation]

#### PUBLIC SAFETY

**Ms. Megan Leslie (Halifax, NDP):** Mr. Speaker, in 2010, the Conservatives committed to improving oversight of our national security agencies. They also promised a mechanism to ensure that the RCMP and CSIS are accountable and obey the law. That was over four years ago and the Conservatives have still done nothing.

How can they be trusted on Bill C-51 when they do not even keep their own promises?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, we have strong, independent oversight committees and agencies that do very good work. Now is not the time to attack our police and security agencies. Now is the time to take on the terrorists. That is what this bill does.

[English]

**Ms. Megan Leslie (Halifax, NDP):** Mr. Speaker, this bill is all about expanding powers, but there are no improvements to oversight. The Conservative record speaks for itself, because four years after promising to fix critical gaps in national security oversight across federal departments, the Conservatives have done absolutely nothing. In fact, they have actually weakened oversight by shutting down the CSIS inspector general, so how can they now expect Canadians to trust them on this sweeping and overreaching legislation?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, we have broad and effective oversight agencies that exist today. They have been recognized as such. On top of that, we have put additional oversight measures through the courts into the legislation.

Canadians are not going to trust oversight with a party that has opposed every single piece of security and anti-terror legislation ever proposed. Now is not the time for the NDP agenda of attacking the police and the security agencies. We have serious problems in this country. Now it is time to take on the terrorists, and that is what we are doing.

\* \* \*

● (1420)

#### ABORIGINAL AFFAIRS

**Ms. Megan Leslie (Halifax, NDP):** Mr. Speaker, 1,200 indigenous women and girls are missing or have been murdered in Canada. Families of the victims are coming together today in Ottawa to prepare for tomorrow's national round table. They are looking for answers and they are looking for concrete coordinated action. So far, all they have heard are the same empty lines from the government.

Will the Prime Minister take the opportunity that is offered to him today? Will he listen to the families? Will he change his rhetoric and finally recognize the need for a national public inquiry?

*Oral Questions*

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, the government has been acting on a multi-pronged action plan to deal with this problem, beginning first and foremost with cracking down on violent crime. We are also funding shelters and family violence preventions to protect women and children, supporting dedicated RCMP project teams and the development of community safety plans, supporting a national centre for missing persons, providing additional investigative tools for the police, and providing additional rights for Canadian women who live on reserve in the form of matrimonial property rights and human rights. Now is the time for action, not for more NDP study.

**Mr. Romeo Saganash (Abitibi—Baie-James—Nunavik—Eeyou, NDP):** Mr. Speaker, it is not an either-or choice between investment and an inquiry. Families deserve both actions to end this crisis and answers to help them get much-needed closure.

I want to know what the government is still waiting for to finally commit to concrete actions with its provincial and territorial counterparts and call for a national public inquiry.

**Hon. K. Kellie Leitch (Minister of Labour and Minister of Status of Women, CPC):** Mr. Speaker, as the Prime Minister just said, we are taking action, whether that be safety programs on reserves or providing matrimonial property rights to aboriginal women. Maybe that might be just making sure they have a supportive shelter to go to when they are in their time of need.

Now is the time for action, not for another study, such as the one the NDP wants. Now is the time to stand up for these women who have experienced these violent crimes.

[*Translation*]

**Mr. Romeo Saganash (Abitibi—Baie-James—Nunavik—Eeyou, NDP):** Mr. Speaker, section 35 of the Constitution protects the rights of aboriginal peoples. Most aboriginal people feel that Bill C-51 threatens that protection. Given how often law enforcement has described our demonstrations as illegal, I cannot help but be concerned that we will be lumped in with terrorists.

Will the minister realize that Bill C-51 is unconstitutional and threatens the rights of aboriginal peoples?

**Hon. Steven Blaney (Minister of Public Safety and Emergency Preparedness, CPC):** Mr. Speaker, first, we have the greatest respect for aboriginal peoples. We respect the rights of all Canadians. Nonetheless, we also have a responsibility to oppose terrorism, violence and Criminal Code offences.

Again, I invite the member to consult Bill C-51, where it is clearly indicated that peaceful protest is exempt. I invite him to reread the bill. If he needs help, we can go to committee. The NDP can stop obstructing the process and we can talk about the bill in committee.

\* \* \*

**EMPLOYMENT**

**Mr. Marc Garneau (Westmount—Ville-Marie, Lib.):** Mr. Speaker, the recession ended six years ago. However, there are 140,000 more jobless Canadians now than there were in 2008. Last year, the government boasted that it had created 186,000 jobs, but it had to revise that figure to 120,000. The Bank of Canada says that 200,000 young Canadians are underemployed and live with their parents.

Does the government believe that it has done enough to help Canadians and create jobs?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, since the end of the recession, the Canadian economy has created more than 1.2 million jobs. That is one of the best job creation records in the developed world. That is the record; those are the facts.

We have not increased taxes as called for by the Liberal Party. We are not open to the idea of increasing the deficit and Canadians' debt. We are taking action that produces results.

• (1425)

[*English*]

**Hon. Ralph Goodale (Wascana, Lib.):** Mr. Speaker, speaking of facts, in the nine years since the government took office, job creation has been half of what it was in the nine years before.

The recession ended nearly six years ago, and still the jobs record of the Conservative is anaemic. Last year, they first bragged about creating 186,000 new jobs, but had to admit it was actually one-third less than that, barely 120,000 jobs, and that was down from the year before, which was down from the year before that.

Why is the government such a failure at generating jobs?

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, nothing could be further from the truth, and Canadians know this. Canadians know we are not living in another decade. We are living right now in one of the most troubled world economic environments. In spite of that, this government has overseen the creation of 1.2 million net new jobs.

We have done that by pursuing sound economic policies, reducing taxes, focused investment, balancing our budget, all of the things the Liberal Party opposes, all of the things the Liberal Party would reverse to give us the kind of result we have in Greece. We will never have that here.

**Hon. Ralph Goodale (Wascana, Lib.):** Mr. Speaker, the Prime Minister would not recognize a balanced budget because he has never met one.

There are 140,000 more jobless Canadians than six years ago. Job quality is suffering. York University says that low wage employment in Ontario has jumped by 50%. The OECD has said that Canada is the third worst country in the world for crappy jobs.

The government's former employment minister admits wages have barely kept pace with inflation. The Bank of Canada says that 200,000 young Canadians are underemployed and living in the basement.

Is that good enough for the government?

*Oral Questions*

**Right Hon. Stephen Harper (Prime Minister, CPC):** Mr. Speaker, the reality is this. The vast majority of jobs created under this government are full time, high paying and they are in the private sector. The statistics on this are absolutely clear. It is why Canada has one of the few middle classes in the world whose incomes have been going up.

That is the difference between economic policy now and back then when he was doing it and budgets were followed by police investigations.

\* \* \*

**PUBLIC SAFETY**

**Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP):** Mr. Speaker, Canadians are watching the debate on Bill C-51 carefully. They want parliamentarians to do their jobs to review this sweeping bill thoroughly and to allow Canadians who want to be heard to appear before the public safety committee.

Why do the Conservatives want to ram this bill through the committee when there are significant problems with the legislation?

In 2001, 19 meetings were held on the Anti-terrorism Act and over 100 amendments were adopted. Could the minister explain why his parliamentary secretary refuses to give Bill C-51 equal attention?

**Hon. Steven Blaney (Minister of Public Safety and Emergency Preparedness, CPC):** Mr. Speaker, if Canadians are watching the debate on Bill C-51, they will wonder why the NDP is obstructing a democratic process. There are more than 48 witnesses. I am told by my colleague that there are more than nine sessions. My counterpart, the Minister of Justice, and I are ready to appear with the department officials.

Why is the NDP obstructing a democratic process and preventing us from protecting Canadians?

**Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP):** Mr. Speaker, we have agreed to sit nights and weekends during the break week, whatever it takes to have a full study of this bill., but we have never called for a delay.

Today, we heard alarming news that six young people have left Canada to join ISIS. Police already have the power to stop people from travelling abroad to commit terrorist offences. What we do not have is a plan to counter radicalization and to stop our young people from turning toward extremist ideologies. It is exactly nowhere in the Conservative bill.

Why are the Conservatives ignoring the need to act on counter-radicalization?

• (1430)

[Translation]

**Hon. Steven Blaney (Minister of Public Safety and Emergency Preparedness, CPC):** Mr. Speaker, Bill C-51 will allow us to preemptively stop people who are likely to be radicalized.

Why is the NDP opposed to hearing from almost 50 experts, including the Minister of Justice, myself and our experts from the Department of Justice and the Department of Public Safety and Emergency Preparedness? What are they hiding? Why are they afraid of a democratic debate on terrorism?

Canadians expect us to get this done by June in order to protect them against the terrorist threat.

**Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP):** Mr. Speaker, we are not the ones introducing a flawed bill; it is the Conservatives. I am wondering what they are trying to hide when it comes to this bill.

Six young people left Quebec last month to go to Syria. The authorities believe that they joined jihadist groups. Everyone here shares in the pain of the parents and of the father who did everything he could to stop the children from going. Canadian communities and families now feel as though they have been left to fend for themselves.

President Obama has a real plan to fight radicalization in the United States. Why are the Conservatives doing nothing to help parents who are concerned about the radicalization of their children?

**Hon. Steven Blaney (Minister of Public Safety and Emergency Preparedness, CPC):** Mr. Speaker, our government has had a strategy against terrorism for years. The first pillar of that strategy is prevention. We meet with the cultural communities; our police officers are reaching out to them.

Why are the New Democrats opposed to our strategy? Why are they preventing our government from putting tools in place to protect Canadians?

I urge them to get out of the way and let the committee hear from witnesses and move forward on this.

**Ms. Rosane Doré Lefebvre (Alfred-Pellan, NDP):** Mr. Speaker, the truth is that Bill C-51 does not contain anything that would give hope to the parents whose children are being radicalized. The Conservatives are more interested in scoring political points than they are in preventing radicalization.

A serious examination of Bill C-51 is absolutely necessary. We offered to sit evenings and weekends if necessary.

Why is the minister afraid of having his bill thoroughly reviewed? What does he have to hide?

**Hon. Steven Blaney (Minister of Public Safety and Emergency Preparedness, CPC):** Mr. Speaker, why do the New Democrats want to stop our intelligence officers from shutting down websites that post hate propaganda, preventing high-risk travellers from boarding a plane, meeting with parents to prevent their child from falling prey to radicalization and preventing imminent attacks? Why are they opposed to information sharing within the federal government?

I urge the members of the Standing Committee on Public Safety and National Security to examine this important bill that protects Canadians against terrorism so that we can pass it.

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

[English]

**The Speaker:** Order, please. There is still far too much noise during questions and answers. I would ask members to come to order. It is increasingly difficult for the Chair to hear.

The hon. member for Hull—Aylmer.

*Oral Questions*

[Translation]

**SOCIAL DEVELOPMENT**

**Ms. Nycole Turmel (Hull—Aylmer, NDP):** Mr. Speaker, as a result of the Conservative-generated backlog at the Social Security Tribunal, Canadians are now waiting months for their disability benefits as they struggle with serious illnesses. The Auditor General himself is concerned about the situation and will hold the Conservatives accountable.

Will the government finally understand that it is responsible for this monumental disaster and that it is time to put an end to these interminable delays?

**Hon. Pierre Poilievre (Minister of Employment and Social Development and Minister for Democratic Reform, CPC):** Mr. Speaker, we acknowledge that the waiting list is unacceptable.

That is why my predecessor ordered his departmental officials, his experts, to look at every case in appeal right now, in order to resolve them before they even make it to the tribunal. That will enable us to settle them much more quickly.

Our goal is to eliminate the long-term wait list before the end of the summer. I spoke to my departmental officials last week. They told me that they were on track to accomplish this goal.

[English]

**Ms. Jinny Jogindera Sims (Newton—North Delta, NDP):** Mr. Speaker, the Social Security Tribunal has been a disaster since the very start. The Conservatives failed to properly plan for the transition. They stuck the tribunal with patronage appointments. They watched as the backlog grew and wait times stretched to more than seven years. They denied faster hearings to people who were dying and financially broke. The Auditor General has now said that he is investigating the program

Does the minister understand that offering a few people settlements does not make up for years of epic mismanagement?

• (1435)

**Hon. Pierre Poilievre (Minister of Employment and Social Development and Minister for Democratic Reform, CPC):** Mr. Speaker, the plan is not to offer a few people a settlement. Rather, my predecessor came up with a common sense action plan to have specialists within the department look at every case that was currently under appeal and find those for which we could find a speedy resolution without even having to put them before the tribunal at all. This is a fast and common sense way to reduce the waiting list.

Our goal is to have the long-term waiting list eliminated by the end of the summer. I talked to my officials last week, and they indicated to me that we are on track to do that.

**Ms. Jinny Jogindera Sims (Newton—North Delta, NDP):** Mr. Speaker, what the minister still does not seem to realize is that Canadians are suffering because of his government's mismanagement.

For example, Peter McClure has been denied benefits even though he is dying of lung and rectal cancer. He was told his condition was not quite "severe and prolonged". Then the tribunal refused to hear

his appeal quickly, even though he has less than a year to live. Now he is spending his final days without income.

Where is the Conservative government's compassion for Canadians like Peter McClure?

**Hon. Pierre Poilievre (Minister of Employment and Social Development and Minister for Democratic Reform, CPC):** Mr. Speaker, these are very difficult cases. We are talking about the Canada pension plan disability program.

The fact is that we have a plan in place now to address the backlog by using specialists within the department in order to resolve as many of the outstanding appeals as humanly possible. That will reduce the number of cases that have to go before the tribunal. In so reducing the cases, we believe we can eliminate the backlog by the end of the summer.

As I said earlier, my officials indicate that we are on track to achieve that goal.

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**CANADA REVENUE AGENCY**

**Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP):** Mr. Speaker, Conservative boasts about going after tax cheats have gone from ridiculous to outright dangerous. Estimates just released by the government show more Conservative cuts to Canada Revenue, an additional \$56 million in cuts, and this is after having fired 3,000 staff at the agency.

Here is the first rule in fighting international money laundering: one cannot catch the tax cheats and money launderers if one does not have the investigators.

Now the agency will have to review another 10 million files. How can the minister justify these new cuts to the very people we need to go after tax cheats and international money launderers?

**Hon. Kerry-Lynne D. Findlay (Minister of National Revenue, CPC):** Mr. Speaker, as I have said repeatedly in the House, this government has zero tolerance for tax evasion. Our record on this is excellent. We have combatted tax evasion. We have been tough on tax cheats, including helping our international partners obtain information. Since forming government, we have introduced over 85 measures to improve the integrity of our tax system.

As to auditors, we have actually increased auditors in this area.

[Translation]

**Mr. Pierre Dionne Labelle (Rivière-du-Nord, NDP):** Mr. Speaker, in 2015, the Financial Transactions and Reports Analysis Centre of Canada will give the Canada Revenue Agency 10 million declarations of transfers of \$10,000 or more. The problem is that the agency has 3,000 employees less than it did in 2012 to process 10 million more declarations. Boy, white collar criminals sure can sleep well at night with the Conservatives in power.

### Oral Questions

How can the Minister of National Revenue claim that combatting tax evasion is a priority when she has even less staff to process the piles of new information her department is receiving?

[English]

**Hon. Kerry-Lynne D. Findlay (Minister of National Revenue, CPC):** Mr. Speaker, again, this government has zero tolerance for tax evasion. We have been very clear about that. We even have a special department dedicated to dealing with international tax evasion. Voluntary disclosures of international tax assets have been growing exponentially because of our measures. We have brought in an OTIP line that is fielding hundreds of calls. We have taken many measures, and the New Democrats and Liberals have voted against every single one of them.

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### ABORIGINAL AFFAIRS

**Hon. Carolyn Bennett (St. Paul's, Lib.):** Mr. Speaker, the Legal Strategy Coalition on Violence Against Indigenous Women released a comprehensive review of 58 relevant reports and found that only a handful of the over 700 recommendations have been implemented. The coalition said that only a national inquiry will have the scope, resources, and accountability to ensure the implementation of an effective and coordinated action plan to end the violence.

On the eve of tomorrow's round table, will the government finally get on the right side of history, listen to the premiers, aboriginal leaders, experts, and families, and call a national public inquiry?

• (1440)

**Hon. K. Kellie Leitch (Minister of Labour and Minister of Status of Women, CPC):** Mr. Speaker, having met with many of these families, what I can say is what they want is action, and they want it now. They do not want to wait for another study or actually even read another study. What they would like is to be supported and protected and to have preventative programs put in place. That is what this government has done, whether it has been safety programs or matrimonial property rights for women, which the opposition members voted against, taking away an essential right for women. We are here to support them, and we will continue to do that.

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### NATURAL RESOURCES

**Hon. Geoff Regan (Halifax West, Lib.):** Mr. Speaker, getting U.S. approval for the Keystone pipeline is very important for our economy. Unfortunately, the Prime Minister has bungled this critical file. He thought he could bully President Obama but got vetoed.

Brian Mulroney could have gotten it approved with Ronald Reagan. Jean Chrétien could have gotten it done with Bill Clinton. Why has the current Prime Minister failed to do his job and protect Canadian interests?

**Hon. Greg Rickford (Minister of Natural Resources and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC):** Mr. Speaker, that is a zinger. This is not a debate between Canada and the United States. It is a debate between the President and the American people, the majority of whom are supportive of this project. Keystone XL will create jobs and strengthen energy security for North America. The State Department was clear: this project can be developed in an environmentally

sustainable manner. It is not a question of if; this project is a question of when. We will continue to be a strong advocate for this job-creating project and other pipeline projects and to boast about our approach to responsible resource development.

**Hon. Geoff Regan (Halifax West, Lib.):** Mr. Speaker, the Prime Minister's failure to move the yardstick on Keystone is a direct result of his refusal to adopt stronger, credible environmental policies. Canada is suffering, because the current government is a global climate change pariah.

Will the Conservatives now admit that we need to build public trust to grow our exports? Will they work with the premiers to put a price on carbon?

**Hon. Greg Rickford (Minister of Natural Resources and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC):** Mr. Speaker, I was going to help the translators with that, but I did not have to by the end of the question. That is code for the Liberals introducing a national carbon tax, which would increase the price of everything.

Keystone XL will create jobs and strengthen energy security for North America. The State Department was clear: this project can be developed in an environmentally sustainable manner. We will continue to support this project and our approach to responsible resources development.

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### HEALTH

**Mr. Murray Rankin (Victoria, NDP):** Mr. Speaker, Canadians are worried about pandemics and communicable diseases, but instead of investing to improve public health, the Conservatives have cut billions in funding. The estimates have now revealed that the Public Health Agency of Canada's budget is being cut by 7.7%. This includes a \$53.5-million cut to health promotion and disease prevention and the sunseting of a major program for hepatitis-C survivors.

How can the minister justify these cuts to such vital public health services?



*Oral Questions*

**Hon. Rona Ambrose (Minister of Health, CPC):** Mr. Speaker, the member is just wrong. In fact, in terms of the Public Health Agency of Canada, our spending on health security has actually nearly doubled since 2010. Of course, this year we will see quite a bit of an increase coming through the Public Health Agency of Canada because of our numerous investments in Ebola preparedness, whether it is the unprecedented vaccine and treatment clinical trials we are funding all over the world, or supporting provinces in their community preparedness for Ebola, both in training and the equipment they needed, or the public awareness campaign we launched on Ebola to help fight stigma for health care workers.

[Translation]

**Ms. Christine Moore (Abitibi—Témiscamingue, NDP):** Mr. Speaker, approximately 240,000 people in Canada are living with hepatitis C. Treatments for this disease are not available everywhere, and accessibility varies from region to region. A program to improve treatments became a victim of the Conservatives' cuts.

Now, more than ever, we need money to promote health and fight disease, so how could the Minister of Health think it was a good idea to cut \$50 million from the Public Health Agency of Canada's budget?

• (1445)

[English]

**Hon. Rona Ambrose (Minister of Health, CPC):** Mr. Speaker, the member is wrong. That is the bottom line. She is referring to estimates, and that is all they are: estimates. We will see an increase in Public Health Agency funding. In fact, our spending on public health security issues has doubled since 2010. The Public Health Agency is very active and engaged in the issue of hep C, particularly through the Canadian Institutes of Health Research, and research to support those who are suffering from hepatitis C.

\* \* \*

[Translation]

#### MINING INDUSTRY

**Ms. Christine Moore (Abitibi—Témiscamingue, NDP):** Mr. Speaker, 25,000 mining sector stakeholders and investors from many different countries will soon meet in Toronto. Every year, the government waits until the last minute to extend the tax credit for mining exploration. This year there is a lot of uncertainty because the federal budget has been postponed. That uncertainty is putting a damper on mining investment in Canada and Abitibi—Témiscamingue.

My question is simple: will the government extend the tax credit for mining exploration?

[English]

**Hon. Greg Rickford (Minister of Natural Resources and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC):** Mr. Speaker, the NDP is standing up for mining. I think so. It is rather ironic. When it comes to the mining exploration tax credit, the NDP voted against it every single time.

Make no mistake about it. First of all, we applaud PDAC, the largest mining conference in the world, and we wish them success. Our government is a supporter of the Canadian mining footprint

around the globe and responsible resource development. We continue to lower taxes, reduce red tape, open new markets, and create the conditions for companies, for mining companies, particularly those in the extractive sector, to succeed in Canada and around the world.

We have the lowest overall tax rate for new business investments in the G7, and that is giving Canada's companies, our mining companies, a distinct advantage.

**Mr. Claude Gravelle (Nickel Belt, NDP):** Mr. Speaker, starting this weekend, more than 25,000 people from around the world will gather in Toronto for a global mining conference. Canada is a world leader in mining, but the Conservatives have failed to support mines here at home. The flow-through tax credit is set to expire in March, with no budget to renew it, and we have still seen no commitment to help unlock the potential of the Ring of Fire.

