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Friday, May 13, 2016

Speaker: The Honourable Geoff Regan

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HOUSE OF COMMONS

Friday, May 13, 2016

The House met at 10 a.m.

Prayer

GOVERNMENT ORDERS

• (1005)
[English]

BUSINESS OF SUPPLY

OPPOSITION MOTION—FREEDOM OF CONSCIENCE

Mr. Arnold Viersen (Peace River—Westlock, CPC) moved:

That, in the opinion of the House: (a) it is in the public interest to protect the freedom of conscience of a medical practitioner, nurse practitioner, pharmacist or any other health care professional who objects to take part, directly or indirectly, in the provision of medical assistance in dying; (b) everyone has freedom of conscience and religion under section 2 of the Canadian Charter of Rights and Freedoms; (c) a regime that would require a medical practitioner, nurse practitioner, pharmacist or any other health care professional to make use of effective referral of patients could infringe on the freedom of conscience of those medical practitioners, nurse practitioners, pharmacists or any other health care professional; and (d) the government should support legislation to protect the freedom of conscience of a medical practitioner, nurse practitioner, pharmacist or any other health care professional.

Mr. Kevin Lamoureux: Mr. Speaker, on a point of order, I would like to indicate that there have been discussions with the parties, and if you seek it, you should find unanimous consent for the following motion: That, notwithstanding any Standing Order or usual practice of the House, on Tuesday, May 17, 2016, and on Wednesday, May 18, 2016, the House continue to sit beyond the ordinary hour of daily adjournment.

The Speaker: Does the member have the unanimous consent of the House to move the motion?

Some hon. members: Agreed.

Some hon. members: No.

I see the hon. member for Leeds—Grenville—Thousand Islands and Rideau Lakes rising on the same point of order.

Mr. Gordon Brown: Mr. Speaker, I would like to say that we would support more time to debate Bill C-14, but we ask to amend the motion that the members sit no later than midnight, at which time the House would adjourn.

The Speaker: Does the hon. member have the unanimous consent of the House to move the amendment?

Some hon. members: Agreed.

Some hon. members: No.

The Speaker: There was neither consent at this point for the motion nor the amendment.

We will go back to orders of the day, and we will hear from the hon. member for Peace River—Westlock.

Mr. Arnold Viersen: Mr. Speaker, I will be splitting my time with the member for Yorkton—Melville.

I am thankful for this opportunity to speak to the motion before us today. The motion declares that it is in the public interest to protect the freedom of conscience of health care professionals when it comes to medical assistance in dying; and that everybody has freedom of conscience and religion under section 2 of the Canadian Charter of Rights and Freedoms; and that a regime that would require health care professionals to make use of effective referral of patients could infringe on the freedom of conscience; and that the government should support legislation to protect the freedom of conscience of health care professionals.

It is the federal government's duty to provide legislation that would protect conscience rights of medical practitioners. With respect to the rights of Canadians, it is also the government's duty to protect and preserve our health care system.

Fundamental freedom of conscience is listed alongside other fundamental freedoms we also take for granted here in Canada, such as the freedom of religion, freedom of thought, freedom of belief, freedom of expression, freedom of the press, freedom of peaceful assembly, and freedom of association. Fundamental freedoms are not negotiable. They cannot be tossed aside if they are deemed by some to be inconvenient. Canada is not a dictatorship or a tyranny.

I know from comments made in the House and at committee that all members here are concerned about conscience rights. When Parliament has been faced with balancing conscience rights in the past, it has always strongly supported conscience rights. For example, in the Civil Marriage Act, it clearly states “no person or organization shall be deprived of any benefit, or be subject to any obligation or sanction” when exercising their fundamental charter rights of freedom of conscience.

Business of Supply

We can establish a framework that supports patient rights for end of life and supports conscientious objection. The problem is that Bill C-14 would not legally protect conscience rights. If Bill C-14 comes into force, it would immediately put the charter conscience rights of health care professionals at risk and ultimately undermine our health care system.

The government will argue that Bill C-14 was amended at justice committee this past week to prevent health care professionals from being compelled to participate in medical assistance in dying. The amendment made at committee states, "For greater certainty, nothing in this section compels an individual to provide or assist in providing medical assistance in dying".

Let me be clear. The amendment made at the standing committee to Bill C-14 offers no legal protection to health care providers who feel that any involvement in medical assistance in dying goes against their conscience and their profession.

Just because Bill C-14 presently states that nothing in this specific section of the Criminal Code can compel health care professionals, it does not mean that any other entity still cannot compel or coerce a health care provider against his or her conscience rights. For example, an employer could insist upon it or a provincial health care regulatory body could as well.

Health care professionals have been clear that protecting their conscience rights means that health care professionals should never be required to refer patients, provide medical assistance in dying, or be discriminated against for their beliefs or conscience on medical assistance in dying.

During the Supreme Court of Canada hearings on the Carter case, the Canadian Medical Association expressed that "any legislative scheme must legally protect both those physicians who choose to provide this new intervention to their patients, along with those who do not". Bill C-14 does not offer legal protection.

At committee, Conservatives put forward strong amendments to legally protect health care professionals' conscience rights and they were rejected by the government.

If Bill C-14 passes without legal protections for health care providers' conscience rights, Canada would be the first jurisdiction in the world that legalized assisted suicide without a robust conscience clause for health care providers.

It is also important to recognize that without federal government direction on conscience rights, Canadians and health care professionals would be faced with a patchwork approach, which is not what the Supreme Court of Canada intended. For example, the College of Physicians and Surgeons of Ontario is insisting on an effective referral system. This poses an immediate problem for those doctors who are conscientious objectors and are forced to choose between a career and conscience when this legislation comes into effect.

On Wednesday the Senate heard testimony from the Coalition for HealthCARE and Conscience, an organization and coalition that represents 5,000 physicians, 110 health care facilities, and 60,000 staff in the health care profession.

●(1010)

They expressed grave concern that Bill C-14 offers no legal protection for conscience rights of health care professionals. They were concerned that health care professionals might re-evaluate their career choice.

They stated:

Through our discussions with the provinces, we know that it is unclear whether, in fact, they will decide to legislate. In this legal vacuum, hospitals, colleges, provinces, health authorities, nursing homes and hospitals can create policies that will encroach on the constitutional rights of caregivers. This will create chaos. For example, while one medical college, the CPSO, is requiring referral, at least seven others have already indicated they will not.

It is clear that a patchwork approach to issues like referrals and medical assistance in dying will take place. It is within this legal vacuum that health care professionals will face discrimination, because Bill C-14 would not legally protect conscience rights. This type of situation would not only harm a society but would also harm a health care system. Health care professionals expressed that they would