Why are the Conservatives leaving Canadian mining companies and communities in uncertainty?

**Hon. Greg Rickford (Minister of Natural Resources and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC):** Mr. Speaker, there are a lot of questions coming from the NDP.

Every time we have tried to introduce an initiative for mining, the NDP has voted against it every single time. Make no mistake about it. People across northern Ontario are well aware that the Leader of the Opposition refers to mining and refers to forestry as a disease. The NDP will account for that later next fall. In the meantime, we will continue to support responsible resource development in Canada and to strengthen the conditions in which they operate here and abroad.

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#### AUTOMOTIVE INDUSTRY

**Mr. John Carmichael (Don Valley West, CPC):** Mr. Speaker, Canada's suite of policies—low taxes, global trade opportunities, investment policies, and a skilled workforce—have kept Canada's auto sector competitive among global leaders.

Over a year ago, our government made a strategic investment in the Oakville assembly plant that has helped transform it into one of Ford's most innovative facilities.

Would the Minister of Industry please explain how our government is encouraging investment, strengthening Canada's economy, and creating high-quality jobs for Canadians?

*Oral Questions*

**Hon. James Moore (Minister of Industry, CPC):** Mr. Speaker, we have had a series of good news announcements from the auto sector. Chrysler has announced that it is investing \$2 billion more in Windsor. Honda is investing more in its facility. Ford is going to be building its new GT in the province of Ontario. The new generation Chevy Equinox is going to be built as well in the province of Ontario, and today, Ford Motor Company announced that it is going to be further expanding its footprint in Oakville, creating 400 new jobs in Oakville, full-time, good-paying jobs, in the auto sector. They are doing this, in part, because of the investment we are working with them on, but it is also because we have kept taxes low, and we have opened global markets for Canadian autos.

\* \* \*

[Translation]

**NATIONAL DEFENSE**

**Mr. Sylvain Chicoine (Châteauguay—Saint-Constant, NDP):** Mr. Speaker, Robyn Young, who was in the army, had a brain tumour removed and now needs treatment to restore her sight.

The minister refused to provide her with any financial help for her treatments even though the army misdiagnosed her condition. Now they are refusing to pay for her housing needs even though she needs to stay far from home for a long period of time to receive her treatments.

How can the minister say that things will change on his watch when he continues to neglect the basic needs of our veterans?

● (1450)

[English]

**Hon. Erin O'Toole (Minister of Veterans Affairs, CPC):** Mr. Speaker, as that member well knows, Ms. Young is an inspiring young reserve officer, and I know that the Minister of National Defence addressed her sad situation yesterday. In fact, her mother Pearl is a veteran, and their family is really an example of the tremendous generational service that many military families have. I know I will work in close concert with my colleague, the Minister of National Defence, to ensure that cases like hers are addressed while they are in uniform, and certainly the investments we are making for health care and vocational rehabilitation for veterans after they leave uniform will continue.

**Mr. Peter Stoffer (Sackville—Eastern Shore, NDP):** The problem, Mr. Speaker, is that yesterday, in the House of Commons, the parliamentary secretary said, "The minister...will do everything and commit everything to helping her through this crisis". This morning, the family got an email from the lieutenant colonel in Victoria saying that they are not prepared to do anything to help her in terms of her accommodation or food allowance when she gets there. In fact, they even questioned why she is coming to Victoria in the first place.

The reality is that it was DND that did the misdiagnosis. It did an operation on her that was not required. It has ruined her life. Now she is asking for basic help to get her life back together.

Will the Minister of National Defence now tell the House and the family that he will ensure that she gets all the help she needs when she gets to Victoria?

**Hon. Jason Kenney (Minister of National Defence and Minister for Multiculturalism, CPC):** Mr. Speaker, it would be inappropriate to talk about the details of someone's private health care matters. Having said that, I have instructed my department to cover all of Captain Young's medical expenses related to her present condition and going back to before the Department of National Defence was made aware of her condition.

If there are any other outstanding medical claims, I encourage her to submit them to the armed forces. We are providing full support for her medical and rehabilitation costs. The matter is under close review by the Canadian Forces Health Services group, and all of the medical decisions involved are, of course, a priority for that group.

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**ABORIGINAL AFFAIRS**

**Ms. Niki Ashton (Churchill, NDP):** Mr. Speaker, Amnesty International's annual report highlights systemic violations of the rights of indigenous peoples in Canada. The report identified shameful behaviour from the federal government, including being the only country to take issue with outcomes from the UN World Conference on Indigenous Peoples, and of course, refusing to take action on missing and murdered indigenous women.

Will the government pay attention to the international community and end the systemic violations against indigenous peoples in our country?

**Hon. Bernard Valcourt (Minister of Aboriginal Affairs and Northern Development, CPC):** Mr. Speaker, as I have stated many times before, we have remained committed to working with aboriginal communities on our shared priorities since 2006, giving women living on reserve matrimonial property rights, which that member and her party opposed. We eliminated the discrimination clause in section 67 of the Canadian Human Rights Act, which again they opposed. We have taken concrete actions to try to improve lives on reserve by investing, and every time, New Democrats have opposed those measures.

[Translation]

**Mrs. Carol Hughes (Algoma—Manitoulin—Kapusksing, NDP):** Mr. Speaker, the list of violations continues.

Amnesty International believes that this government put natural resource development ahead of the rights of aboriginal communities. Amnesty International also criticized the discriminatory behaviour and chronic underfunding of child protection services in first nations communities. It is simply shameful.

Will the government respond to this report and finally respect the rights of aboriginal peoples?

**Hon. Bernard Valcourt (Minister of Aboriginal Affairs and Northern Development, CPC):** Mr. Speaker, once again, we do not see the Amnesty International report as cause for alarm. We prefer to look at the facts.

*Oral Questions***CORRECTIONAL SERVICE CANADA**

No one can dispute the resources we have dedicated to improving life on reserves since 2006. We have made structural changes, particularly with the Family Homes on Reserves and Matrimonial Interests or Rights Act, giving women on reserves more rights. However, the opposition members voted against that.

We also adopted a range of measures to improve the quality of water and sewer systems on reserves, but the opposition members also voted against those measures. We will continue to work with first nations in the right direction.

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**CANADA REVENUE AGENCY**

**Mr. Emmanuel Dubourg (Bourassa, Lib.):** Mr. Speaker, the voluntary disclosure program targets taxpayers who come clean on their own, before the agency takes any steps. In those cases, the taxpayers pay their taxes, but are not subject to any penalties or prosecution.

The Canada Revenue Agency learned through a leak that 1,859 Canadians had hidden millions of dollars in Switzerland. That is not voluntary.

Why is the Canada Revenue Agency not imposing any penalties on those taxpayers who committed fraud, which is what it should do?

• (1455)

[English]

**Hon. Kerry-Lynne D. Findlay (Minister of National Revenue, CPC):** Mr. Speaker, the voluntary disclosure program has been extremely successful. We have unprecedented numbers being driven toward that program, and that is good news for the tax administration of those who have been trying not to fully disclose their tax affairs. As far as, for instance, the CRA's files related to HSBC from France are concerned, as I said before, 154 were duplicates, 801 contained zero dollars, and 394 were deemed high risk and are being worked on.

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**AGRICULTURE AND AGRI-FOOD**

**Hon. Mark Eyking (Sydney—Victoria, Lib.):** Mr. Speaker, the Canadian Federation of Agriculture and the Canadian Young Farmers are in Ottawa. I met with many of them this week and they tell me that there is a great future in agriculture, but their biggest concern is how the government is treating them, especially the business risk management programs, which have been cut by over \$200 million per year. With so much potential for agriculture, why are the Conservatives cutting this very important funding?

**Hon. Gerry Ritz (Minister of Agriculture and Agri-Food, CPC):** Mr. Speaker, I had the great opportunity to speak to the reception of the CFA the other night. I know the member was there as well.

We received a warm welcome as a government for the great job we are doing on the front lines of agriculture. Of course, business risk management programs are demand driven. When there is no demand, there is no program and no need for it. The last two years have seen record profits in the agricultural sector. That member should be celebrating what we are doing.

**Mr. Jack Harris (St. John's East, NDP):** Mr. Speaker, staff at the Atlantic Regional Treatment Centre for mentally ill prisoners in New Brunswick have been notified that the centre will close on April 1. Some 45 of the total capacity of 50 beds at Shepody are currently occupied, and we are told that current and future inmates with severe mental illness will be transferred to Archambault near Quebec City, where 100 of 119 beds are already occupied.

Could the minister confirm that he has ordered the closure of the Atlantic Regional Treatment Centre for mentally ill prisoners?

**Hon. Steven Blaney (Minister of Public Safety and Emergency Preparedness, CPC):** Mr. Speaker, our government has an action plan to deal with mental health throughout the country, and I will look into this matter.

[Translation]

**Mr. Yvon Godin (Acadie—Bathurst, NDP):** Mr. Speaker, the imminent closure of the Shepody Healing Centre in Dorchester could lead to an increase in deaths of psychiatric patients.

Closing this facility will also give rise to relocation costs for families and the loss of dozens of jobs.

How can the minister even justify closing Shepody when the institution is overflowing?

Why would we believe that it is a good idea to reduce the number of beds when Correctional Service Canada is already having problems dealing with inmates' mental health?

**Hon. Steven Blaney (Minister of Public Safety and Emergency Preparedness, CPC):** Mr. Speaker, first of all, I will make one correction.

With our effective policies, the inmate population in our penitentiaries is declining and we have seen a drop in the crime rate. With respect to mental health, we have put in place a five-point action plan to identify problems. Screening is done in all penitentiaries, not just facilities for people with mental health problems.

We have a strategy for studying behaviour, we have action plans and we will continue to ensure that penitentiaries can treat people with mental health issues. However, once again, we should first ensure that people with mental health issues do not go to jail.

*Oral Questions*

[English]

**FOREIGN AFFAIRS**

**Mr. Bev Shipley (Lambton—Kent—Middlesex, CPC):** Mr. Speaker, it seems that every day we hear new reports of barbaric atrocities committed by the jihadist terrorist organization, ISIL. Sadly, today is no different. According to the British-based Syrian Observatory for Human Rights, ISIL fighters have now abducted at least 220 Christians in north-eastern Syria.

The deliberate targeting of religious minorities is absolutely unacceptable. I ask the Minister of Foreign Affairs if he would provide Canada's reaction to these latest crimes committed against humanity by the organization called ISIL.

• (1500)

**Hon. Rob Nicholson (Minister of Foreign Affairs, CPC):** Mr. Speaker, Canada condemns these abductions in the strongest possible terms. This is just further proof that ISIL's endgame is to establish an Islamic caliphate across the region. We cannot allow this to happen.

It is with the utmost sadness and outrage that I should also report that ISIL fighters have abducted a hundred Sunni Muslim tribesmen near the city of Tikrit in Iraq. These abductions are outrageous.

This is why we have deployed Canadian Armed Forces and why Canada will not sit on the sidelines while jihadist terrorists threaten the world and, indeed, civilization itself.

\* \* \*

**HEALTH**

**Hon. Hedy Fry (Vancouver Centre, Lib.):** Mr. Speaker, measles and pertussis are fatal. A generation ago, diphtheria and polio caused death and disabilities. Vaccinations eradicated these diseases, but now in parts of Canada 40% of children are not vaccinated, putting themselves and others at risk.

The Prime Minister silences scientists who disagree with his ideology, so telling parents to listen to scientists and vaccinate is not credible. He must act.

Will he use some of the millions he spends on self-promotional ads towards a public education campaign on the scientific benefits of vaccination?

**Hon. Rona Ambrose (Minister of Health, CPC):** Mr. Speaker, that is a ridiculous assertion. The Prime Minister himself spoke loud and clear about the need for parents to vaccinate and the benefits of immunization, not just here at home but abroad, while at the same time announcing multi-millions of dollars for those in foreign countries where there are no public health systems.

Here in Canada basic immunizations are covered for all children. We have many, many campaigns and resources available to parents to educate them on the benefits of vaccination, and we encourage parents to vaccinate their children.

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**CANADIAN COAST GUARD**

**Mr. Fin Donnelly (New Westminster—Coquitlam, NDP):** Mr. Speaker, the Conservatives have made devastating cuts to the Coast

Guard in British Columbia. The Ucluelet-Tofino marine communication centre is now set to close on April 21, the same centre that just a couple of weeks ago helped save the lives of four fishermen, and the Vancouver centre is next.

Shore-based readiness, marine communication and traffic services, and search and rescue are all being cut. Why are the Conservatives closing these centres and putting the Coast Guard and mariners at risk? Why are they abandoning the B.C. coast?

**Hon. Gail Shea (Minister of Fisheries and Oceans, CPC):** Mr. Speaker, our government is committed to ensuring that the Coast Guard has the tools it needs to provide Canadians with world-class service, and that means the B.C. coast.

We will be phasing in a modernization of MCTS centres across the country as we implement new, advanced technology and better, more efficient service.

\* \* \*

[Translation]

**VETERANS AFFAIRS**

**Mr. Royal Galipeau (Ottawa—Orléans, CPC):** Mr. Speaker, the Juno Beach Centre has just informed me of the sad news that Canadian veteran Ernest Côté died last evening at the age of 101.

[English]

The Prime Minister personally honoured him 10 days ago.

Can the Minister of Veterans Affairs please comment on the passing of the valiant Ernest Côté.

**Hon. Erin O'Toole (Minister of Veterans Affairs, CPC):** Mr. Speaker, I just learned the sad news of the passing of the D-Day veteran 101-year-old Ernest Côté last night in Ottawa. A proud Van Doos veteran, he served in the Normandy campaign and became deputy minister of my department, Veterans Affairs, after the war.

He was one of the 50 recipients of a flag from the Prime Minister on Flag Day for his tremendous life of service to Canada.

A personal highlight of my public life was seeing Mr. Côté park his walker at the age of 101 and walk onto Juno Beach last year.

I would ask all members of the House to thank the Côté family for his tremendous record of service to Canada.

*Business of the House*

[Translation]

**PUBLIC WORKS AND GOVERNMENT SERVICES**

**Mr. Claude Patry (Jonquière—Alma, BQ):** Mr. Speaker, the minister and member for Lévis—Bellechasse said that the Davie shipyard should prove itself in order to get federal contracts. The Davie company just won the Lloyd's List North American Shipyard of the Year award.

The workers made major concessions to save the company. Will the government commit to ensuring that Quebec gets its fair share of future contracts, including the contracts for the Diefenbaker icebreaker and the Canadian navy's supply ships?

• (1505)

**Hon. Diane Finley (Minister of Public Works and Government Services, CPC):** Mr. Speaker, we have a new program, the national shipbuilding procurement strategy. This program will put an end to the boom and bust cycles.

There was a competitive bidding process that was transparent and fair. The Davie company did not qualify.

\* \* \*

**CANADA POST**

**Mr. André Bellavance (Richmond—Arthabaska, Ind.):** Mr. Speaker, in her response to the municipalities in my riding that are speaking out against Canada Post's unilateral changes, the Minister of Transport sings her government's same old song about the volume of mail. She says nothing about the regional economies affected by the job losses and nothing about the lost services for seniors and people with limited mobility. She is completely washing her hands of this. The municipalities are simply asking to be consulted.

I am sure the minister will claim to be sensitive to the municipalities' concerns during the election campaign. Why not listen to them right away by launching a real consultation on postal services?

[English]

**Mr. Jeff Watson (Parliamentary Secretary to the Minister of Transport, CPC):** Mr. Speaker, the member will know that Canada Post is an arm's-length crown corporation that makes strategic decisions about its future and its operations on a day-to-day basis independently of the government. It has a five-point plan that it is putting into place to ensure the continuance of daily mail in this country.

The municipalities spoke on this matter at a meeting of the Federation of Canadian Municipalities, where they voted two to one against a motion to restore door-to-door delivery for one third of Canadians.

\* \* \*

**PRESENCE IN GALLERY**

**The Speaker:** I draw the attention of hon. members to the presence in the gallery of the hon. Valerie Docherty, Minister of Community Services and Seniors for the Province of Prince Edward Island.

**Some hon. members:** Hear, hear!

**MESSAGE FROM THE SENATE**

**The Speaker:** I have the honour to inform the House that a message has been received from the Senate, informing this House that the Senate has passed the following bill: Bill C-22, An Act respecting Canada's offshore oil and gas operations, enacting the Nuclear Liability and Compensation Act, repealing the Nuclear Liability Act and making consequential amendments to other Acts.

\* \* \*

**BUSINESS OF THE HOUSE**

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Mr. Speaker, I have good news for all Canadians, and that is that there are only 11 sitting weeks in the life of this Parliament and in the life of this government before Canadians will actually have the opportunity to cast their judgment on the last 4 years of this government and the last 10 years of Conservative government. I know many Canadians can hardly wait to cast their ballots and change the government.

The bad news is that the intolerance of the government for democratic debate continues to grow. Earlier today we had the 89th imposition of time allocation or closure. In the history of Parliament, there has never been any government that has even come close to that in not respecting democratic debate. For the 89th time, it imposed closure or time allocation.

The government will say it is just being efficient and it does not believe in debate, but the reality is that this government has had more pieces of legislation rejected by the courts than any other government in Canadian history. Its legislation is often poorly written, often filled with holes and loopholes. It simply cannot get legislation right. To the idea that imposing time allocation and closure somehow leads to more efficiency, the reality is that it has to reintroduce bills to fix the problems caused by the previous bills that it railroaded through the House of Commons, because they are poorly crafted, often written on the back of a napkin, and poorly written.

In that context, I would simply like to ask the government House leader what is on the government's agenda for the week after the constituency week next week.

[Translation]

**Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC):** Mr. Speaker, this afternoon this afternoon we will continue debating Bill C-46, the Pipeline Safety Act, at second reading. This bill updates our laws respecting pipelines to make our legislative framework a world leader. The debate will continue—and hopefully conclude—on Monday, March 9.

[English]

Tomorrow, before we start our constituency week, we will conclude report stage debate on Bill C-2, the respect for communities act. The bill would enshrine in law the requirement for communities to be consulted when there is an application made to open a drug injection site.

### Government Orders

I know the opposition House leader will be very interested in this. Tuesday, March 10 will be an allotted day, and we will have the House debate a New Democratic proposal. I just heard my official opposition counterpart make some comments on time allocation of government bills. Of course, Tuesday will be the 79th time allocated opposition day debate of Parliament. That will be the 79th time the NDP has imposed time allocation on a motion it has brought before the House.

Our government allows generous time for debates on bills. We allow considerable time at each stage, yet every time the NDP chooses a subject for debate, it limits the debate to the minimum the rules allow, one day. The rules expressly allow it to allocate a number of its allotted days to a single subject of debate, but on 79 occasions, the NDP has chosen time allocation to the bare minimum of one day. Seventy-nine times it has imposed time allocation on the House to limit debate when it gets to choose the subject. The rules let it choose more days. The rules let it apply more time to those subjects. It chooses not to do that. I invite the hon. member, who seems to have some skepticism, to check out Standing Order 81(16) (b), which gives him that power; so if we want a preview of what could come from the NDP, based on its conduct here, I think we can see it right there.

On that day, March 10, we will finish what I am sure will be the 79th occasion of the NDP imposing time allocation on our ability to debate its ideas. Then, that evening, we will conclude debate on the fourth report of the foreign affairs committee.

On Wednesday, March 11, we will have the third day of second reading debate on Bill S-6, the Yukon and Nunavut regulatory improvement act.

Thursday, March 12 will see the House resume consideration at second reading of Bill S-7, the zero tolerance for barbaric cultural practices act. This is a bill that would demonstrate that Canada's openness and generosity will not extend to early and forced marriage, polygamy, and other similar practices.

• (1510)

[Translation]

We will have third reading of Bill C-2 on Friday, March 13. Finally, for the benefit of committees' forward planning, I anticipate scheduling Tuesday, March 24, as the last allotted day of this supply period. I will confirm this during next week's Thursday statement.

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## ROUTINE PROCEEDINGS

### COMMITTEES OF THE HOUSE

[English]

#### FINANCE

**Mr. James Rajotte (Edmonton—Leduc, CPC):** Mr. Speaker, following the usual consultations among all the parties and individuals in this House, I believe you will find unanimous consent for the following motion:

That the Eighth Report of the Standing Committee on Finance entitled "Towards Prosperity: Federal Budgetary Priorities for People, Businesses and Communities"

presented to the House on December 10, 2014, be amended by replacing the following sentence on page 56:

"The Green Budget Coalition asked the government to renew the Clean Air Regulatory Agenda beyond 2016, and to increase funding to at least \$45 million annually."

With the following:

"The Green Budget Coalition asked the government to renew the Clean Air Agenda beyond 2016, and to increase its adaptation funding to at least \$45 million annually".

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

**Some hon. members:** Agreed.

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

**Some hon. members:** Agreed.

(Motion agreed to)

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## GOVERNMENT ORDERS

[English]

### PIPELINE SAFETY ACT

The House resumed consideration of the motion that Bill C-46, An Act to amend the National Energy Board Act and the Canada Oil and Gas Operations Act, be read the second time and referred to a committee.

**Hon. Peter Kent (Thornhill, CPC):** Mr. Speaker, I will be splitting my time with the member for Nipissing—Timiskaming.

I am delighted to speak today to the pipeline safety act. When it comes to energy supply, few countries can match Canada's enormous potential. We are the world's fifth-largest producer of oil, with the third-largest proven reserves; and we are the fifth-largest producer of natural gas, with natural gas resources estimated at up to 1,300 trillion cubic feet. Canada is indeed fortunate to have abundant oil and gas resources. However, as hon. members of the House know full well, to reach our full potential we need more than supply. We need the energy infrastructure necessary to reach new markets. Here is the problem in a nutshell.

While Canada's endowment of petroleum resources is immense, we have only one major export customer: the United States. In fact, nearly all of our oil and gas exports are to the United States. Meanwhile, here in Canada, production from the oil sands is forecast to continue to grow, apart from a temporary slowdown today, from about 1.9 million barrels per day in 2013 to more than 5 million barrels per day by 2035. These two factors—increasing Canadian production and declining American demand—mean that Canada must develop new markets and the infrastructure to reach them, including pipelines.

*Government Orders*

At the same time, global energy demand is projected to increase by 33% between 2011 and 2035. Massive new markets in Asia are fuelling new energy demands. Non-OECD countries are forecast to account for 93% of energy demand growth, with China and India alone consuming almost half of it. Canada can capably meet that need, as Canadian oil and gas production is expected to grow dramatically over the same period. However, again, without pipelines to move our products to tidewater to reach world markets, Canada's oil and gas will continue to be stranded, and the opportunity will be lost.

That is why it is critical for Canada to build new pipelines to the west, the south, and the east to open up new markets and ensure that Canada is getting top dollar for its energy resources. That is why pipeline safety is also so important.

We recognize that we cannot expand into foreign markets if we don't have the backing of the public. We understand that public safety and environmental protection are necessary conditions for energy development to proceed. Right now, despite what we hear from the other side of this House on a regular basis, Canada's pipelines are among the safest in the world. For example, between 2008 and 2013, 99.999% of oil transported on federally regulated pipelines arrived safely. In fact, the rate of spills on federally regulated pipelines in Canada was 60% lower than in both Europe and the United States over the past decade. Even given these impressive safety statistics, our government believes that it is not the time to be complacent, but rather it is the time for action. It is crucial to keep improving the technology and increasing our efforts to improve safety around pipelines.

We believe that expanding market access and protecting our environment can go hand in hand. Time and again, we have promised that no pipeline project will proceed unless it is safe for Canadians and safe for the environment. With this proposed legislation, we would build on our impressive safety record to make Canada's robust pipeline safety system even stronger.

Strengthening the safety of Canada's pipeline systems focuses on three key areas: prevention, preparedness and response, and liability and compensation.

• (1515)

When it comes to prevention, our goal is simple: to take action to reduce risks and prevent accidents from happening in the first place. This legislation would build on previous pipeline safety measures that increased the number of inspections and audits, and that gave the National Energy Board the authority to levy administrative monetary penalties.

For the first time, we will enshrine the polluter pays principle in law, so that polluters, not Canadian taxpayers, will be held financially responsible for the costs and damages they cause. Pipeline operators will be held responsible for incidents, irrespective of fault, and the National Energy Board will have the tools to take control of a response to an incident if a pipeline operator is unable or unwilling to do so. These costs will be recovered from industry to ensure that taxpayers are protected against any potential costs of cleanup.

We will also ensure that companies operating pipelines are responsible for them throughout their lifetime, from their construction until they are abandoned, including any related costs. To ensure full transparency, documents concerning pipeline safety will be available to the Canadian public.

We are also moving ahead with important measures that will enhance the participation of aboriginal peoples in the development and operation of pipeline safety systems. With the participation of aboriginal people and the commitment to world-class pipeline safety, Canada can harness the tremendous economic opportunities before us.

Ultimately, all of these measures are about the same thing: protecting Canadians and the environment. Emphasizing prevention, responding quickly in the event of an incident and making sure that companies, not Canadians, are liable for any costs, these measures are strengthening our pipeline safety system and making it world-class. This legislation will send a strong signal to the world that Canada is a safe and responsible supplier of energy resources, and that Canada is indeed open for business.

Right now, the scale and pace of resources development in Canada remains truly remarkable. Hundreds of major natural resource projects are under construction or planned over the next ten years. This represents a total investment of as much as \$675 billion. Over the next 25 years, responsible development of Canada's energy resources is expected to generate literally trillions of dollars in economic activity and hundreds of thousands of jobs.

Huge markets in the Asia-Pacific region and in Europe are ripe for business. We must not let this opportunity pass us by. The bottom line is that opening new markets for our energy products will support our government's top priority, which is creating jobs, growth and long-term prosperity for Canadians.

• (1520)

**Hon. John McKay (Scarborough—Guildwood, Lib.):** Mr. Speaker, I largely agree with much of what the hon. member said, and I know he is shocked.

I have in my hand the parliamentary calendar. There are basically 12 sitting weeks, subject to the whims of the Prime Minister to call an election. Things do not move at lightning speed around here at the best of times and the chances of getting this into committee, out of committee and back to the House for debate, along with the budget, which may or may not be presented in April, and the rest of the stuff that goes on to get a bill out of here and into the Senate seems, to me, to be a lot of parliamentary time.

Does the hon. member think the bill will receive royal assent?

**Hon. Peter Kent:** Mr. Speaker, I thank my hon. colleague for those tempered supportive remarks.

For the legislative process, we depend on the good will and consideration of all parties in the House. As this bill goes to committee, we would hope we would not see the obstructive tactics that the NDP have taken on other very important legislation before the House.

*Government Orders*

As with all of our responsible resource development legislation over the life of this Parliament, we can count on all parties opposite to support these very significant improvements in the area of pipeline safety. After all, I do not think there is an individual in the House who would disagree with the fact that the transportation of petroleum products by pipeline is by far and away the safest way to transport this immensely valuable product.

• (1525)

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, it goes without saying just how important pipelines, and the security and safety of them, are for all Canadians. We are very much dependent on them in getting our oil and natural gas to market, not only in Canada but outside of Canada. We are talking about billions of dollars.

My question for the member is with regard to the importance of having a social contract with the different stakeholders, something which the Prime Minister and his government have been unable to achieve. It is one of the reasons why we do not have the Keystone pipeline and other issues that are critically important to the industry.

Would the member provide some comment on why the government has been unable to assist the industry in further developing the need for pipeline expansion?

**Hon. Peter Kent:** Mr. Speaker, I know my colleague for Winnipeg North knows the answer.

As the Prime Minister and the Minister of Natural Resources have said any number of times in recent weeks, and months for that matter, the problem the Keystone pipeline specifically faces is not with any disagreement by the American people or the American Congress with the concept. It is a disagreement between the President and the American people. Congress has demonstrated its support in very positive and supportive legislative action. The State Department has repeatedly assessed the Keystone pipeline as having minimal negative environmental impact and very tremendous positive economic impact. I think it is only a matter of time until it is approved.

In the meantime, we will continue to consult with all stakeholders, certainly in our country and abroad, to further the broadening of Canada's delivery of this immensely valuable resource to world markets.

**Mr. Jay Aspin (Nipissing—Timiskaming, CPC):** Mr. Speaker, I welcome the opportunity to further acquaint my hon. colleagues with Bill C-46, the pipeline safety act.

Bill C-46 represents another important step in realizing our government's commitment to assuring Canadians that our country's abundant natural resources are developed and transported in a safe and responsible manner. This commitment is the foundation of our plan for responsible resource development. No major project will proceed unless rigorous environmental and regulatory reviews have demonstrated that it is safe for Canadians and safe for our environment. This is essential if we are to continue to enjoy the benefits these industries have provided to generations of Canadians, and the benefits are many.

Given Canada's wealth of natural resources, experience and expertise of the industry in our country, we can be confident that the

long-term prospects for natural resources development are there and will benefit us all as Canadians. It is a fact that natural resource development offers particular opportunity for aboriginal people in Canada.

Many of the existing or proposed energy and other natural resource and infrastructure projects are located near aboriginal communities. We have a duty to consult these communities and we will work to ensure they are fully engaged throughout the life cycle of resource development projects. It is a pillar of our plan for responsible resource development to pursue development in collaboration with aboriginal people in a way that protects the local environment, that respects aboriginal and treaty rights and that enables aboriginal people to participate in the economic opportunities that resource development can provide, opportunities that contribute to stronger, healthier and more self-sufficient communities.

We are taking concrete action to fulfill this commitment to consult and engage aboriginal communities in a truly meaningful way, including in the safety of existing pipelines and the potential development of new pipeline infrastructure. The pipeline safety act would provide for a series of new measures that would provide Canadians with the assurance of a truly world-class pipeline safety regime, strengthening incident prevention, preparedness and response, and liability and compensation.

Prevention, of course, is the first priority and the goal will always be zero incidents.

Bill C-46 would give the National Energy Board the ability to guide pipeline builders and operators in the use of the best available technologies in federally regulated pipeline projects, from materials and construction methods to emergency response techniques. To assure preparedness and effective response to incidents, pipeline companies would be required to show they would have ready access to a minimum amount of cash or cash equivalent so there would be no delays.

In the event a company is not able to mount an immediate, effective response, Bill C-46 would provide the National Energy Board with the authority to step in and lead the response. Where liability is concerned, Bill C-46 would impose absolute liability in the amount of \$1 billion on the pipeline company. In other words, regardless of who or what caused an incident, the company would be liable for up to \$1 billion in damages, period.

Of course, there would be no limit on liability should the company be found at fault or it were proven that it had acted negligently and caused the incident. The National Energy Board would have the authority to order the company to reimburse in full, even above the \$1 billion mark in absolute liability, any and all cleanup costs incurred by any federal, provincial, municipal or aboriginal government body, or any person. As with the energy safety and security act, which is currently in the Senate, the pipeline safety act would include a firm statement of the principle of polluter pays. Taxpayers would not be left holding the bag. Companies would bear the full cost of cleanup and compensation.



*Government Orders*

●(1530)

I want to emphasize that our government recognizes and is supporting the important role aboriginal communities can play in ensuring pipeline safety, and we continue to move forward with new initiatives to ensure aboriginal communities are fully involved.

There is another way the government is responding to the work of the Prime Minister's special representative on west coast energy infrastructure, Mr. Douglas Eyford. Based on Mr. Eyford's report, Forging Partnerships, Building Relationships, we are proposing the development of a strategy to bring together aboriginal communities, the Minister of Natural Resources, and project proponents in establishing objectives and actions to enhance aboriginal participation in pipeline safety.

The goal is to integrate aboriginal communities into the overall process of pipeline safety. The government would work with industry, provinces and territories, community colleges, and aboriginal communities themselves to develop and promote training on pipeline monitoring and emergency response.

This collaborative approach would also focus on developing industry guidelines for community involvement in the preparation of emergency response plans, including who should be engaged and how they should be engaged, as well as the specific content of response plans.

A further objective is identification of employment and business opportunities that aboriginal engagement in pipeline safety may offer to all communities. Pipeline monitoring could be an example.

These new initiatives would build on earlier actions our government has taken to advance reconciliation through constructive engagement and collaboration. In May 2014, for example, our government announced a series of measures to strengthen the engagement with first nations where resource development is concerned. These included establishing the Major Projects Management Office—West, a single window for the Government of Canada to coordinate activities on energy infrastructure development with British Columbia first nations and industry in British Columbia and Alberta.

In July 2014, in response to other key recommendations in the Eyford report, we initiated action to promote reconciliation in advance of and outside the formal treaty process. These measures range from engaging on a new version of the guidelines on consultation for federal officials to new guidance for industry, including an overall public statement to clarify roles and responsibilities.

We have committed to entering into more consultation protocols with aboriginal groups, which would support more efficient consultations in key priority areas such as resource development. We are also acting to ensure aboriginal communities have the resources they need to participate in consultations in a meaningful way. In economic action plan 2014, for example, we provided \$13.6 million over two years for that very purpose.

With the pipeline safety act, our government is again providing a commitment to respect the interests of aboriginal people. I encourage all members of this House to support Bill C-46.

●(1535)

[*Translation*]

**Mr. Raymond Côté (Beauport—Limoilou, NDP):** Mr. Speaker, I thank my colleague for his speech on this issue.

However, I must admit that one part of his speech bothered me, and that was when he talked about the fact that Canadian taxpayers would not be left holding the bag in the event of an accidental spill caused by a break in a pipeline. That is what the member claimed. However, the reality is that this liability is limited to \$1 billion if it is proven that there was no fault or negligence with respect to the spill. In the case of a major spill in an urban area where the damage surpasses \$1 billion, taxpayers will be on the hook for costs over and above that liability limit.

Why does the member claim that, in all cases, Canadians will not have to pay a cent if ever there is a spill?

[*English*]

**Mr. Jay Aspin:** Mr. Speaker, just to put this into perspective, I would like to give the hon. member some background as to why the figure of \$1 billion was chosen.

The \$1 billion figure was chosen based on an analysis of historical examples demonstrating this level of absolute liability, and the financial capacity provides this world-class coverage. Major pipeline spills in North America have resulted in clean-up costs in the range of \$20 million to \$50 million. That is well below \$1 billion. That is the average cost. Therefore, it is needless to say that most of these spills are well below the \$1 billion, which raises the bar very high to ensure that taxpayers will not carry the liability for these spills.

**Hon. John McKay (Scarborough—Guildwood, Lib.):** Mr. Speaker, also on the billion-dollar question, which is the billion-dollar question here, does the member know offhand, or do his background notes tell us, how much the Enbridge Michigan spill was? I doubt it is within the range of the \$20 million to \$50 million that he suggested.

Also, is the member concerned about spills in certain areas? For example, there are pipelines that run through the heart of downtown Toronto. A spill in the heart of downtown Toronto would be a fairly significant spill and would be far more significant financially than a spill in some other parts of Canada, such as remote parts, so in some respects the average spill does not mean too much. It is the catastrophic spills that do.

I would be interested in the member's thoughts with respect to the catastrophic spill in Michigan, as well as a potential catastrophic spill in major cities such as Toronto, Vancouver, et cetera.

*Government Orders*

• (1540)

**Mr. Jay Aspin:** Mr. Speaker, as I mentioned, in our country we have world-class pipeline facilities. I want to give the hon. member an inkling of what that means. Between 2000 and 2011, federally regulated pipelines in this country had a safety record of 99.999%. The rate of spills in Canada was 57% lower than in Europe and 60% lower than in the United States for the 2000 to 2011 decade period.

As a government, we cannot designate or legislate laws that would account for an absurd occurrence. We live our lives as best we can and we account for as much as we can, but we do not plan on the absurd occurrence. That is what we have to do in this case.

**Hon. John McKay (Scarborough—Guildwood, Lib.):** Mr. Speaker, to pick up on what the hon. member just said, we actually do have to account for the absurd catastrophic experience, which is why this kind of money has to be provided.

I was disappointed that the member was not able to respond with respect to the Michigan spill, because it was a huge hit on Enbridge's bottom line. I do not know what the number was, but I would have hoped that he would have been able to share that number with the House so that we could talk about these "absurd" spills, which is what the subject of the legislation before us is all about.

The Liberal Party largely supports the bill, so my remarks are offered in that light. It is a necessary piece of legislation. We might think it is a bit incremental, but nevertheless a step in the right direction is a step in the direction. There is no gainsaying that.

My first remarks have to do with the \$1 billion liability insurance. As it has been previously explained in the House, this is no-fault liability insurance, meaning that no matter how the spill occurs, there would be insurance to cover it. The reasonable expectation is that it is simply a cost of doing business, whatever the premiums are. Since none of these companies is in the business of trying to lose money, I daresay that the ultimate end user of the product will pay for the cost of this insurance one way or another.

The late and great C.D. Howe was a cabinet minister in the Mackenzie King government and in the St. Laurent government. This was in the era when cabinet ministers were serious people. They did not need to refer to talking points each and every day in order to find out what the prime minister of the day thought about any subject. C.D. Howe was a legend, and as he was presenting a budget towards the end of World War II, which was a budget with an appropriation of about \$1.3 billion for the war effort—a pretty significant sum of money at the end of World War II—one of the opposition members asked him about a million-dollar item.

Mr. Howe apparently replied, "Well, in the context of a \$1.3 billion appropriation, \$1 million is not a significant sum of money." Out of that came the political lexicon that has been attributed to C.D. Howe, namely "What's a million?" Conservatives being Conservatives, they were never given to accuracy or truthfulness back then, so despite the fact that C.D. Howe did not actually say that, it still became part of the lexicon.

Conservatives then and Conservatives now are basically the same entity as far as truthfulness and accuracy might be concerned. I might appropriate that political lexicon and say "What's a billion?" If "What's a million" at the end of World War II was a significant sum

of money in the minds of many, then "What's a billion?" in 2015, for many people, would still be considered a significant sum of money.

A liability of \$1 billion in certain areas of the country seems to me to be perfectly adequate. In fact, I would say that in maybe 95% of the areas where pipelines are located, \$1 billion might very well be a perfectly adequate sum of money. However, a pipeline running through downtown Toronto—as does Line 9, which runs through through Finch and Yonge, right beside a subway station—poses a significant risk.

Similarly, pipelines that run over watercourses that provide drinking water for millions of people pose a pretty significant risk. That is again the case in Toronto. A spill there would be of far greater significance than, say, a spill in a remote region in northern Ontario, possibly in Haliburton, although it would be a shock to have a spill in Haliburton. In sum, the risk from a spill in downtown Toronto, downtown Montreal, downtown Halifax, or downtown Vancouver is of a far greater magnitude than the risk in the more remote regions of the country.

• (1545)

The other issue is the content of the pipeline. One of the real reasons for the problems that occurred in Michigan with Enbridge was that the content was diluted bitumen, dilbit as it is known. The way I understand it is that when it hits water, it simply sinks to the bottom. That makes it very difficult to clean up, because one is then cleaning up something that is below the surface of the water, as opposed to, say, a gas line spill where the spill is on the surface of the water and because the spill largely evaporates before it does any serious environmental damage. Thus the contents of the pipelines vary and carry a significant sum of our gross domestic product with them. The contents of the pipelines are as relevant as the location of the spills.

I also have some concerns about the unlimited liability aspect. The first billion dollars of liability is no fault, and that is covered by an insurance policy. After that, in theory, either an energy company acquires further insurance at some presumably significant cost or it does not carry that insurance, and it in turn in effect pledges its own value as the assurity or its ability to clean up that risk beyond one billion dollars. My colleague across the way thought that that might be an absurd idea, but Enbridge in particular does not think it is such an absurd idea.

I want to point out to those who might be interested that pipelines are creatures of the stock market. Some days pipeline companies are worth multiple billions of dollars, and at other times, as multiple billions of dollars melt rather quickly, they become worth multiple millions of dollars, and there is nothing like a spill to shed value on a stock market.

I recommend, Mr. Speaker, that you not be in the doorway when an energy company spill occurs, because you will be crushed by the run of stockholders out the door because, frankly, they do not want to stand around and pick up the tab for anything that is potentially beyond one billion dollars.

*Government Orders*

The concept of unlimited liability beyond one billion dollars in theory sounds pretty good, but in practice may actually be quite a challenge, because the very fact of a spill or other catastrophic market events such as what we have witnessed in the last few months literally melt billions of dollars off the bottom line of a company.

These are issues that I think and hope a committee will take into consideration and get some expert advice on so that members know what they are voting on.

My colleague from Halifax West expressed a concern about the discretion allocated to the National Energy Board and cabinet to proclaim and enforce more robust regulations. I share his concern. I know the government wishes us to think, and I would like to think myself, that inspections will increase by 50%. I hope that is true. I am also hopeful that safety audits will double. I have no reason to doubt the good faith of the government.

● (1550)

However, I also want to be assured, and I hope the minister and the Conservatives members on the committee will be able to assure other members of the committee who might be a touch more skeptical, that the cabinet and the NEB would engage the robust powers they would be given under the legislation and that it would not simply be in appearance rather than anything else.

We are talking about a very serious amount of money on an annual basis. Pipelines ship roughly \$100 billion of product on an annual basis. I will put that into perspective. That is just slightly below the budget at Queen's Park, the budget of the second biggest government in Canada. That is a significant sum of money.

I know that the members and the minister opposite have repeatedly said that 99 point whatever per cent is shipped safely. I am prepared to believe that. However, it is a little like saying that 99% of the time my brakes work. It is kind an absurd statistic, because I am not expecting perfection. Short of some other place, there is no perfection in this world, and so I do not anticipate perfection. However, I do think that every possible measure needs to be taken to assure Canadians' safety, not only the safety of their air and their water, but also of the food chain, et cetera.

I would say that, ultimately, Bill C-46 is a move to restore public confidence and, in that respect, it is a tiny step in the right direction.

Regrettably, Canadians have come to learn not to trust the current government on any point of intersection between the economy and the environment. Unfortunately, where there is a point of conflict between the environment and the economy, the environment loses. This is a bill that would try to restore that confidence, but, regrettably, the current government has established a reputation that it is not serious about environment issues and, as I say, whenever the economy and the environment come into conflict, it is the environment that loses.

Unfortunately, we have seen in this past week a consequence of its not being serious about the environment and the consequence of its not being serious about damage to our economic best interest.

When President Obama vetoed the Keystone XL pipeline, he did so for a good reason. He does not think the current government is serious about the environment. His perception, like the perception of

many, is that the current government is not serious. The most obvious example is the ever-inclining trend in GHG emissions.

The charts put out by the government itself and audited by the Commissioner of the Environment show that in 2020 we will have historically high emissions of 720 megatonnes. The goal that was set by the government after Kyoto was 607 megatonnes.

There is, I know, a fantasy life over across the way that we are on track to meeting our emissions targets, and there may actually be someone in this country outside the Conservative caucus who actually believes that. However, the simple facts of the government's own charts, as audited by the Auditor General, show that there are 113 megatonnes that need to be made up. There is no chance that the Prime Minister would meet his own watered-down Copenhagen targets.

● (1555)

As I said, President Obama has noticed, many members of Congress have noticed, many of the American public have noticed, NGOs have noticed, the world has noticed, the Europeans have noticed and, as a consequence, we have established this reputation for not being serious about the environment. The consequence of having established that reputation has been a serious hit to our own economy.

Just this week in the main estimates there were major cuts to sustainable development technology, \$25 million; the sustainable development technology fund, another \$6.5 million; major cuts to species at risk, \$12.5 million; major cuts to meteorological services, \$5 million; cuts to project management, \$2.3 million, et cetera. Moreover, a 44% cut to the Canadian Environmental Assessment Agency was jammed into an omnibus bill. Environment Canada's budget has gone from \$978 million two years ago to \$961 million for the fiscal year ending March 2016, a difference of \$17 million. It is not as if Environment Canada has less work to do; it actually has more work to do with fewer resources.

President Obama could be forgiven if he expressed a bit of skepticism about Canada and the current government's commitment to environmental issues, particularly greenhouse gas emissions. As I said, NGOs have noticed, Canadians have noticed, other Americans have noticed, and Europeans have noticed. Therefore, the credibility gap is quite significant; hence, the reason for this bill being on the table today. This is a tiny incremental step to regain some of that credibility. The government is, in effect, digging itself out from its own credibility hole.

It is hard to do that when the government runs around saying that the people who protest pipelines are eco-terrorists. I respectfully submit that that pretty well killed the chances of ever obtaining a reasoned decision on the northern gateway pipeline. That has affected our economic interests. The absence of credibility in the government has made Kinder Morgan a much more difficult pipeline to obtain. It has left the TransCanada east pipeline essentially orphaned in the hope that somehow or another something will happen for that pipeline to go through. Keystone XL, at least for the foreseeable future, has no life in it.

*Government Orders*

When we lose the credibility in the larger marketplace, we lose our social licence. If we lose our social licence, we will not obtain the pipelines that we think we need. When we lose that, we therefore lose our economic ability to generate revenue and GDP, and that has very serious economic consequences. This faux fight between the environment and the economy is just simply that: a faux fight.

I hope that Bill C-46 will get a good airing in committee. I hope there will be clarification of the audit and inspection powers of the NEB. I hope there will be a commitment coming out of that. I hope there will be a mechanism for ensuring that pipeline companies remain responsible for their abandoned pipelines. There are a number of things that could potentially come out of this, such as requiring a portion of each company's financial resources to be readily accessible, or providing the authority to take control of incidents. All of these things could come out of this.

I want to make note in my closing comments that I can hope, but I do not expect. I can see that we have 12 weeks left on the parliamentary calendar. To get this bill from here to royal assent in 12 weeks is mostly hope, but I think it will end up as a talking point for the government, that we had the best of intentions, but Bill C-46 died on the order paper.

• (1600)

**Mr. Bernard Trottier (Parliamentary Secretary to the Minister of Foreign Affairs and for La Francophonie, CPC):** Mr. Speaker, I listened attentively to my colleague's speech. A wise person once said that we should never confuse a fence with a chair because we might get hurt. That is true.

My colleague talked about what a terrible piece of legislation this is, and yet he will support it. He has denounced pipelines, and yet he bemoans the fact that we have not built the northern gateway pipeline. I thought that maybe he should talk about a good news story, such as getting our energy products to market. The member should know that about half of our exports are energy products, and we cannot have exports without getting those products to market, and we all know that pipelines are the safest and most efficient way to get those products to market.

Also, the other piece of good news is that there are significant numbers when it comes to the employment of first nations. It is the largest private sector employer of first nations people in the country.

Perhaps the member could talk about some of the positive aspects with respect to getting these pipelines built but also ensuring that they are safe.

Incidentally, the liability amounts are very much in line with and are stronger than what the rest of the world has. This is a world-class pipeline safety regime that we are putting in place, but it also enables some positive aspects for the Canadian economy, for regular Canadians as well as for first nations.

**Hon. John McKay:** Mr. Speaker, I would say that when a Conservative offers us a chair we should ensure that all of the legs are in place.

The issue is that we would not be having this conversation or the opposition would not be expressing some skepticism had the government established its environmental credibility over the past

nine years. However, it has not established its environmental credibility; rather, it has lost its social licence to do things.

I am forever puzzled by the pathetic way in which the Conservative members ask for affirmation, such as, "Tell us what good things we have done today." Well, what did they have for breakfast? I am sure that was a good thing.

I like and respect my hon. colleague across the way. However, the regrettable fact is that each and every pipeline I have mentioned has a considerable pushback from people who are very concerned about the safety of pipelines.

[*Translation*]

**Mr. François Choquette (Drummond, NDP):** Mr. Speaker, I agree with my Liberal colleague.

Indeed, it is a step in the right direction to bring in absolute liability in situations where the company is at fault. That is a key part of the polluter pays principle. It is also an improvement that the bill would increase the liability to \$1 billion when the company is not at fault.

However, my colleague mentioned something really important, which is social licence. Prevention is needed so that pipeline leaks do not happen. That is the problem with Canadian legislation.

The Conservatives have been gutting the Canadian Environmental Assessment Act since 2012, and people in Quebec are upset that they are not able to participate in the National Energy Board's consultations and cannot know the full route of the energy east pipeline, for example.

Would my colleague like to tell us more about the fact that environmental assessments are no longer adequate?

• (1605)

[*English*]

**Hon. John McKay:** Mr. Speaker, I do not think the offence is limited to Quebec. It is an operative fact that the purview and the ability of the NEB to consider various issues that are of relevance to the very people the member is talking about has been quite circumscribed, and so the hearings themselves are limited and the access to the hearings is limited. The problem with that is that the project has basically been destroyed before one can get to it. If that pattern continues, then regrettably, this industry will have some serious problems.

The current government wishes to act like a cheerleader. It is not a cheerleader; it is a regulator. When a regulator operates properly, it operates in the best interests of the Canadian public.

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, I wonder if my colleague could pick up on his comments in which he made reference to the length of time we are in session. There are another 11 weeks after tomorrow, keeping in mind that we have not had a debate on the budget—the budget has been put off—there are other pieces of legislation, and this is at the beginning stage of second reading.

*Government Orders*

Reflecting on that, maybe the member could speculate on why the government might have even considered introducing the legislation. Could it possibly be because we are going into an election a little bit later this year?

**Hon. John McKay:** Mr. Speaker, I have in my hand the 2015 calendar. We have two sitting weeks in March. We have three sitting weeks in April. I imagine that the three sitting weeks in April will pretty well be used up by the budget. We then have three sitting weeks in May, and one and a half sitting weeks scheduled for June.

If the government were committed to a lightning-like process, it could do this bill, but that is just getting it through the House. From there, we have to move it over to the Senate, which has its own process.

I respectfully suggest that the chances of this bill seeing royal assent are about the same as the chances of the Maple Leafs winning the Stanley Cup this year. I have hit a pretty sensitive point, but as a lifelong Leafs fan, I have had a tonne of realism hit me this year.

I do not think this will happen. My only speculation, and it is entirely speculative on my part, is that this bill was introduced for window dressing.

**Hon. Peter Kent (Thornhill, CPC):** Mr. Speaker, I would suggest that the member look more to the Toronto Raptors this year than the Maple Leafs, and so to a similar positive outcome for this legislation as it passes through the House.

I must say that I was left somewhat breathless by my colleague's wandering away from the topic at hand. It is quite clear that in the United States there is support in Congress. The labour movement in every state across which the Keystone XL pipeline would eventually cross is in favour of the pipeline. The problem is at the White House; it is the difference of opinion between a president and his state department and Congress.

When it comes to puffing out one's chest, this government is indeed proud that it is the first Canadian government in history to actually reduce greenhouse gases. I would remind the member of the commitment to Kyoto, which saw emissions rise to 35%.

Finally, the point I would like to make to reassure my colleague is that in questioning and raising the spectre of the Kalamazoo spill, he wondered about the cost. The cost is on the record. Enbridge says that it is \$1 billion and running. However, Enbridge has taken responsibility there, as it would here if there were a similar spill, heaven forbid. With this legislation, the liability provided for and the coverages, Canadian taxpayers would not cover those costs. The polluter would pay. There are measures for the NEB to enforce better safety precautions, and this is probably the best pipeline safety legislation and liability coverage in the world.

• (1610)

**Hon. John McKay:** Mr. Speaker, I wonder sometimes whether they eat the talking points or have them mainlined.

I am told that the cost of the Enbridge spill is at about \$1.3 billion and growing. That is a huge hit on Enbridge's bottom line. I do not know what the insurance was for Enbridge's spill. Were that to happen here, I assume that the first \$1 billion would be picked up by the no-fault insurance. That is good. That is a good point.

Having said that, not all companies are Enbridge. There are companies that are in free fall as far as the value of their assets is concerned. I have watched stock markets in the past. The stampede of the shareholders out the door when bad things are happening to a company is amazing. The poor old taxpayer gets stiffed with the bill. I would just point that out.

There is only person whom we had to make happy with the Keystone XL pipeline. That one person is the most powerful man in the world. The government blew it. It was a no-brainer.

[*Translation*]

**The Acting Speaker (Mr. Barry Devolin):** It is my duty, pursuant to Standing Order 38, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Beauport—Limoilou, Health; the hon. member for Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, Social Development.

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## ROYAL ASSENT

• (1615)

[*English*]

**The Acting Speaker (Mr. Barry Devolin):** Order, please. I have the honour to inform the House that a communication has been received, which is as follows:

Rideau Hall

Ottawa

February 26, 2015

Mr. Speaker,

I have the honour to inform you that Ms. Patricia Jaton, Deputy Secretary to the Governor General, in her capacity as Deputy of the Governor General, signified royal assent by written declaration to the bills listed in the Schedule to this letter on the 26th day of February, 2015, at 3:20 p.m.

Yours sincerely,

Stephen Wallace

The bills assented to on Thursday, February 26 are Bill C-47, An Act to correct certain anomalies, inconsistencies and errors and to deal with other matters of a non-controversial and uncomplicated nature in the Statutes of Canada and to repeal certain provisions that have expired, lapsed or otherwise ceased to have effect; and Bill C-22, An Act respecting Canada's offshore oil and gas operations, enacting the Nuclear Liability and Compensation Act, repealing the Nuclear Liability Act and making consequential amendments to other Acts.

\* \* \*

[*Translation*]

## PIPELINE SAFETY ACT

The House resumed consideration of the motion that Bill C-46, An Act to amend the National Energy Board Act and the Canada Oil and Gas Operations Act, be read the second time and referred to a committee.

*Government Orders*

**Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP):** Mr. Speaker, I want to inform you that I will share my time with my esteemed colleague from Drummond. This is a good idea, as always. [English]

This may sound strange, but I have looked forward to some version of such a bill for many years. With Bill C-46, the government has finally come to acknowledge a principle that for more than 20 years the New Democrats thought was important for the energy sector and industry at large. This is the principle that we commonly now know as the polluter pays. It is a very simple concept. It is a concept that should be embedded in all of our economic thinking about resource development and the potential for pollution, which is the company that causes the pollution should pay for the pollution.

This is an important concept for us because we also believe in pricing pollution across the board. We have heard the Prime Minister recently muse about the idea of perhaps putting a price on carbon similar to the Alberta model. It has some faults, but the very concept that pricing carbon, a known pollutant in causing climate change, is now something to which the Conservative government may be open. However, we hear Conservatives day after day ridicule and rile the opposition for any hint of the very same policy, which the Conservatives rain on.

Juxtapose that with the strange crossing of ideologies where the Liberal leader now says that pricing carbon should not be up to the federal government at all. It is odd to watch those two leaders cross themselves. More important, in Bill C-46 and the liability around spills from pipelines, we recall that the Prime Minister in an economic forum declare that Canada would quickly become a world energy superpower. This vision was outlined by the Prime Minister in very forceful terms. What one would have expected to be behind such a declaration was a plan or a strategy to achieve that vision.

As we have seen in the last eight or nine years, that commitment has been nothing but an unmitigated failure for the government. We have not seen the approach taken by the Conservatives enhance Canada's standing in the world when it comes to energy in any measurable way, not with our largest trading partner in the United States.

As pointed out by my Liberal colleagues, not only has the relationship around one particular project, in this case Keystone, caused all sorts of tensions between the government and the White House, but it has caused tensions in our trading relations in general. I recently had meetings with some trade department officials and investors from the United States. They wondered about the Conservative government's obsession with one project to the detriment of so many other important trade relations with the United States.

In making the declaration, when the Conservatives said that we would be an energy superpower, one would have thought there would have been some foundational elements included. One of them would have been the polluter pays principle. It is an important and key strategy in bringing the public along to any development, like a pipeline development. If there is a spill, it should not be the public who is on the hook for cleaning up the costs.

As has been pointed out in this debate already, Enbridge, which has proposed the northern gateway pipeline that will go through my region, had that exact experience just south of the border, when 3.5 million litres of diluted bitumen was spilled in the Kalamazoo River. It has spent north of one billion dollars cleaning that up.

In Canada, we had this perverse incentive in that the companies were never on the hook for that money for the cleanup. The companies receive the profit; the public gets the pain when there is an accident. There are spills. There have been several hundred spills across Canada over the last couple of years, some small and some quite a bit larger. The idea that the public would foot the bill for a company's mistake and damage to our environment is indeed perverse.

Several things in the bill remain lacking in a true energy policy from the government. If becoming an energy superpower were so important, one would have thought the government would have sincerely, and with great dedication, sought what would be a very important principle for any company operating, and that is the social licence to operate.

This is a commonly used term by industry today, particularly by extractive industries, heavy industries, that in order to be profitable and to remain viable, having a social contract with the public, an agreement on how companies conduct themselves, supported in the communities in which they operate would be foundational of any investment.

• (1620)

When I talk to the investment banks, the major banks in Canada, and some of the other investors who invest heavily in our country, the social licence of any particular project is paramount to the investor's rational to invest or not invest. If a company is facing protracted legal battles, if a company is in the face of strong public discontent, that affects the investor's decision.

Even with the Conservatives government, which is particularly fixated, having put so many of their eggs in one particular resource extraction basket, on oil, we would have thought that bringing forward legislation, working policies that would increase the level of public support would have been job number one. The efforts by the government to treat and negotiate with first nations in Canada would be job number one. The Prime Minister hired a special investigator, Doug Eyford, to go British Columbia to consult with first nations and find out what was lacking. In his report, Mr. Eyford stated that there was a lack of federal leadership in treating and negotiating with the first nations of British Columbia in particular.

Having lost almost 180 consecutive Supreme Court decisions that deal with first nations rights and title, we would think the federal government would have woke up to the idea that rights and title maybe matters, particularly to a resource like this one.

The bill is missing the ability of the government to understand, to respect and to negotiate with the first nations people of Canada. In provinces like British Columbia, rights and title have been confirmed again and again in the federal courts and at the Supreme Court level, and the government considers it an option to ignore those rulings, as if anything will get built, as if anything will get done by ignoring our Constitution and first nations rights and title.

*Government Orders*

We have also seen the government utterly ignore another foundational question that Canadians have with respect to any resource development, which is risk versus benefit. The benefits are generally seen in two areas: one through taxation and the other through job creation. What have we seen from the Conservatives? We saw the whole temporary foreign worker fiasco where they drove loopholes so big through the program that companies were firing Canadians working in the banking and energy sector and then hiring temporary foreign workers to the point where the Conservatives had to swing the pendulum back so hard that they essentially shut down virtually all of the temporary foreign worker program.

We have also seen a government absolutely ambiguous about the notion of value-added. Particularly when we deal with a one-time, non-renewable resource, we would think the government of the day would have some interest one way or the other as to whether companies are adding value or shipping the product out in its raw form. We know the true job components in any oil and gas project is when we add value to it.

The proposed projects, which heavily supported by the government, all purport to export raw bitumen in its most raw form. That leaves the risks with Canada and exports the lion's share of the benefits elsewhere.

The economy of the people I represent in northern British Columbia is primarily based on resource extraction. We understand the resource industry, we are support of it and are particularly supportive when it works with the values in the communities in which it seeks to operate.

Conservatives have ignored this time and time again and have lost public support, not just in their wild enthusiasm for projects that do not help the Canadian economy and certainly risk the Canadian environment, but they have run roughshod over first nations rights and title. The record shows they are not getting anything done. All they are doing is increasing conflict and uncertainty, which drives away investment and the ability of the Canadian economy to be more than just a raw export economy.

Time and time again we see the government make the same mistake. The Conservatives suggest that doing the same thing again will get them somehow a different result. We know the definition of someone who believes that doing the same thing repeatedly will get a different result: insanity. Increasing uncertainty, increasing conflict has done so little to even advance the agenda the Conservatives had.

What else do we miss from the Conservative government? It is not just a diversification of our trading partners, but also the diversification of our energy resources. The support for oil has been so outweighed by no support whatsoever for the clean energy sector.

The good news for Canadians is that globally last year, and we look forward to 2015 being similar, the advancements and the investments in clean energy technology, with the costs of production dropping and the acceptance and encouragement by the public writ large across the world for clean technology, solar, wind, geothermal and rest, has only grown and investments are outpacing investments in carbon energy.

●(1625)

Canada should be embracing this enthusiastically, with a government that understands we need to have a balance between these things. However, to put all of the attention on one energy source alone, we see what happens. The Conservatives have had to delay their budget. They have no plan B. All they have is this, and it is not working.

The bill is a small and important step in advancing a more balanced approach to the energy sector in Canada. We look forward to its passage. We will see if the calendar allows for its passage and how much enthusiasm the Conservatives have for it to become law.

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, my question for the member is related to motivation more than anything else.

One of the benefits of enshrining in legislation the polluter pays principle is that it can be an incentive for companies building future pipelines, or even current ones, to ensure the final product that will carry our oil or natural gas is of a high standard. We would have limits, potential fines or mechanisms to recover the cost of damage that might be caused to the environment and so forth. Thereby, hopefully, we would have a better system going forward.

**Mr. Nathan Cullen:** Mr. Speaker, I apologize, and it is not from lack of paying attention, but I am not sure I totally understood my friend's question.

I will add that the act would enhance the National Energy Board, the regulator in this case, or the police judging whether it should go ahead or not.

However, the government has retroactively, in the midst of an NEB process dealing with gateway, politicized the decision of the National Energy Board. The decision as to whether pipelines should be approved or not has been given to the Prime Minister and the cabinet. The Conservatives did this and then said that they would rely on evidence and science and not politics. However, they changed the NEB Act to allow only the cabinet and Prime Minister to have the final say.

The NEB now no longer requires a company like Kinder Morgan to release its full safety plan and cleanup operations in Canada. However, the same company is operating a very similar pipeline 50 miles south of where it plans to operate in Vancouver and the American regulator is happy to disclose that information. Our regulator, the NEB, seems to think the public does not have the right to know what cleanup the company is sponsoring.

We can see how the public loses faith in the referee. The government has consistently tried to bias the results and skew and torque what should be an apolitical process. Instead, it has become something that has lost the support of those in the broad sector of the Canadian public. When they lose that faith, they lose faith in the government's broader agenda.

*Government Orders*

**Mr. Blake Richards (Wild Rose, CPC):** Mr. Speaker, when our government has made changes in the past regarding pipeline safety systems, members in the opposition have always voted against them.

Would the member be able to explain to the House why those members voted against increasing the number of inspections by 15%, doubling the number of comprehensive audits and bringing in new fines for companies that break our strict environmental regulations? It seems quite inconsistent.

**Mr. Nathan Cullen:** Mr. Speaker, what is inconsistent is that the same government gutted the environmental assessment process through much of those same acts. It is a government that took fishery habitat protection out of the Fisheries Act.

Many of my friend's constituents from Wild Rose Country love to come up to B.C. and fish its rivers. One would think that habitat protection would be important. However, under the government, the Conservatives thought it was not so important.

As well, the Navigable Waters Protection Act existed for over a century in our country to protect the navigation of our rivers and waterways. It is something one would think the public had interest in and thought was important. It balanced out the conversation about what damage could and could not be done.

After gutting the Environmental Assessment Act, after getting rid of the Navigable Waters Protection Act, except for Muskoka and cottage country for the minister's sake, and after gutting the Fisheries Act, to stand and say that somehow the Conservatives are the proponents of strong and tough regulation, no one believes them. This is a problem for the Conservatives. When they say they want to protect the environment and are not completely in the pockets of the big oil companies, the facts deny it all.

The reality is that their plan is not working. The Conservatives cannot bulldoze their way through the country. Some people demand and insist on having a voice in the conversation, that is Canada, and we will continue to do so.

• (1630)

[Translation]

**Mr. François Choquette (Drummond, NDP):** Mr. Speaker, I would first like to congratulate my colleague from Skeena—Bulkley Valley on his excellent speech. He clearly set out the premise of this debate. He clearly explained why we have difficulty trusting the Conservative government and believing in what it does.

However, Bill C-46, An Act to amend the National Energy Board Act and the Canada Oil and Gas Operations Act, is obviously a step in the right direction. The NDP has been asking the Conservatives to abide by the polluter pays principle for a long time. We believe that it is a basic principle of sustainable development. Of course, we will support this bill, but we will be proposing some amendments in committee.

In short, the change that the bill makes is to seek absolute liability for all pipeline projects regulated by the National Energy Board when the company is at fault. We support this excellent measure.

However, the maximum liability is \$1 billion, which is much better than the few tens of thousands of dollars that it was before. However, \$1 billion is still not very much when it comes to a big oil

spill and all of the consequences that has. Nevertheless, it is a step in the right direction. We are talking about liability of \$1 billion without proof of fault or negligence. In such a case, the problem is that Canadians are the ones who will have to pay. People in Drummond and everywhere else in Canada who pay their taxes will have to pay for the problems caused by companies and the bad job that the Conservatives did. Why am I talking about how the Conservatives did a bad job? My other colleagues mentioned it. It is not enough to make a company pay when there are spills and leaks. We also have to prevent spills from happening. The Conservative government is very weak in that regard. That is a serious problem, which they made worse in 2012, when they amended the Canadian Environmental Assessment Act.

We are all well aware of this change to the Canadian Environmental Assessment Act. Participation in consultations has been severely restricted. Now people can participate in consultations only if they are directly affected by a pipeline project. Many people in Quebec are upset about that because they were expecting to be able to participate in the consultations on TransCanada's energy east pipeline proposal. Unfortunately, it is very hard to get in because the Environmental Assessment Act, which was amended in 2012, severely restricts people's access. There is also another problem I have to raise. Right now, the National Energy Board is starting to ask people to register for consultations even though the final route is unknown. People have to sign up without knowing whether the pipeline will go through their area or not. This is utterly ridiculous. Quebeckers, environmental groups and citizen groups have demanded that the National Energy Board's hearings be suspended until the pipeline's exact route is known. Without that information, how can people register and how can the assessment process involving individuals and organizations be started?

This shows how Bill C-46 is heading in the right direction. However, we need environmental bills that will enable us to prevent disasters rather than clean them up after the fact. That would be much better.

We know that the energy east pipeline will cross dozens of rivers and bodies of water as well as the St. Lawrence. These are strategic places that municipalities draw their water from to treat for drinking water.

• (1635)

We need to be careful and focus on prevention. A report from an RCM in the region that will be affected pointed out flaws in the TransCanada project. We expect much more from the government. It is not enough to repair the damage afterward. We need to focus on prevention. That is very important.



*Government Orders*

In 2014, the Commissioner of the Environment released a report pointing out the problems with the reform of the Canadian Environmental Assessment Act. For example, she mentioned that the criteria are unclear, which explains why some projects are subject to an assessment while others are not. She also indicated that it is very difficult for the public to participate in these consultations. If the public cannot be heard and listened to, that leads to a social licence problem. That is the problem with many of the projects on the table right now that could be good for our economy. There is a lack of information and transparency.

Ottawa commissioned a report on the aquatic environment in 2013. We were not given access to that report until a group of environmentalists submitted an access to information request. How can we trust a government that hides a report about the oil sands and the impact they will have on the aquatic environment for two years? That is unbelievable. The report indicates that there is a serious lack of information on the impact of an oil spill on the aquatic environment. There is a lack of information on how we could clean up the oil that spilled into the St. Lawrence River, for example. This report shows the lack of competence of the Conservatives, who do not take the importance of preventing accidents seriously. Introducing this bill, which of course is a step in the right direction, will not be enough if a spill occurs.

Oil spills have happened in the past and, unfortunately, will continue to happen. We must be ready to prevent them insofar as possible and to take quick action when one occurs. We need only think of the ExxonMobil pipeline spill in Arkansas in 2013. In 2010, there was the notorious Enbridge oil spill in the Kalamazoo River, where four million litres of oil were spilled in 14 hours. The cleanup of this environmental disaster is ongoing. So far, it has cost \$1 billion, which is just the start. That is why I am saying that the \$1 billion limit is not enough when oil companies are not directly responsible.

In conclusion, this bill is a step in the right direction. The NDP has been asking for a long time that the polluter pays principle be applied and that the companies be responsible for safety. However, we have a major problem with respect to preventing oil spills. I mentioned it in my speech. That is why we are asking for a clear long-term vision for sustainable development. The NDP has the strongest vision. We do not pit the economy against the environment; they are compatible. If we do it right, the economy and the environment will be the most profitable sectors. They create the most jobs and will help us improve the Canadian economy.

• (1640)

The NDP plan is to have a good economy based on sustainable development.

**Mr. Bernard Trottier (Parliamentary Secretary to the Minister of Foreign Affairs and for La Francophonie, CPC):** Mr. Speaker, I thank my colleague for his speech.

We have been listening to this debate on the pipeline safety bill for a few hours now, and we have heard all kinds of crazy plans to completely reorganize Canada's oil industry. People have talked about various ideas for oil refineries. That has nothing to do with the issue at hand.

Pipeline safety is absolutely essential to the Canadian economy. The sector does not account for the entire Canadian economy, but it is a big part of it.

I did not hear my colleague say where he stands on this bill in his speech. If he does not support it, it is a little hypocritical of him to criticize the Conservative's management record for this sector. Since this is an asset to the Canadian economy, we need a distribution system and safe pipelines. That is why this is a good bill.

Will the member support it?

**Mr. François Choquette:** Mr. Speaker, I want to thank my colleague from Etobicoke—Lakeshore for his comments.

Indeed, this bill is a step in the right direction and we will support it. We will propose some minor amendments in committee, but those are details.

Would my colleague agree that it is important to prevent spills, like in Kalamazoo, for instance? That is the weakness of the Conservative government. They amended the Fisheries Act and the Canadian Environmental Assessment Act to limit not only public participation, but also environmental assessments.

I want my colleague to be honest, because the Conservatives have done nothing to improve environmental legislation. However, that is the NDP's plan. We want to harmonize the economy and the environment, the principles of sustainable development. That is what we believe in and what we will do in 2015.

[*English*]

**Hon. John McKay (Scarborough—Guildwood, Lib.):** Mr. Speaker, I thank my colleague for his speech. I quite enjoy working with him on the environment committee. I wish we would actually accomplish something at the environment committee, but it is what it is, unfortunately. Members might be interested to know that the environment committee is now engaged in a study on hunting and trapping. Of all the issues the environment committee could be studying, such as climate change, fracking, or whatever, hunting and trapping is the one that has been chosen. It is of critical interest to us all.

I am pleased to hear that the NDP will be supporting the bill. I would think it should be at committee sooner rather than later, but I am also, as I outlined earlier, a bit concerned about the parliamentary schedule. I know that there is a lot of make-work stuff going at other committees, but this actually could be a real piece of work.

Does he think there is a real chance that, with what is left, this will actually get to royal assent?

[*Translation*]

**Mr. François Choquette:** Mr. Speaker, indeed, I agree with my colleague. This bill is long overdue, when it should have been a priority.

*Government Orders*

As we have been saying from the beginning of the debate and as I just said in my speech, since 2011, instead of introducing such a bill on the polluter pays principle, the government has been undermining environmental assessments and environmental protections.

Earlier I talked about how the government amended the Fisheries Act and the Canadian Environmental Assessment Act. As my colleague mentioned, I am a member of the Standing Committee on Environment and Sustainable Development, where we have seen some terrible amendments made to that act.

There is also the issue of social licence. The public and organizations need to be consulted so they can share their opinions, tell us about their science and have their say. Those kinds of consultations have been very limited. Like my colleague, I am very concerned about what the Conservative government plans to do with this bill.

• (1645)

[*English*]

**Mr. Blake Richards (Wild Rose, CPC):** Mr. Speaker, I will first say that I will be sharing my time with my neighbouring colleague, my good friend from Macleod.

It is a pleasure to rise today in support of our government's pipeline safety act. As all hon. members know, Canada's natural resource industries play a vital role in supporting the quality of life we enjoy in this country. In my province and all provinces across this country, we owe our quality of life and the strength of our economy to the important natural resource industries.

Taken together, these industries actually account for more than 13% of our gross domestic product and more than one half of our merchandise exports. When we include the supply chain that provides goods and services to the resource sectors, these industries actually account for almost one-fifth of all economic activity in this country, almost 20% of the economic activity in this country. They create and sustain jobs from coast to coast to coast and in every region of every province in this country.

Directly and indirectly, the jobs of some 1.8 million Canadians depend on our natural resource sectors, and our natural wealth continues to be developed to create opportunities for Canadians. There are hundreds of major natural resource projects under construction or planned over the next 10 years, representing as much as \$675 billion worth of investment.

Canada's energy sector is a key part of this. It contributes \$175 billion annually to our economy and generates more than \$25 billion a year in federal and provincial revenues. While the NDP would like to ignore this fact, these are the same revenues that help to pay for social programs like health care, education, and infrastructure. However, for Canadians to benefit fully from the potential of our energy sector, it requires world-class transportation and infrastructure, including pipelines, to get our energy products to market.

Fortunately, building and operating safe pipelines has been a Canadian tradition for decades. Canadians have the experience and the know-how to move more than three million barrels of oil across our country every single day. As we have heard, 99.999% of the oil and products transported through federally regulated pipelines in Canada have arrived safely. That is why I can stand here and proudly

claim that Canada already has an extremely impressive environmental record with regard to pipelines. Indeed, few sectors can boast such an outstanding safety record.

One of the characteristics of this strong, world-class safety regime is that it continually evolves and improves. It is a safety record that is enhanced with every technological advancement and innovation and with every regulatory improvement, and that is the way it should be.

As we look ahead to the many major resource projects still on Canada's horizon, our plan for responsible resource development is more important than ever, because it is focused on getting things right for Canadians, for our environment, and for our economy.

Under our plan, we are focused on four key objectives: first, making the regulatory review process for major projects more predictable and more timely; second, reducing duplication; third, strengthening protection for the environment in marine transportation, offshore development, and pipeline safety; and fourth, enhancing engagement with aboriginal communities in every aspect of resource development.

The pipeline safety act is part of this comprehensive approach. The legislation would build on our government's plan for responsible resource development. Bill C-46, the pipeline safety act, would further strengthen our robust pipeline safety system around the pillars of incident prevention, preparedness and response, and liability and compensation. It features concrete measures to improve our pipeline safety record and to ensure that it remains truly world class. That is why it focuses on prevention, preparedness, and response as well as on liability and compensation.

• (1650)

It offers real action to strengthen pipeline safety, including by modernizing the National Energy Board Act.

Of course, prevention begins with the design and construction of pipelines. In addition to our new legislation, the government is seeking guidance from the National Energy Board on the use of best available technologies in pipeline projects. This includes the materials, the construction methods, and the emergency response techniques.

The legislation would clarify the rules and responsibilities for pipeline operators, including measures to prevent pipeline incidents, to increase safety for Canadians, and to better protect the environment. That is in addition to new regulations that recently came into force and that provide the National Energy Board with the power to directly administer tough new penalties, penalties that will address contraventions quickly so that larger issues do not arise in the future.

Concerning matters of preparedness and response, our proposed changes would ensure that companies know exactly what they are liable for. They would need to demonstrate their ability to meet minimum financial requirements. For example, companies operating major oil pipelines would now be required to demonstrate that they have \$1 billion in financial resources.

With regard to liability and compensation, the legislation would enshrine the polluter pays principle in law. This would ensure that Canadian taxpayers will not foot the bill in the unlikely event of a major oil spill. The pipeline safety act would also protect Canadians by providing a financial guarantee, or backstop, to address damages from a major spill. It would authorize the National Energy Board to recover cleanup costs from pipeline operators. We are also taking steps to ensure that pipeline operators are responsible for any potential costs or damages when their pipelines are no longer in use or have been abandoned. No other country in the world requires a \$1-billion guarantee from companies operating major oil pipelines.

On top of these improvements, we will continue to work with aboriginal communities and with industry to enhance the participation of aboriginal peoples in all aspects of pipeline operations, from planning and monitoring to responding to incidents. This will ensure that aboriginal peoples participate fully in related employment and business opportunities.

With the passage of this legislation, Canada's pipeline safety system would be truly world class. Members may ask what that means exactly. We define world class as being equal among our peer nations, countries like the United States, the United Kingdom, Australia, and Norway. Also, in many cases, Canada would be world leading. No other country in the world has absolute liability so that industry, and not Canadian taxpayers, would be held financially responsible, even before fault or negligence were proven.

Today Canada's regulatory and safety regime for pipelines is among the best in the world. However, when it comes to protecting Canadians and protecting our environment, there is no room for complacency. Pipelines are crucial to the safe transportation of oil and gas across our country and to markets beyond our borders.

With this legislation, we would make existing and new pipelines in Canada safer than ever before. It would ensure that Canada keeps setting the bar when it comes to the safe transport of our energy products. That is why I want to urge all hon. members to support this very important piece of legislation.

• (1655)

**Hon. John McKay (Scarborough—Guildwood, Lib.):** Mr. Speaker, the government members have been repeating the 99.999% figure, and my first analogy is that I hope my brakes are 100% rather than 99%, because the 1% when I actually need them, I really will need them.

The second point is that if in fact pipelines are as safe as he says they are, 99.999%, then really, the bill is a bit unnecessary. It is a risk where there is no risk at all. How is it, therefore, that we need a bill to insure that 0.0001% of risk? Were I an insurance company I would be more than happy to charge a premium for a risk that was of that order of magnitude.

I cannot quite square his argument. Either the bill is necessary, which I think it is, or the risk is higher than whatever is left over after 99.999%.

**Mr. Blake Richards:** Mr. Speaker, I am left with two thoughts after listening to the member's question.

Here is the first. I have listened to him today throughout the debate, both to his questions and his comments. I suppose it is

### *Government Orders*

typically Liberal, so I should not be surprised, but there is such inconsistency in the position I am hearing. First I heard some comments from the hon. member about how this is too little too late. Then it was why do we really need it. Then it was that we should have done it sooner. He just cannot seem to come up with a position that is coherent. I guess that is very typical of a Liberal, so I should not be too surprised.

Having said that, what I can tell members is that our government's position is very clear. Yes, Conservatives believe that our pipeline safety record in Canada has been quite strong. As I said, 99.999% of the products moving through are arriving safely. However, we can always strive to do better. That is important.

We always want to make sure that we are doing everything we can to help protect our environment, our economy, and the interests of Canadians. That is what we are doing, and I hope we will have support for it, despite all the inconsistencies on the part of the Liberals.

[*Translation*]

**Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP):** Mr. Speaker, I would like my hon. colleague across the way to explain two things.

First, why is the Conservative government imposing a \$1 billion cap on the polluter pays principle? Why is the polluter pays principle not unlimited?

Second, this bill is a step in the right direction, but it was introduced after the Conservatives dropped all environmental assessments and amended the Fisheries Act. The Navigable Waters Protection Act was changed too. All these environmental protections were diminished.

On the one hand, this is a step in the right direction, but on the other hand, protections are lacking. Prevention is being reduced and the principle is not being fully applied.

Why are Conservatives taking this tack?

[*English*]

**Mr. Blake Richards:** Mr. Speaker, although I thank the member for the question, I have to say that the assertions I just heard the member make are completely false. I know that the NDP is a party that does not understand the importance of ensuring, in what we are doing in terms of responsible resource development, that the environment is protected and that the economy can continue to move forward. These are things that are important. They are both important, and they are both taken in concert by this government.

*Government Orders*

The NDP does not seem to get that. We have people from the NDP going down to the United States to lobby against our energy industry. New Democrats do not understand the importance of protecting the environment and ensuring a strong economy. That is the basis of the falsehoods I just heard in the question, and it is the basis of the New Democrats' poor position on these issues. It is why they have been so poorly received in terms of the position they have taken on our attempts in the past to improve things like pipeline safety and environmental protection, and they have even voted against them.

• (1700)

**Mr. John Barlow (Macleod, CPC):** Mr. Speaker, I want to thank my colleague from Wild Rose for sharing his time with me, and for his presentation.

I am delighted to participate in this important debate today. This is an important discussion because pipelines are one of the lifelines of our economy. They get the energy we use every day to Canadians across the country.

By amending the National Energy Board Act, Bill C-46 proposes a number of new measures to make our pipelines across Canada even safer.

For many Canadians the National Energy Board, the NEB, may not be something they are very familiar with, so I would like to take some of my time today to focus on what it does, the role it plays, and some of the changes to it that we are proposing.

Established 56 years ago, the National Energy Board has a very clear mandate: to regulate international and interprovincial pipelines, power lines, and energy trade. Today, that means overseeing 73,000 kilometres of pipelines and transporting more than \$100 billion of natural gas, oil, and petroleum products each year.

The NEB boasts a staff of about 450 highly skilled experts with a wide range of experience, from engineers to inspectors, to environmental specialists and economists. Their expertise makes the NEB one of the most renowned regulators in the world. I want to make that very clear: it is one of the most renowned, respected regulators in the world.

Equally important, the NEB is independent. It reports through Parliament but is independent of it. Quite simply, it operates at arm's length and has full autonomy. The board uses that independence to rigorously apply science-based analysis to every review it conducts. Those reviews, which are among the most robust in the world, are based on a number of criteria, including the environmental, economic, and social aspects of each and every proposal.

Canadians may ask, what is the end goal? What is the overarching goal of the National Energy Board? The goal is to keep our pipelines and the public safe while, at the very same time, ensuring that the environment is protected.

If an application is successful, and only then, it is still subject to further conditions established by the board.

To enforce its rulings, the NEB has a number of important powers. It can impose administrative penalties on pipeline companies, lower the amount of product allowed through the pipelines, or even shut them down entirely. In some cases, prison sentences from one year to

even five years could be imposed for violations to the National Energy Board Act.

Only when the board is confident that a pipeline can be built and operated safely does the company earn the right to proceed with that project. However, the board's role does not end there. It oversees the full cycle of a pipeline, from concept to construction, to operation, to eventual abandonment of that pipeline. That means ongoing audits, inspections, and emergency exercises, with some 300 such compliance actions being conducted in 2013 alone. These ongoing audits and inspections are important. It also means that they continue to raise their standards, requiring more of pipeline companies, imposing stricter conditions, and also conducting rigorous testing.

Under this regime, the board has performed exceedingly well. For example, between 2008 and 2013, 99.99% of oil and other products transported through federally regulated pipelines was moved safely.

Let me be clear here again. That is an outstanding safety record, a record that any country in the world would be envious of. It is a wonderful tribute to the work of the National Energy Board and Canada's pipeline operators.

While we are gratified, we are certainly not satisfied. Our goal must be to have no incidents whatsoever. One incident is one incident too many. That is why, as part of our government's plan for responsible resource development, we have already strengthened the NEB, enabling it to increase its annual oil and gas line inspections by 50% and to double the number of annual comprehensive audits. These inspections and audits are critical proactive measures, because they can identify potential issues and prevent incidents from occurring, which we heard quite a bit about today.

The changes proposed in the bill are another good step toward ensuring that these accidents do not happen. We have provided the NEB with new powers to improve prevention by imposing tough monetary penalties against pipeline operators who do not comply with those regulations. These penalties, which range from \$25,000 to \$100,000 per day per infraction can also be cumulative, should the infractions not be addressed.

• (1705)

Now, with Bill C-46 we would go even further. Additional amendments to the National Energy Board Act would set a new standard for pipeline safety, ensuring that we have world-class protection. New measures would focus on preventing incidents from occurring, improving our ability to prepare and respond to events, and ensuring that the polluter pay through a tougher liability and compensation regime. In terms of prevention, we would tap into the expertise of the National Energy Board by seeking the board's guidance on the best available technologies for constructing and operating pipelines. As new technologies are developed, we want to ensure they are put into practice. We want to ensure that our safety systems remain evergreen and ever on the cutting edge.

We would also clarify the audit and inspection powers of the NEB, as well as the obligations of the pipeline companies to respond to requests arising out of these actions.

*Government Orders*

Moreover, we would modernize the damage-prevention regime to further harmonize it with provincial guidelines to prevent accidental damage through digging or other activities.

On preparedness and response, we would amend the National Energy Board Act to require companies that operate major pipelines to have a minimum of \$1 billion in financial resources, a portion of which must be readily available to quickly react to any incident.

If a company is unable or unwilling to respond immediately, the NEB would have, in exceptional circumstances, the power to take over response operations and to recover the costs of those operations from the industry. In other words, the Government of Canada would provide the NEB the authority to respond and provide a financial backstop, in addition to giving the NEB the authority and funds to complete any cleanup. The bottom line here is that in the unlikely event there is an incident, the response would be swift, it would be thorough, and it would not be paid for out of the pockets of Canadians.

This bill would also strengthen our system of liability and compensation. Not only would pipeline companies now face unlimited liability when found to be at fault, but companies would automatically be responsible for damages up to a set amount. This is called “absolute liability”. It would not matter who or what caused the incident; the company would be responsible regardless. In the case of companies operating major oil pipelines, once again, that liability would be \$1 billion, more than in any other country in the world.

What is more, this bill would allow the government to pursue pipeline operators for the costs of environmental damage, and it would empower the NEB to order reimbursement of cleanup costs incurred by either government or individuals. Finally, the NEB would be able to recover its own costs by stepping in to coordinate a response.

These are among the most sweeping changes to the National Energy Board Act since it was passed in 1959. This is a clear indication of how committed this government is to ensuring that Canada can safely transport the energy Canadians need and use every day.

Canadians understand that the energy sector is a critical part of our economy. It provides jobs and opportunities from coast to coast. Canadians know how important the energy sector is to our quality of life and to our communities. However, they also want be reassured that our environment will be protected. Our government shares those priorities. That is why we are bringing forward this bill and I urge all members to support it.

*[Translation]*

**Mr. Raymond Côté (Beauport—Limoilou, NDP):** Mr. Speaker, I thank my colleague for his speech.

I agree with him that there is some improvement in the polluter pays principle, but we are only halfway there. Nonetheless, one of the troubling aspects of this bill is that low-capacity pipelines, the ones that move less than 250,000 barrels of oil a day, are not covered by the liability. That is troubling because that type of pipeline, often in small sections, is the most common in or near urban centres.

Why was this type of lower-volume pipeline not included in the same way as higher-volume pipelines?

• (1710)

*[English]*

**Mr. John Barlow:** Mr. Speaker, part of the reason that was not included is that we want to focus on the major pipelines, the ones that would be the most damaging to the environment if something happened to them. That is why the \$1 billion liability was put in place. It far exceeds any other regime in the world. We looked at the numbers and the average cleanup, if anything ever happens, is between \$20 million and \$50 million. So the \$1 billion is more than enough to cover the vast majority of any accidents that would happen.

However, with these changes to the act, there will be funds there for the National Energy Board so that it can step in and address some of these cleanups, should there be a spill. I hope that answers his question.

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, I want to address the large pipeline that could and should have been given more attention by the government, and that is the Keystone XL pipeline. Where the government has been found wanting is on the issue of the environment and what it has been doing to protect the environment and dealing with issues related to the security and safety of our pipelines and so forth.

One of the Prime Minister's greatest failures is not being able to work with the President of the United States, Mr. Obama, to get this on the right track. This legislation has been needed for a number of years now. On the eve of an election only months away, here we are at second reading and, as has been pointed out, there is a very good chance that the legislation will not even be passed and given royal assent before that election. Why did the government take so long to present this legislation to the House?

**Mr. John Barlow:** Mr. Speaker, I do not recall anything in this legislation about Mr. Obama or the Keystone pipeline. This is specifically about pipeline safety. We can go off track if the member likes, but I would like to bring it back to what we are talking about here.

We have had a world-class safety regime in place. Opposition members may not like the fact, but the fact is that we have a 99.999% safety rating already, which goes to show that we have had an unbelievable safety record. However, that does not mean that we have to stop there. As I said in my speech, one incident is one incident too many. We want to make sure that every avenue is available so if there ever is a spill from a major pipeline, there will be regimes in place to address it. That is why the \$1 billion dollar liability was put in place, so that if anything ever happens in the future, there will be a strong safety net to ensure that it is cleaned up.

**Mr. John Weston (West Vancouver—Sunshine Coast—Sea to Sky Country, CPC):** Mr. Speaker, the environment is the economy. Nearly two years ago, on May 10, 2013, I stood in the House next to the environment minister to declare what British Columbians and Canadians believe: that the environment is the economy.

*Government Orders*

Every time we consider whether environmental and economic factors are in balance, we are suggesting that the environment and the economy are in conflict with each other. Some would argue that we must sacrifice one to advance the other. In other words, we tend, wrongly, to start our discussion from the notion that the economy and the environment are at war with each other.

As a member of Parliament, I am increasingly required to consider the impact of industrial projects on the economy and environment, especially in the riding I represent. Throughout the year, conversations at events, in coffee shops, and in the homes of constituents are often related to responsible resource development. Constituents of mine, as individuals and in groups, have consistently expressed their support for Canada's economic success, but have also stood for responsible environmental practices befitting of a riding that many call the most beautiful place on earth.

Some of these proud Canadians include former fisheries minister John Fraser, Carl Halvorson of the North Vancouver Outdoor School based in Squamish, Squamish first nation elder Randall Lewis, and David Bromley, a world-renowned environmental engineer. The environment is the economy. This is the message we Canadians are increasingly taking to our Prime Minister, the natural resources industry, and the environment, fisheries, and other ministers. Bill C-46, the pipeline safety act, shows that our government is listening.

The environment is the economy. This is best illustrated in the context of value-added projects both in the riding I represent and elsewhere in Canada. This government has created a challenging review process for natural resource projects, where proponents have a high standard to meet. They must increasingly show better productivity and value to Canada, with less waste, more efficient use of resources, and a respect for the environment we cherish. These projects have a significant impact on the quality of life in Canada, providing financial and infrastructure inputs. Canada needs these projects.

The automatic reaction of "stop" is a simplistic approach, characteristic of special interest groups that just want to stall projects. This Conservative government believes in the need for continuous improvement in project implementation and impact mitigation. However, we are opposed to the simplistic hands-down rejection by people who would just say no to industry, who forget Canada's entrepreneurial roots, and who would leap to negative conclusions without due process, sound data, or information to support their position.

More and more, we Canadians are learning the benefits derived from a focus on the environment. Specifically, less use of resource inputs such as water, energy, and land has made us more efficient, leading to higher productivity and economic sustainability. As a government, we have emphasized the need for a science-based, independent, objective approval process that keeps us focused on the real objective of less impact, greater efficiency, and sustainability.

This government's focus on these principles has driven a culture of responsibility to improve continuously. The result has been the growth of jobs in the environmental sector, which now supports employment levels that dwarf even the automotive and oil and gas sectors. According to the organization ECO Canada, as of 2013, some 682,000 jobs in Canada are directly related to the environment.

The focus on the environment is a change agent, not a simplistic "stop" agent. It is why I continue to say that Canada's environment is our economy.

Our government continues to rely upon independent, objective scientific assessments before approving any project. We saw this approach at work recently in our government's rejection of the Taseko New Prosperity mine project in northern B.C., an ambitious proposal to create thousands of jobs and large economic stimulus, but nevertheless rejected for environmental reasons. Many British Columbians supported the Taseko initiative, but environmental considerations prevailed. As demonstrated by that decision, our government has pledged that natural resource development will only proceed if the project is proven to be safe for Canadians and safe for the environment.

The pipeline safety act would complement a number of measures previously implemented by our government to strengthen pipeline safety, which provided the National Energy Board, for example, the authority to levy administrative monetary penalties and increase the number of inspections and audits.

• (1715)

Bill C-46 would build on this work and provide a world-class regulatory regime for Canada's pipeline sector, while strengthening protection for Canadians and the environment. Bill C-46 addresses three main areas, which are incident prevention, preparedness and response, and liability and compensation.

Today, as a lawyer, I am focusing on the area of liability and compensation, particularly emphasizing the bill's strengthened measures to compensate for environmental damages in keeping with the polluter pays principle.

Under Bill C-46, our government would deliver on the promise to enshrine the polluter pays principle in law, to make it an important foundation for the pipeline safety regime. It would place accountability on industry and protect Canadian taxpayers from having to pay for damages and cleanup costs in the unlikely event of a spill or accident. The polluter pays principle assigns responsibility to the polluter for paying for damage to the environment, as well as the associated cleanup costs.

*Government Orders*

One of the key features of the proposed law is that it would raise the cap for absolute civil liability up to \$1 billion for pipeline owners, even where there is no fault or negligence on the part of the proponent. On the other hand, liability where the pipeline owner is at fault or negligent would remain unlimited. Another key feature is that the legislation would establish the legal right for various parties to seek environmental damages. This would ensure that any damages to wildlife, waterways, or other public resources could be addressed.

The absolute or no-fault liability regime created under Bill C-46 would be one of the most robust and comprehensive in the world. While the U.S. and the U.K. have similar legislation in place, the \$1 billion minimum financial capacity, and absolute liability limit would be unique to Canada. Canada would also be unique in having a cost recovered financial backstop model that provides complete coverage for cleanup and damages.

Our country has a world-class pipeline safety system. Between 2000 and 2011, federally regulated pipelines boasted a safety record of over 99.999%.

The natural resources sector is the largest private employer of aboriginal people in Canada. The plan described in the pipeline safety act was developed closely with industry and aboriginal communities to provide training for aboriginal communities on pipeline monitoring and response. This would allow aboriginal people to continue to make important contributions as full partners in the development of our natural resources.

In conclusion, Canada's environment is the economy. This government supports robust processes that take into account all considerations relevant to British Columbians and Canadians: a sustainable environment, value-adding jobs, and thriving economic growth.

Let us put an end to the “stop” mentality, which is characterized by not having sound data, and let us start encouraging open dialogue that considers all of the evidence, starting with this question of pipeline safety.

● (1720)

[*Translation*]

**Ms. Hélène LeBlanc (LaSalle—Émard, NDP):** Mr. Speaker, I would like to thank the member who just spoke and whose riding has a very long name, but one that is very beautiful and evocative.

He mentioned the safety statistics for pipelines. However, it should be understood that there are risks nonetheless. The more pipelines that are built and the higher the volume of oil transported, the greater the risk of oil spills. We cannot overlook these risks because they also affect drinking water, for example.

I would like him to go into more detail about how the government plans to use science and technology, for example, by encouraging innovative projects in this field so that Canada is a leader in safety and how it plans to ensure that we have robust laws that will address the risks associated with the transportation of these goods.

**Mr. John Weston:** Mr. Speaker, I would like to thank my colleague for her question, which I am very pleased to answer.

In fact, greater pipeline safety will also encourage investment in a sector that is extremely important to the Canadian economy.

● (1725)

[*English*]

For example, the oil sands alone support more than 275,000 jobs across Canada. According to the Canadian Energy Pipeline Association, in 2013, pipeline companies invested \$6.5 million in aboriginal communities and paid \$1.1 billion in property and corporate taxes.

Therefore, the result is not only to increase safety, build on world-class safety, and increase liabilities for polluters beyond anything known elsewhere in the world, but also to encourage investment in a sector that is very much the engine for growth in Canada, which we must do with the best of environmental protections.

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, a number of the Conservatives like to stand up and talk about this world-class safety record. I do not think it is fair for the government to assume the credit for either other governments or, more importantly, companies that have long-established responsible attitudes toward ensuring that we have good standards, at least in part. When I look at what is being proposed in the legislation, it talks about 70,000-plus kilometres just on the federal responsibility side. I do not know the actual kilometres, but there are many additional kilometres of non-federally regulated responsibilities for pipelines.

I wonder if the member might want to provide his comment with respect to the National Energy Board's role to align federal and provincial pipeline safety as a whole, because it is not—

**The Deputy Speaker:** The hon. member for West Vancouver—Sunshine Coast—Sea to Sky Country.

**Mr. John Weston:** Mr. Speaker, it is always a pleasure to respond to my colleague's questions.

First, I am sure my colleague would agree that we as Canadians cannot afford a situation where tens of billions of dollars are lost per year because we cannot get our petroleum products to tidewater.

Second, I am sure my colleague would agree that, when looking at the disaster in Lac-Mégantic, we cannot afford to transport those petroleum products by rail or by truck when we have world-class, safe pipelines.

I am sure my colleague would also agree that, if we can continue to build on that great 99.999% safety record of federally regulated pipelines, we should do so. That is what this bill is about. We want to get it passed so we can build on that excellent record.

*Private Members' Business*

**Ms. Lois Brown (Parliamentary Secretary to the Minister of International Development, CPC):** Mr. Speaker, all of my colleagues on this side of the House have talked about the importance of job creation. One of the groups with whom we know we need to work is the aboriginal community, and my colleague talked about that. We know that the natural resource sector employs thousands of people from the aboriginal communities. In fact, more than 13,000 aboriginal people were employed in the energy sector in 2012.

I wonder if my colleague would comment very briefly on what opportunities this would offer to our aboriginal youth.

**Mr. John Weston:** Mr. Speaker, the aboriginal communities would be partners in the wealth creation and resource exploration that this bill would help unfold. I have three world-class aboriginal communities in the riding I represent: the Squamish, the Sechelt, and the Sliammon. Our government works very closely with these communities. That close co-operation is representative of what we would see, as safe pipelines take petroleum securely to tidewater.

**The Deputy Speaker:** It being 5:30 p.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

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## PRIVATE MEMBERS' BUSINESS

• (1730)

[English]

### CANADA SHIPPING ACT, 2001

**Ms. Jean Crowder (Nanaimo—Cowichan, NDP)** moved that Bill C-638, An Act to amend the Canada Shipping Act, 2001 (wreck), be read the second time and referred to a committee.

She said: Mr. Speaker, I want to thank the member for St. John's South—Mount Pearl for seconding this piece of legislation, and I also want to acknowledge the work that has been done by the member for Victoria and the member for Esquimalt—Juan de Fuca.

What exactly is it that Bill C-638 does? It designates the Coast Guard as the receiver of wrecks for the purposes of the Canada Shipping Act, allowing them to take action without being directed to by a ministry. It would also compel the government to create regulations for the removal, disposition, or destruction of derelict vessels or wrecks.

I have had a number of emails asking me exactly what we mean by a wreck. I will go to part 7 of the Canada Shipping Act, section 153. It says that a wreck is defined as:

jetsam, flotsam, lagan and derelict and any other thing that was part of or was on a vessel wrecked, stranded or in distress

Part of the reason I brought this bill forward is that what we have out there is a jurisdictional quagmire. We have three separate federal government departments that end up dealing with wrecks, whether it is Transport Canada, whether it is Environment Canada, or whether it is the Department of Fisheries and Oceans. Then we have provincial and municipal levels of government as well. I want to quote from a report called "Dealing with Problem Vessels and Structures in B.C. Waters". This report says:

Dealing with problem vessels and structures can be highly complex due to the mix of provincial ownership of land, federal jurisdiction over navigation and shipping and sometimes conflicting federal and provincial laws.... Determining what laws apply can be complicated by the fact that Provincial laws or local government bylaws that would be applicable to a structure or vehicle on dry land may not apply to vessels because they either conflict with federal laws such as the Canada Shipping Act, or infringe on the core of the federal government's responsibility for navigation and shipping.

What ends up happening, actually, and I will give an example a little later on, is that departments end up pointing their fingers at each other, or levels of government end up pointing their fingers at each other, and nobody takes responsibility.

We might ask, what is the scope of this problem? Unfortunately, part of the problem is that we do not have a really good inventory of this. However, there was some attempt in British Columbia to deal with the problem of derelict vessels. There was a report called "Vessels of Concern Inventory" produced by Transport Canada in March 2014. In this report, and it only focused on British Columbia, it said that a total of 245 vessels of concern have been identified in this inventory.

In my riding, for example, the town of Ladysmith has 45 vessels. South of me, the city of Victoria has 22 vessels, and so on, but there is a caveat in this report. It said, "The reader is cautioned that this inventory consolidates only the municipalities responding".

Most people feel that the problem is seriously understated in British Columbia, and we know that this is a problem from coast to coast. We are hopeful that all members of this House will be seized of this issue and will support what is really a first step. This is just a very preliminary first step.

"Vessels of Concern Inventory" also indicated that "Many problem vessels of concern to local governments and the public are not obstructions to navigation and therefore [Transport Canada] is unable to take direct action".

I want to point out that this report was done by Transport Canada, and it highlights part of the jurisdictional problem.

Before I get into some examples, I want to mention a couple of people who have worked on this issue for a number of years. The first person is Lori Iannidardo, who is a regional director for the Cowichan Valley Regional District and is responsible for Cowichan Bay. Unfortunately, Cowichan Bay, which is a lovely part of my riding, has had a number of problems with derelict vessels.

I have to acknowledge the former fisheries minister from the east coast. One of the vessels broke loose and was floating around in high winds, and when I went to the fisheries minister, he immediately had the Coast Guard get the vessel secured and tied up. They did not deal with the fact that the vessel was still in Cowichan Bay, but at least it was secured so that it was not running amok in the bay, where there are many other vessels, including commercial vessels.

I also want to acknowledge Sheila Malcolmson, the former chair of Islands Trust. Both Sheila and Lori have been working on raising awareness and seeking solutions.



*Private Members' Business*

●(1735)

Recently, Sheila Malcolmson sought and gained support from the Town of Ladysmith and the Regional District of Nanaimo for my bill, Bill C-638. In a 2013 letter to the transport minister, Sheila, as the former Islands Trust chair, highlighted the challenges facing our communities. The Islands Trust has been concerned about derelict and abandoned vessels for decades and has been asking since 2010 for the Province of British Columbia and the federal government to develop a coordinated approach to the timely removal of all types of derelict and abandoned vessels, barges, and docks.

Although we are grateful for the leadership shown by Transport Canada staff with some specific derelict vessel removals last year, no permanent solutions have been adopted. Derelict and abandoned vessels, barges, and docks pose environmental contamination and safety risks. They also create visual pollution in communities, which negatively impacts tourism and commercial activities.

The age of vessels in Canadian waters is increasing and so the number of incidents of abandoned and derelict vessels is expected to increase and become unmanageable. I will give a very recent example of how difficult this is for our communities to deal with.

Just the other day, I wrote a letter to the Minister of Transport, the Minister of Fisheries and Oceans, and the Minister of the Environment, highlighting a current situation. In the letter I indicated that on August 31, 2012—we are talking two-and-a-half years later, and we have still not dealt with the problem—a survey was commissioned for the Canadian Coast Guard. It said that the *Viki Lyne II*, also known as the *Aberdeen*, posed a significant, imminent, and ever-increasing threat to the environment due to her deteriorated condition and the significant amount of oil aboard. The survey recommended that the only certain way of removing the threat was to disassemble and scrap the vessel. More than two years later the vessel remains a threat.

In the fall of 2014, 20,000 litres of oil was pumped from the *Viki Lyne II* by the Coast Guard. However, 13,000 litres of oil and solvent remain on board. Unfortunately, the resources to remove the remainder of the material are limited.

This is part of the problem. If it is a hazard to navigation, Transport Canada will step in and secure the vessel. If the vessel is actually leaking oil into the water, Environment Canada will step in and do something. However, the problem in this particular vessel's case is that they pumped out the oil and left all of this sludge in the bottom of the vessel, and the vessel is listing and threatening to sink. In the Coast Guard's own assessment, the vessel is said to be deteriorating, yet the vessel still sits there. The community is waiting for it to sink and then maybe someone will step in and deal with the cleanup, which would probably cost hundreds of thousands of dollars more than if the vessel were removed from the bay.

We have been working on this issue for months now. In an email on February 6, we wrote to the Minister of Transport and said that the vessel appeared to be listing and, given a forecast of lots of rain and possible high winds in the coming week, there was concern that the vessel could sink. The transport minister wrote back to us saying that it had been determined that the vessel was not now, nor would it likely ever become, an obstruction to navigation in its current

position and, therefore, that the navigation protection program had no mandate to intervene in this matter.

I do not know if Transport Canada staff have actually been out to the west coast where we get big winds and big seas. We know it is not a question of if the vessel will sink, but when it will. The transport minister has known for years that this vessel is a problem, yet there is no action.

It is not just about the environmental pollution, or just about it being a hazard to navigation. I want to read a letter from the Stz'uminus First Nation. They have also written a letter to the Minister of Transport about the *Viki Lyne II*, or *Aberdeen* as it is known. They wrote that it would be an environmental disaster, affecting the traditional waters of the Stz'uminus First Nation, where there is a vibrant and established shellfish industry, a growing marine tourism industry, and B.C.'s most successful west purple martin colony, thereby threatening the very lifestyle of a region known for its connection to the sea

Therefore, not only is it an environmental hazard and a hazard to navigation, but it also affects the very livelihood of the people who live in the area. It is quite shocking to me that we cannot get any movement to deal with this longstanding problem.

●(1740)

There are many examples, and I wish I had time to go over all of them. However, as I said, there are 245 vessels that have been identified, and that does not even come close to representing the scope of the problem. I do not have time to go over every vessel and the state it is in, but we have concerns from the provincial government as well. The provincial government and municipalities are urging the federal government to come to the table and show leadership in tackling this problem.

I want to mention one other vessel, the *Trojan*, which was adrift in Maple Bay. This vessel was inadequately anchored. It did not have enough rode, and the mooring attachment was not sufficient for the size of the vessel. We contacted Transport Canada, and because the vessel was temporarily secured and not in the navigation channel at the time, Transport Canada said it could not touch it.

I understand Transport Canada's perspective. Transport Canada's mandate is that it cannot step in until it becomes a hazard to navigation. However, in this case, because there was no environmental concern, Environment Canada could not step in either.

We get some extreme tides on the west coast. For a while, at low tide, the *Trojan* was not drifting around the bay. However, as soon as some extremely high tides came in, the vessel was drifting around the bay.

One of the constituents who had been involved in this said that the last word they had from Transport Canada under the navigation protection program was that it is considering its options. The constituent followed up and inquired about who had responsibility for removal and cleanup when, not if, the *Trojan* ran aground, but received no reply.

The constituent goes on to say:

*Private Members' Business*

Of course, the problem with Transport Canada's response...is that when the vessel becomes an obstruction to navigation (again) or a danger to property (again), it may be too late for remedial action.

In this case, it had actually damaged some private property when it had broken loose at some point.

We had a tremendous amount of support for this bill, but I want to remind people that this bill is only a first step. We are constrained in private members' business about what we can ask for in a private member's bill.

I have to acknowledge that the Minister of Transport has been convening meetings discussing the Washington State model, which is probably a good model for Canada to look at.

The Minister of Transport has also been responding and acknowledging the depth of the problem, but in the meantime, municipalities and first nations are rallying to support my bill because they recognize that it represents at least some movement. Again, it would designate the Coast Guard as a receiver of wrecks and require the government to set some regulations.

The Town of Ladysmith has written a letter to the minister indicating support for this bill. The letter says:

The problem continues to grow and poses an ever-grave threat to our communities. Derelict and abandoned vessels leach many different environmental toxins into our waters, pose serious navigational hazards, and adversely affect both aesthetics and local economies. Local governments like ours are virtually powerless to address this issue which has such serious consequences for our communities.

Just the other day, the Regional District of Nanaimo also supported Bill C-638. The regional district directors voted unanimously at their regular meeting to write a letter in support of private member's Bill C-638, which would see the Canadian Coast Guard take on full responsibility for derelict vessels littering the coastline.

Bowen Island Municipality has also indicated its support because of the issues around environmental, economic, and navigational hazards posed by derelict and abandoned vessels.

I am hopeful that there will be support from all members in this House for this legislation as a good first step. I think it is important not only in terms of environmental hazards and hazards to navigation but also in terms of the impact on economic opportunities when derelict vessels run aground or sink.

Again, I am looking forward to further debate on this bill. I am expecting to see it pass on to committee for further review.

• (1745)

**Mr. Jeff Watson (Parliamentary Secretary to the Minister of Transport, CPC):** Mr. Speaker, I thank the member for her intervention and her private member's bill that she has put forward today. I will be making some remarks on that shortly, in particular on why the Canadian Coast Guard cannot be designated as a receiver of wreck, which is a major technical flaw in the bill. Apart from that, the way the system works right now is that owners are responsible for their vessels. In the case particularly where there are known owners, certain actions can be taken.

What the bill proposes to do, though, is quite different. It actually proposes to shift the liability from the owner of a vessel onto the government and therefore onto the taxpayers. I do not know whether

the member thinks that might not lead to people dumping their boats when they realize they are no longer responsible for doing anything responsible with them. That is a problem.

Secondarily, the member has talked about an estimated number of boats, probably underestimated. We know that dealing with some of these boats can cost into the millions of dollars, maybe even the tens of millions of dollars, for removal and cleanup. Does the member have an idea how much it would cost to have the taxpayers deal with every single derelict vessel in Canada?

**Ms. Jean Crowder:** Mr. Speaker, first of all, I have to say that the member is incorrect. What the bill actually says is that:

...the receiver of wreck shall take reasonable steps to determine and locate the owner of the wreck, including by giving notice of the wreck in the manner that the receiver considers most effective and appropriate.

We currently have a receiver of wrecks program, and the receiver of wrecks program does not actually require the receiver of wrecks to pay for the apprehension of the vessel.

As I would presume the member knows, I cannot require taxpayers to spend money in a private member's bill and there is no effort in this bill to do so. I would not be requiring taxpayers to spend money. What I am asking the government to do is to take some leadership on this very serious issue.

Washington State has a model where it is not the taxpayers who pays for the derelict vessels. In the Washington State model, there is a designated fund that is somewhat like the recycling fee that is applied to other products in this country. That money is put aside. There is a mechanism that is not taxpayer funded to deal with derelict vessels, and I would encourage the government to look at that model.

**Mr. Ryan Cleary (St. John's South—Mount Pearl, NDP):** Mr. Speaker, I thank the hon. member for Nanaimo—Cowichan for bringing forward this very important private member's bill. Derelict vessels, wrecks, and abandoned vessels are a problem off all coasts. As the member pointed out in her speech, this is the first step, giving the Canadian Coast Guard the regulatory power it needs to take action before it becomes a problem.

My question is this, and the hon. member just touched on this a moment ago. What are the second and the third steps? The hon. member mentioned what happens in Washington State. How successful has the model been in Washington State? How many derelict vessels and how many shipwrecks have been cleaned up because of Washington State taking charge?

**Ms. Jean Crowder:** Mr. Speaker, I want to thank the member for St. John's South—Mount Pearl for that question, because he is absolutely correct.

In Washington State it was becoming a crisis, and I think the parliamentary secretary acknowledged that it is a significant problem in Canada. What was also done in Washington State was to improve the ability of other levels of government to actually deal with the front-line issues with regard to derelict vessels. I do not have the precise number, but authorities have taken hundreds of vessels out of the waters in Washington State. They have this fund. They have clearly identified authorities who can deal with it.

*Private Members' Business*

I am very well aware that the Minister of Transport has convened a working group, but the government promised some information back in 2013 and we still have not seen it. Every winter that goes by, with our big winter winds and big seas, we have more vessels that end up foundering. I would encourage the Conservatives to support this bill. If they are suggesting that there is a way to amend it, let us amend the bill so at least we have some action in which municipalities have some confidence.

• (1750)

**Mr. Jeff Watson (Parliamentary Secretary to the Minister of Transport, CPC):** Mr. Speaker, I am pleased to be here today to speak about Canada's current role in dealing with the ongoing issue of abandoned vessels and wrecks across the country.

More specifically, I would like to address the issue in the context of Bill C-638, an act to amend the Canada Shipping Act, 2001, and why the government cannot support the proposed bill.

Our government has a robust mandate to deal with the safety of navigation and the environment. In fact, two of Canada's oldest pieces of legislation in the marine domain continue to be the foundation for navigation safety and the protection of the marine environment. I am referring, of course, to the Canada Shipping Act, 2001, and the Navigation Protection Act.

Canada's principal legislation governing marine transportation safety and the protection of the maritime environment is the Canada Shipping Act, 2001. The act covers a vast array of safety requirements for shipping and recreational boating and includes stringent provisions for the protection of the marine environment. It also includes international commitments varying from ship safety standards to ship source pollution.

In fact, part 8 of the Canada Shipping Act, 2001, clearly outlines the roles and responsibilities of both Transport Canada and the Canadian Coast Guard regarding pollution prevention and response.

Transport Canada is the lead regulatory agency for the pollution prevention and response regime, which includes management and oversight; the development of regulations and standards; and the implementation and enforcement of those regulations, notably relating to response organizations.

The Canadian Coast Guard is responsible for spill management under section 180 of the Canada Shipping Act, 2001. Specifically, it provides a national preparedness capacity, manages the national response team, and is the federal monitoring officer, or on-scene commander, for marine pollution incidents.

Together, Transport Canada and the Canadian Coast Guard work diligently to ensure that the safety and environmental provisions under the Canada Shipping Act, 2001, are carried out efficiently for incidents, including abandoned vessels and/or wrecks that pose an imminent risk to the marine environment.

Regarding provisions for wrecks, part 7 of the Canada Shipping Act, 2001, clearly outlines the functions and current capabilities of the receiver of wreck for wrecks in Canadian waterways. In general terms, these functions continue to serve the best interest of the Canadian public by helping protect the rights of the vessel owners

and by assisting those who wish to salvage wrecks when and where possible.

The receiver of wreck functions are administered by Transport Canada's navigation protection program. These are the same Transport Canada officials who administer the Navigation Protection Act.

As members are aware, the Navigation Protection Act is Canada's principal piece of legislation allowing for the safe construction and placement of works in Canada's busiest waterways, while maintaining safe navigation.

While the main focus of the act is to review, authorize, and approve works, such as bridges and dams, in navigable waters, the act also includes provisions for being able to deal with obstructions in waterways listed in the schedule of the act.

For the purposes of the Navigation Protection Act, an obstruction can be a vessel, or part of one, that is wrecked, sunk, partially sunk, lying ashore, or grounded. This means that sections 15 to 19 of the Navigation Protection Act can deal with abandoned vessels or wrecks that have become an obstruction to navigation in navigable waters listed in the schedule of the act.

In addition, section 20 of the Navigation Protection Act allows the Minister of Transport to authorize any person to take possession of and remove the vessel, or part of the vessel, under certain circumstances.

I have presented a brief overview of our government's current legislative mandates that respond to the abandoned vessels and wrecks that pose imminent danger to both safe navigation and the marine environment and, in general terms, whereby the owner of these vessels are not known.

There are certain considerations that our government has taken into account in its review of the proposed bill.

First, currently, under the Canada Shipping Act, 2001, part 7, the Minister of Transport can take action when and where necessary to manage wrecks that pose a hazard to navigation and the marine environment.

• (1755)

Making obligations mandatory would require the receiver of wreck to take action on every wreck and to take every reasonable measure to locate the owner of the wreck, regardless of its location or state. This would create a financial burden on the federal government, and that means on the Canadian taxpayer. In the same vein, it would be costly to the Canadian Coast Guard and it would divert resources from responding to priority vessels, causing damage to the marine environment.

Our government recognizes that the current part 7 of the Canada Shipping Act does not capture all wrecks that are vessels of concern. In particular, wrecks where the owner is known but unwilling to act are not captured. The proposed bill does not provide a solution to this issue.

*Private Members' Business*

In addition, the bill only addresses remediation through government intervention. It does not address the issue of vessel life cycle management. Public outreach focusing on the roles and responsibilities of vessel ownership is needed in order for any remediation program to be effective. I understand that work is under way to promote greater understanding among vessel owners of their life cycle management responsibilities.

The bill proposes that the Canadian Coast Guard be designated as receiver of wreck. However, designating the Canadian Coast Guard as receiver of wreck for all wrecks in Canadian waters will not only make it difficult for the Coast Guard to focus on its current mandate for pollution response, it will duplicate Transport Canada's functions, causing operational inefficiency and confusion.

Finally, I would like to point out that under federal legislation, the Coast Guard is not a separate legal entity in and of itself. It is considered part of the Department of Fisheries and Oceans. Therefore, the Canadian Coast Guard cannot be receiver of wreck or make regulations regarding their management.

While our government appreciates the importance of the issues surrounding vessels of concern and wrecks in Canadian waterways, Bill C-638 does not address them. Instead, the bill would obligate the federal government to use valuable resources on abandoned vessels and wrecks that pose no hazard to marine safety or the marine environment. In addition, the bill is impossible to implement under current federal legislation and therefore fails to present a viable solution to the issue of wrecks. For these reasons, the government opposes Bill C-638.

Prevention should be the focus of this issue, not mandatory government remediation measures. Our government supports the immediate initiatives being led by Transport Canada and undertaken in partnership with the Department of Fisheries and Oceans and other interested parties to develop an implement a public outreach campaign. This proactive approach includes targeting the broader issue of vessels of concern and ensuring that owners have the information that they need to take responsibility for the life cycle management of their vessels.

**Hon. Lawrence MacAulay (Cardigan, Lib.):** Mr. Speaker, first of all I want to thank my colleague from Nanaimo—Cowichan for bringing Bill C-638 before the House of Commons. Coming from the west coast, she fully understands what an issue this is, and coming from the east coast and living on an island with a lot of ports and wharfs around, I fully understand the problem that the bill is trying to address.

Abandoned and derelict vessels are a serious concern for community harbour authorities and shorelines and also property owners. They can create obstacles for mariners and impact on the environment and commercial and recreational activities. Their removal requires financial and technical resources, and often it is not possible to identify the vessel's owner to seek compensation.

This results in the financial burden falling on the property owners, community organizations, or municipal or provincial governments. This issue is particularly difficult because it crosses so many areas of jurisdiction. Many different agencies and governments are responsible for dealing with these hazardous boats, which creates misunderstanding, uncertainty, and frustration.

Therefore, it is important to clarify which agency will deal with the wrecks and derelict vessels and to ensure all possible measures are taken to identify and locate the owners of the wrecks. The Minister of Transport can become involved in instances where a vessel is the cause of an obstruction to navigation.

The Canadian Coast Guard responds to incidents where pollution can be a threat and can recover the cost of its expenses to deal with pollution from the ship source oil pollution fund. But once the pollution and the sources are dealt with, it does not have the authority to deal with the abandoned and derelict vessel itself.

If an abandoned or derelict vessel is not a major environmental concern and is not posing an obstacle to navigation, there is usually no action taken by government, and these vessels can remain hazardous and an eyesore for communities and harbour authorities—and a great expense for harbour authorities, I might add.

This issue has become a growing concern over the last few years and will continue to be a major issue as commercial and recreational fleets age and numbers grow. Currently there are 2.6 million pleasure craft licensed in Canada. A few years ago, I was pleased to be part of a study by the fisheries committee into the country's small craft harbours.

The report, entitled “Small Craft Harbours: An Essential Infrastructure Managed by and for Fishing Communities”, included a section on derelict vessels and recommended that Fisheries and Oceans Canada consider legislative changes to facilitate the removal of abandoned and derelict vessels from its harbours. The government supported this recommendation, but unfortunately no action has been taken, as of yet, and that is too bad.

We know that approximately \$1 billion has gone unspent at DFO since the government came to power. We know that the government has cut the budget for small craft harbours from \$200 million down to now under \$100 million. Conservatives are promising more money now right before the election, but the harbour authorities I talk to say, even with the new money, the problem in this country with our harbours and wharfs will not be properly addressed.

During the fisheries committee study, we heard the harbour authority representatives say that they do not have the proper authority and budget to deal with derelict vessels. We heard that there is no long-term plan for dealing with derelict vessels and there is a need for legislative changes to facilitate the removal of the abandoned and derelict vessels.

As Ben Maberley of the National Harbour Authority Advisory Committee put it:

The truth is that one sinking of a derelict vessel at your harbour can bankrupt the harbour authority. It's that simple. We need to find a solution for it. This is going to be an issue right across the country.

As he indicated, it is becoming much more of an issue on the east coast.

*Private Members' Business*

• (1800)

More must be done to assist with the problems associated with these derelict vessels. The federal government must show leadership and work in collaboration with provincial and municipal governments, harbour authorities, and community organizations to deal with this. This is simply not going to happen under the present government.

Bill C-638, while perhaps not providing all the answers, is a step in the right direction. This bill seeks to amend the Canada Shipping Act, 2001, with respect to wrecks by designating the Canadian Coast Guard as the receiver of wrecks, by requiring the receiver of wrecks to take responsible steps to determine and locate the owners of the wrecks, and by providing the power to the Minister of Transport and the Minister of Fisheries and Oceans to enact regulations that must be followed by receivers of wrecks to remove, dispose, or destroy the wrecks.

Bill C-638 would also require the Minister of Transport to file a report every five years before each house of Parliament regarding the operations of part 7 of the act. Currently, the receiver of wrecks is an officer of Transport Canada who acts as a custodian of the wreck in the absence of the rightful owner. The receiver has a responsibility to attempt to locate the owner within 90 days.

If after this period no owner is located, the receiver may dispose of the wreck to the salvor or sell it through public sale. The cost of removing a vessel or wreck can be significant and can include environmental and technical assessments, investigative work to determine the owner, salvage contracting for the removal, bringing equipment to the site, preparation for removal, removing the vessel and associated waste, managing final disposal and, finally, the legal fees associated with this.

Stakeholders, while in favour of this bill, have also stressed to me that funding is the key issue to deal with this problem. As has been indicated here, Washington State has set up a fund, and over the last number of years it seems to have made some progress on this issue while here in Canada the government has made absolutely no progress.

In 2009, the fisheries committee submitted a report to the government on small craft harbours, which included a recommendation and a lot of testimony on dealing with abandoned and derelict vessels. In 2012, Transport Canada put out a study on abandoned and derelict vessels in Canada. It is now 2015 and the government has still not taken any real action or shown leadership. It is time for the government to step up, work together with municipal and provincial governments, harbour authorities, and all stakeholders to deal with this issue.

These derelict or abandoned vessels are an environmental problem, a navigational problem and, of course, they are a bigger problem on the west coast. We also have to realize that there are 2.6 million pleasure crafts registered in this country and I can only see this issue becoming a much bigger one. I hope that the Government of Canada will support Bill C-638, take some appropriate action for the environment, safety, and navigation around the ports and not leave it to the port authorities, which do not have the financial capacity to handle these issues.

I am very pleased to indicate that the Liberals will be supporting this bill and we very much hope that the government will take up its responsibility and put the money where it should be.

• (1805)

**Mr. Ryan Cleary (St. John's South—Mount Pearl, NDP):** Mr. Speaker, I begin my speech, on the topic of shipwrecks and derelict vessels, with cannibal rats, and more specifically, Canadian cannibal rats. That should get everyone's attention. It is not every day that Canadian cannibal rats make it into a speech in this honourable House.

How is this for a headline? "Ghost ship crewed only by Cannibal rats feared to be heading for Scottish coast". That is from the Scottish *Daily Record*.

This is another from the Plymouth *Herald*: "Ghost ship full of cannibal rats could be about to crash into Devon Coast".

The last quote is, "Hedging its bets, ThisisCornwall.com declared, 'Ghost ship full of diseased cannibal rats could crash into coast of Devon OR Cornwall.'"

Newfoundlanders and Labradorians are known far and wide as the friendliest people on the planet, but sending a ghost ship full of cannibal diseased rats across the North Atlantic is no way to treat one's European neighbours. We are better than that.

The ghost ship crewed by cannibal rats was the *Lyubov Orlova*, a 38-year-old, 4,250-tonne Russian cruise ship that was tied up in the St. John's Harbour for two years. It was tied up for two years after it was apprehended by the RCMP after a financial scandal involving the boat's European owners. The ship was an eyesore. It was a rusty, dirty smudge on the St. John's waterfront for months. Nothing, apparently, could be done about it.

Finally, in January 2011, the *Lyubov Orlova* was towed to the Dominican Republic, where it was to be taken apart for scrap. The ship was only out of St. John's Harbour for a day when the tow line broke. In the words of our then Transport Canada critic Olivia Chow, Transport Canada should have never given a "licence to allow an unreliable and unsafe tugboat to tug the *Orlova* in the first place", but that is another story.

The ship drifted for a week toward offshore oil platforms on the Grand Banks of Newfoundland, which was a real risk, before it was towed clear by an offshore supply boat. The *Lyubov Orlova* was then towed by a vessel hired by Transport Canada, but that tow line also broke, and the ship, full of Canadian cannibal rats, if we believe the headlines, drifted into international waters, where it made international headlines for the threat it posed of crashing into the Scottish and Irish coasts.

The ship eventually sank, or that is a widespread belief. Members should keep in mind that it is a ghost ship.

*Private Members' Business*

The story of the *Lyubov Orlova* is a bizarre one. It comes across as a Canadian joke. However, it is not funny; far from it. The *Lyubov Orlova* was an eyesore in St. John's Harbour for months. The ship was a threat to our offshore oil platforms and a threat to shipping. It was a threat to the British coast.

This brings us to this private member's bill, Bill C-638, An Act to amend the Canada Shipping Act, 2001 (wreck), which my party supports. If this bill had been in effect when the *Lyubov Orlova* was still around, the world could have been spared the suspense of where the transatlantic cannibal rat ship from Newfoundland and Labrador, from Canada, would end up. This bill would give the Canadian Coast Guard the regulatory power it needs to take action before a derelict vessel becomes a problem. That is a perfect example of why the Canadian Coast Guard needs to be given that power.

As has already been pointed out, derelict vessels are a growing problem across Canada, with the aging of both industrial and pleasure craft. In 2013, the National Marine Manufacturers Association estimated that there were 4.3 million boats in Canada. The number of derelict and abandoned vessels was pegged at 240 in November 2012, with the majority of those boats on the Pacific and Atlantic coasts. Normally, only a vessel that is an immediate hazard to navigation or the environment will be dealt with by any level of government.

● (1810)

That leaves derelict vessels like the *Lyubov Orlova* in a grey zone. No one is responsible for preventing them from deteriorating and becoming a problem. This bill would designate the Canadian Coast Guard as the receiver of wreck for the purposes of the Canadian Shipping Act, allowing the Coast Guard to take action without being directed by a ministry. It would compel the government to create regulations for the removal, disposition, and destruction of derelict vessels or wrecks.

Giving the Canadian Coast Guard the authority to deal with derelict vessels is only a first step. The hon. member for Nanaimo—Cowichan, who tabled this bill—and a fine member she is—wanted to create a derelict vessel removal regime similar to that in Washington State. There, a fee on the annual vessel registration helps pay for the costs of removal of derelict vessels. A single public agency, the Department of Natural Resources, is responsible for administering that program.

However, that was beyond the scope of a private member's bill, so we have this first step: a private member's bill that would give the Canadian Coast Guard the power to take action before a derelict vessel becomes a problem. It makes sense.

To elaborate on what happens in Washington State, the abandoned and derelict vessels program there has been in place for 10 years and has resulted in the remediation of roughly 500 vessels.

There are signs we may be headed in that direction. We would not say that after listening to the speech from the Parliamentary Secretary to the Minister of Transport, but let me quote from a letter that his minister wrote to the member for Nanaimo—Cowichan. In that recent letter, the minister stated:

Transport Canada will be further analyzing wider policy options related to derelict, abandoned and wrecked vessels, including legal authorities and governance models.

That shows a sign of hope. My party will be keeping an eye on that to ensure there is follow-through.

I also have an example of an abandoned vessel in the waters off Newfoundland's northeast coast that has been an environmental hazard for years. It has been leaking oil into the waters off Newfoundland's northeast coast for years. To date, the current Conservative government has failed to fix the problem permanently.

The *Manolis L*, a paper carrier, sank 30 years ago this year in the waters off Notre Dame Bay with 500 tons of fuel aboard. The wreck sat dormant for years, but a powerful storm two years ago dislodged the vessel. That storm also dislodged the 500 tons of fuel that were in the vessel's hull. Last year, the Canadian Coast Guard replaced a cofferdam, a device that catches leaking oil, in order to stop the fuel leak. However, that is not a permanent solution at all. Oil-covered ducks and other animals have been discovered, and with eastern Canada's largest seabird colony just 100 kilometres away, people are worried, and rightly so. So they should be.

In the words of local resident David Boyd, “The patient is slowly bleeding out, and we're putting a Band-Aid on it rather than going in and doing the operation that needs to be done.” The operation that needs to be done is the removal of that oil.

There is no consistency in this country when it comes to derelict vessels or shipwrecks. A couple of years ago, the Canadian Coast Guard launched a major operation to extract hundreds of tons of fuel from a U.S. army transport ship that sank in 1946 off British Columbia's remote north coast. There is no consistency. The oil aboard the *Manolis L* off Newfoundland and Labrador's northeast coast has not been cleaned up, yet it must be cleaned up, and permanently. Why would the Canadian Coast Guard clean up a wreck off the B.C. coast and not clean up a wreck off Newfoundland and Labrador's coast?

First things first, though. Let us pass this bill and give the Coast Guard the regulatory power it needs before a derelict vessel becomes a problem.

● (1815)

**Mr. Ed Komarnicki (Souris—Moose Mountain, CPC):** Mr. Speaker, I am pleased to be here today to speak about Bill C-638. It is a short bill, but it would have a significant impact. It is an act to amend the Canada Shipping Act, 2001. The bill proposes to address certain concerns being raised among Canadian coastal communities regarding abandoned vessels and wrecks.

While our government fully understands the importance of this issue, and I appreciate the member for Nanaimo—Cowichan speaking passionately about this—it is certainly an issue that is near and dear to her heart—it is our position that this bill does not adequately address the problems that Canadians are facing in this regard. The bill is looking to ineffectively amend this important act in order to deal with abandoned vessels and wrecks, but doing so would challenge the existing mandates under the act that are already in place and working well for the Canadian public. It is for that reason that our government cannot support Bill C-638.

*Private Members' Business*

It is clear that certain communities in British Columbia and the Atlantic coast consider the issue of abandoned vessels and wrecks as one that negatively affects their enjoyment of their local marine environment. However, it is important to note that not all abandoned vessels and wrecks pose an imminent danger to safe navigation and the environment. The bigger issue that Bill C-638 does not address is the prevention of the abandonment of vessels. That is at the crux of the matter. There is also the need to educate vessel owners on their responsibilities of vessel life cycle management.

As members are aware, Transport Canada's role under the Canada Shipping Act, 2001, is vast in nature. The Canada Shipping Act, 2001, is Canada's principal legislation governing safety in marine transportation and recreational boating, as well as protection of the marine environment. It applies to all Canadian vessels operating in all waters and to all foreign vessels operating in Canadian waters, including recreational boats, cruise ships, and large tankers. The act promotes the sustainable growth of the marine shipping industry without compromising safety, and it is responsible to the needs of Canadians in a global economy.

Transport Canada plays a large role in the administration of the provisions under this act, including the receiver of wreck functions under part 7. This private member's bill is a sincere attempt to address the issue of abandoned vessels and wrecks. However, when we look at the facts, we see it is clear that the bill does not provide the proper mechanisms needed to respond to the issue.

For example, the first component of the bill looks to amend part 7 of the Canada Shipping Act, 2001, which deals with wrecks, and to designate the receiver of wreck functions to the Canadian Coast Guard. Transport Canada navigation protection program officials are currently designated as the Canadian receiver of wreck and, as such, continue to administer the functions under this part of the act. The role of a receiver of a wreck is primarily to take adequate measures in finding the owner of a wreck prior to selling it or disposing of it.

Furthermore, the Minister of Transport currently has the ability to designate anyone as a receiver of wreck, including Canadian Coast Guard officials. Coast Guard officials have not been designated as receivers of wreck because this would duplicate Transport Canada's functions, creating operational inefficiencies and confusion.

In addition, the bill would place obligations on the Canadian Coast Guard to respond to every wreck, including those that do not pose a risk to navigation or the environment. This would have a significant impact on the Canadian Coast Guard's ability to focus its expertise and resources on those marine incidents that significantly impact public safety and the marine environment.

The Canadian Coast Guard and Transport Canada continue to serve Canadians by means of their existing expertise and long-standing legislative mandate.

This bill should be opposed not only because it would create redundancies but also because the Canadian Coast Guard cannot, under federal legislation, be designated as a permanent receiver of wreck. Under the federal legislation, the Coast Guard is not a separate legal entity in and of itself. It is considered part of the Department of Fisheries and Oceans. Therefore, the Canadian Coast

Guard, as an organization, cannot be a receiver of wrecks or make regulations regarding their management.

• (1820)

Our government understands the importance of the issues surrounding abandoned and wrecked vessels, but the proposed bill focuses solely on the remediation of wrecked vessels and does not include requirements for vessel owners to prevent their vessels from becoming wrecks. It is an obvious area that requires attention. That is at the heart of the matter and really needs to be addressed.

Transport Canada has made efforts to research existing programs and deal with derelict and wrecked vessels, including the Washington state derelict vessel removal program. The Washington state program officials shared what they learned about their experience in the initial implementation of their remediation program. It was concluded that remediation without prevention could have unintended consequences, such as encouraging vessel owners to abandon their unwanted vessels, relying on the federal government for their disposal. This cannot become so here.

Today, the program's success is attributed to measures to increase the accountability on the part of owners of vessels, a robust enforcement regime and engagement with partners. Those are two very fundamental aspects of the program and not really dealt with or mentioned in the bill.

The bill is proposing mandatory remediation through the removal, disposal or destruction of wrecks, which would generate substantial cost to the federal government and therefore ultimately the Canadian taxpayer. Transport Canada has estimated that the remediation of vessels over 100 feet in length can range from between \$10 million to \$50 million per vessel, not an insignificant sum.

I would like to reiterate that our government recognizes that vessels of concern, including abandoned vessels and/or wrecked vessels, can pose marine navigation hazards, public safety risks, environmental threats and economic costs. In response to this, Transport Canada, in partnership with other federal departments, such as the Department of Fisheries and Oceans, is currently examining the gaps in the existing system to deal with these types of vessels. Together we will build an approach that will focus on prevention. It is important that owners take responsibility for the full life cycle of their vessels. That is why Transport Canada will develop and implement a public outreach strategy targeting vessel owners, advising them about responsible vessel ownership and life-cycle management. As mentioned previously, prevention is the key in achieving a positive end result.

Bill C-638 does not address the issue of abandoned vessels and wrecks in Canadian waterways.

First, the bill would remove the flexibility for the receiver of a wreck to determine whether the abandoned vessel or wreck was actually harmful to safe navigation and the marine environment. It would do so by placing an obligation on the Canadian Coast Guard to answer to all of the complaints regarding abandoned vessels and wrecks, not just those that were harmful.

*Adjournment Proceedings*

Second, responding to every wreck would impact the Canadian Coast Guard's current capabilities to protect Canadians and Canada's marine environment from dangerous spills of pollutants. Mandatory remediation could cost the federal government hundreds of millions of dollars as the bill does not reflect the concept of polluter pays. We have heard a lot about that concept, even today in the legislation dealt with in the House, where polluter pays must be an important principle of legislation such as this.

It is for these reasons that our government cannot support Bill C-638. There is no question there is an issue with abandoned vessels and wrecks, regardless of their level of impact, to safe navigation and environment. That is why work is under way to examine the current gaps in the existing regulations to deal with these types of vessels. We will look to develop a comprehensive strategy targeting the public at large and vessel owners on their responsibilities for managing the life cycle of their vessels. The current legislation and operational regimes in place continue to be the cornerstone for the safety and protection of Canadian waterways.

While our government does not support Bill C-638, we are committed to continuing to work with interested parties, including key stakeholders and all levels of government, on the development and implementation of a national prevention strategy for life-cycle management of all vessels. It is in that context that we oppose this bill, but we know that it is a serious and important issue that needs to be addressed. The government will be doing that in the course of time.

• (1825)

**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*]

### HEALTH

**Mr. Raymond Côté (Beauport—Limoilou, NDP):** Mr. Speaker, I am rising again in the House to speak about a situation that is poisoning the lives of many people in my riding of Beauport—Limoilou.

Again, it has to do with the dust contamination caused by the Port of Québec. The follow-up done by the Quebec Department of the Environment shows that the new standard in Quebec for the amount of nickel dust in the air, which has been in place since the beginning of 2014, has been exceeded regularly, several times a month since the beginning of the year. The real problem is that given the configuration of the land and the direction of the prevailing winds, which mainly come from the southwest, on most days of the month, the winds do not spread the dust over Limoilou and a good part of Quebec City's lower town.

However, the rest of the time, the winds coming from the east—those that often bring bad weather—easily spread that dust. I am not

just talking about nickel dust. There are also other compounds in the air that fall as dust on the residents of Limoilou and Quebec City's lower town.

The problem is that the number of times dust levels exceed the standard every month is high enough that the problem can still be considered acute. Recently, citizens who are keeping a close watch on activities at the port and on the presence of dust in the air observed an alarming peak in dust levels. This happened on a night a few weeks ago. It appeared to be directly related to ore transshipment activities on a ship moored on the Baie de Beauport side, which is ideally located for unloading activities to spread dust all over Limoilou and Quebec City's lower town.

Contrary to what the government always says, nobody is really doing anything about this problem. A while ago, I was informed of the rules that govern, among other things, the release of various polluting substances by Quebec Stevedoring's activities. I would like to thank the Parliamentary Secretary to the Minister of the Environment for the answer he gave me at the time about the National Pollutant Release Inventory.

Despite claims by the port and Quebec Stevedoring, we still do not have solid evidence about whether the situation has improved or not. We also have no information about whether Quebec Stevedoring is required to consider pollutants released by its activities to determine if it has to report them to the National Pollutant Release Inventory. The people of Quebec City's lower town and my Limoilou constituents are being kept in the dark.

Why is the government refusing to shed light on this matter and take action so that people know where they stand? That is a reasonable request.

• (1830)

**Mr. Jeff Watson (Parliamentary Secretary to the Minister of Transport, CPC):** Mr. Speaker, I would like to thank the member for Beauport—Limoilou for his question and for his concern, which we share, for the health of his riding.

First of all, Quebec government officials have confirmed that there was no indication of a threat to public health caused by nickel transshipment in the port on the date mentioned by the member for Beauport—Limoilou. We must be very cautious about making connections that could raise unnecessary health concerns for the people of Quebec City.

Air quality in the Limoilou sector, in connection with the activities of the Port of Québec, is closely monitored by Transport Canada, Environment Canada, the Quebec Port Authority and the Government of Quebec's Department of Sustainable Development, Environment and the Fight against Climate Change, among others. There are frequent communications among the various stakeholders on this matter, and immediate action would be taken in the event of an incident or data indicating a risk to public health. Transport Canada is satisfied with the partnership established to ensure that air quality standards are met.



*Adjournment Proceedings*

As mentioned before, following the red dust episode in October 2012, many measures were put in place by the port, the company involved and other partners. Since that time, the Quebec Port Authority and its partners have invested \$27 million in various environmental measures, including a real-time air quality monitoring network; water cannons; a monitoring patrol that works 24 hours a day, seven days a week; and waterproofing measures for the transshipment equipment.

The fact is that the Port of Québec is determined to meet the environmental standards and has made considerable efforts to do so. Transport Canada is satisfied with the measures put in place by the Quebec Port Authority, which is an independent organization that is responsible for its own activities.

The mission of the Quebec Port Authority is to promote and develop maritime trade, serve the economic interests of the Quebec City region and Canada, and make sure it is profitable while respecting the community and the environment.

We are confident that the measures that have already been put in place and the ongoing co-operation with the various relevant stakeholders will allow the Quebec Port Authority to fulfill that mission.

We support the Port of Québec as a key player in the economic development of Quebec City, the province of Quebec and Canada. Environmental and public health concerns are important priorities for Transport Canada and the Quebec Port Authority.

• (1835)

**Mr. Raymond Côté:** Mr. Speaker, where is the evidence that there is no problem? From the access to information requests I was able to obtain from Transport Canada, which I might add were very late in arriving, the only thing that was proven was that Transport Canada and the Minister of Transport were always behind the times. The government's reactions were closely related to the newspaper headlines. That is absolutely ridiculous.

What is more, I am not at all surprised to hear the Parliamentary Secretary to the Minister of Transport reaffirm his complete confidence in the Port of Québec. We must not forget that the board of directors of the Port of Québec is mostly made up of representatives of port users, who are therefore judging themselves. How can the parliamentary secretary give me such feeble guarantees?

**Mr. Jeff Watson:** Mr. Speaker, the government takes air quality in the Limoilou sector very seriously. A number of measures were taken in response to the dust emissions in 2012 to ensure that air quality standards are met and to prevent further incidents. The Quebec Port Authority is working closely with the province and Quebec City on this issue. Transport Canada is satisfied with the measures the port has taken and with its ongoing co-operation with the authorities. Quebec government officials have confirmed to Transport Canada that there was no indication of a threat to public health caused by the transshipment of nickel in the port in February. Transport Canada will continue to monitor this matter.

## SOCIAL DEVELOPMENT

**Mr. François Lapointe (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, NDP):** Mr. Speaker, this evening I am

following up on a question I asked on February 17. I will remind anyone who is kindly watching CPAC at this late hour of my question:

Since the CMHC was involved in building and renovating assisted-living housing for frail senior citizens, could the Minister of Employment and Social Development tell us whether he has read the report and what measures will be taken to help the owners of seniors' residences cover the costs related to sprinkler installation?

When I asked that question on February 17, the reaction from the ministers was shocking. It was clear that no one was prepared to answer the question. It was rather disarming. The Minister of State for Science and Technology essentially told me that the provinces had access to programs. It would be hard to come up with a lazier and more meaningless answer.

This question is a relevant one. As we know, L'Isle-Verte has seen a lot of human pain. Since I represent this town, I have unfortunately witnessed this first-hand. L'Isle-Verte was devastated by a fire that killed a number of seniors. It was a profound tragedy.

Nearly a year later, the Delâge report has revealed some important findings. They are relevant not only at the provincial level, but at the federal level too. The report states, for instance, that seniors residences with more than 10 housing units need to be given financial support so they can install sprinklers, and that should become a standard.

Following the release of the Delâge report, the spokesperson for the Regroupement québécois des résidences pour aînés, Yves Desjardins, had this to say:

Soon after the release of the Delâge report, we made it clear that we did not want this report to be shelved and that immediate action must be taken in order to prevent another tragedy like the one that occurred in L'Isle-Verte.

I could not have said it better myself. We have a collective duty to do something in the wake of such a tragedy. In Quebec alone, over 700 seniors residences need to invest in the installation of sprinkler systems in order to keep our seniors safe.

This ties in directly with CMHC and calls by the Regroupement québécois des résidences pour aînés. For example, residences with 50 housing units or more can apply to a CMHC program for a loan guarantee. However, residences that have between 10 and 50 units, which is in line with the recommendations of the Delâge report, cannot apply to that program.

Instead of just making sure the Prime Minister attended the ceremony after the tragedy, the federal government should have heeded the Delâge report recommendations and done the necessary follow-up, which would have been the compassionate thing to do. It should have been ready to talk to Canadians about the possible changes CMHC might make in order to provide better support for the owners of seniors residences, in accordance with the findings of the Delâge report.

Again, we are talking about seniors with reduced mobility, some of the most fragile Canadians. This evening, I hope to get the beginnings of a constructive response that is useful to this debate.

*Adjournment Proceedings*

• (1840)

[*English*]

**Hon. Mike Lake (Parliamentary Secretary to the Minister of Industry, CPC):** Mr. Speaker, I am happy to respond to comments made earlier by the hon. member for Montmagny—L'Islet—Kamouraska—Rivière-du-Loup regarding construction and safety standards in this country.

The safety of Canadians is of primary importance for our government. We were all terribly saddened by the tragic fire that occurred at a nursing home in January of last year in L'Isle—Verte, Quebec.

This tragedy brought to all of our attention the consideration of building codes, in general, and sprinklers, in particular.

As members may know, it is the responsibility of provinces and territories to regulate construction and fire safety standards under their respective jurisdictions.

Following a thorough review, Coroner Delâge released his report on February 12. As the coroner's report highlights, tragedies like the fire in the community of L'Isle—Verte can only be avoided through concerted efforts from all concerned parties. He noted in his report that the absence of automatic sprinklers in the nursing home was a contributing factor in this tragedy.

As members may be aware, the Quebec government has decided to make it mandatory for private seniors homes to be equipped with automatic sprinklers.

The role of the federal government related to building codes is to develop model codes, which help ensure uniformity in building construction. These codes are published roughly every five years and, as these are indeed model codes, provinces and territories have the flexibility to adopt them exactly as they appear or, instead, to develop their own.

The process of updating the model codes is managed by the Canadian Commission on Building and Fire Codes, which is an independent and public committee. Over 300 volunteers from industry, the regulatory community, and general interest groups make a considerable contribution to our country by ensuring that the model codes take into account developments in their respective fields of expertise. This consensus-based approach leads to a list of proposed technical changes, which are then submitted for public review. Any changes are approved by the commission before they are included in the new model codes.

The current iterations of the model codes were updated in 2010 and require any new or renovated care facility to have sprinklers.

Updated versions of the model codes are expected to be released later in 2015.

• (1845)

[*Translation*]

**Mr. François Lapointe:** Mr. Speaker, at least we are taking a small step in the right direction.

Clearly, someone in the government did some research into the findings of the Delâge report. This is a small step in the right direction, but it is not enough. Hiding behind the absolutely essential principles of the national building code contributes nothing to this issue.

I explained previously that a seniors residence owners group proposed a very simple solution. The solution is to allow residences with fewer than 50 housing units to have access to a CMHC loan guarantee. That way, those with a dozen or so housing units would have access to loan guarantees. This is a tangible measure that will not drain the public purse.

Could my colleague tell me whether the government might consider the request by the residence owners group? They will be making major investments in the short term, in the coming years, to improve safety for some of our most vulnerable seniors in Canada.

[*English*]

**Hon. Mike Lake:** Mr. Speaker, let me reiterate that our colleagues on all sides of the House were saddened by the tragic fire that occurred last January at the nursing home in L'Isle—Verte.

By working together, we can significantly reduce the likelihood that this type of occurrence will happen again.

As members know, it is the responsibility of the provinces and territories to regulate construction and fire safety standards under their respective codes.

As for the model codes, the Canadian Commission on Building and Fire Codes and its volunteers are currently working on the next series of model codes, which will be published in late 2015.

**The Deputy Speaker:** The motion to adjourn the House is now deemed to have been adopted.

[*Translation*]

Accordingly, this House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 6:47 p.m.)





# CONTENTS

Thursday, February 26, 2015

## ROUTINE PROCEEDINGS

### Foreign Affairs

Mr. Ritz ..... 11705

### Interparliamentary Delegations

Mr. Allison ..... 11705

### Committees of the House

#### Liaison

Mr. Allison ..... 11705

#### Procedure and House Affairs

Mr. Preston ..... 11705

### Business of the House

Mr. Van Loan ..... 11705

Motion ..... 11705

Motion agreed to ..... 11705

### Petitions

#### Impaired Driving

Mr. Benoit ..... 11705

#### Sex Selection

Mr. Benoit ..... 11705

#### Canada Post

Mr. Godin ..... 11706

#### Agriculture

Mr. Godin ..... 11706

#### Impaired Driving

Mr. Warawa ..... 11706

#### Citizenship and Immigration

Mr. Davies (Vancouver Kingsway) ..... 11706

#### The Environment

Mr. Davies (Vancouver Kingsway) ..... 11706

#### Canada Post

Mr. Davies (Vancouver Kingsway) ..... 11706

#### Gaza Strip

Mr. Aubin ..... 11706

#### Agriculture

Mr. Chisholm ..... 11706

Mr. Garneau ..... 11706

### Questions on the Order Paper

Mr. Lukiwski ..... 11707

### Privilege

Statements made by Prime Minister regarding Presence of Canadian Forces in Iraq—Speaker's Ruling

The Speaker ..... 11707

## GOVERNMENT ORDERS

### Respect for Communities Act

#### Bill C-2—Time Allocation Motion

Mr. Van Loan ..... 11708

Motion ..... 11708

Ms. Davies (Vancouver East) ..... 11708

Ms. Ambrose ..... 11708

Ms. Fry ..... 11708

Ms. Moore (Abitibi—Témiscamingue) ..... 11708

Mr. Julian ..... 11709

Mr. Garneau ..... 11709

Ms. May ..... 11709

Mr. Aubin ..... 11710

Ms. Ayala ..... 11710

Mrs. Smith ..... 11711

Mr. Lamoureux ..... 11711

Mr. Mai ..... 11711

Ms. Crockatt ..... 11712

Mr. Vaughan ..... 11712

Motion agreed to ..... 11714

### Pipeline Safety Act

Bill C-46. Second reading ..... 11714

Ms. Duncan (Edmonton—Strathcona) ..... 11714

Mr. Rickford ..... 11717

Mr. Caron ..... 11717

Ms. Rempel ..... 11717

Mr. Dusseault ..... 11718

Ms. Rempel ..... 11718

Ms. Duncan (Edmonton—Strathcona) ..... 11721

Mr. Rickford ..... 11721

Mr. Caron ..... 11722

Mr. Caron ..... 11722

Ms. Ayala ..... 11725

Mr. Lamoureux ..... 11725

Mrs. Block ..... 11726

Mr. Benoit ..... 11726

Mr. Dusseault ..... 11727

Mr. McGuinty ..... 11728

Mrs. Perkins ..... 11728

Mr. Davies (Vancouver Kingsway) ..... 11729

Mr. Lamoureux ..... 11730

Mr. Donnelly ..... 11730

Mr. Lamoureux ..... 11732

Mr. Davies (Vancouver Kingsway) ..... 11732

Mr. Rankin ..... 11732

Ms. Crockatt ..... 11734

Mr. Lamoureux ..... 11734

Mr. Dusseault ..... 11734

## STATEMENTS BY MEMBERS

### Sex Education

Mrs. Gallant ..... 11735

### Housing

Mr. Côté ..... 11735

### Alzheimer's Disease

Mrs. Ambler ..... 11735

### Bahá'í Community in Iran

Mr. Cotler ..... 11735



Mr. Blaney .....	11745
Mr. Godin .....	11745
Mr. Blaney .....	11745
<b>Foreign Affairs</b>	
Mr. Shipley .....	11746
Mr. Nicholson .....	11746
<b>Health</b>	
Ms. Fry .....	11746
Ms. Ambrose .....	11746
<b>Canadian Coast Guard</b>	
Mr. Donnelly .....	11746
Mrs. Shea .....	11746
<b>Veterans Affairs</b>	
Mr. Galipeau .....	11746
Mr. O'Toole .....	11746
<b>Public Works and Government Services</b>	
Mr. Patry .....	11747
Ms. Finley .....	11747
<b>Canada Post</b>	
Mr. Bellavance .....	11747
Mr. Watson .....	11747
<b>Presence in Gallery</b>	
The Speaker .....	11747
<b>Message from the Senate</b>	
The Speaker .....	11747
<b>Business of the House</b>	
Mr. Julian .....	11747
Mr. Van Loan .....	11747

## ROUTINE PROCEEDINGS

<b>Committees of the House</b>	
<b>Finance</b>	
Mr. Rajotte .....	11748
Motion .....	11748
(Motion agreed to) .....	11748

## GOVERNMENT ORDERS

<b>Pipeline Safety Act</b>	
Bill C-46. Second reading .....	11748
Mr. Kent .....	11748
Mr. McKay .....	11749
Mr. Lamoureux .....	11750
Mr. Aspin .....	11750
Mr. Côté .....	11751

Mr. McKay .....	11751
Mr. McKay .....	11752
Mr. Trottier .....	11754
Mr. Choquette .....	11754
Mr. Lamoureux .....	11754
Mr. Kent .....	11755

## ROYAL ASSENT

The Acting Speaker (Mr. Devolin) .....	11755
<b>Pipeline Safety Act</b>	
Bill C-46. Second reading .....	11756
Mr. Cullen .....	11756
Mr. Lamoureux .....	11757
Mr. Richards .....	11758
Mr. Choquette .....	11758
Mr. Trottier .....	11759
Mr. McKay .....	11759
Mr. Richards .....	11760
Mr. McKay .....	11761
Ms. Quach .....	11761
Mr. Barlow .....	11762
Mr. Côté .....	11763
Mr. Lamoureux .....	11763
Mr. Weston (West Vancouver—Sunshine Coast—Sea to Sky Country) .....	11763
Ms. LeBlanc (LaSalle—Émard) .....	11765
Mr. Lamoureux .....	11765
Ms. Brown (Newmarket—Aurora) .....	11766

## PRIVATE MEMBERS' BUSINESS

<b>Canada Shipping Act, 2001</b>	
Ms. Crowder .....	11766
Bill C-638. Second reading .....	11766
Mr. Watson .....	11768
Mr. Cleary .....	11768
Mr. Watson .....	11769
Mr. MacAulay .....	11770
Mr. Cleary .....	11771
Mr. Komarnicki .....	11772

## ADJOURNMENT PROCEEDINGS

<b>Health</b>	
Mr. Côté .....	11774
Mr. Watson .....	11774
<b>Social Development</b>	
Mr. Lapointe .....	11775
Mr. Lake .....	11776

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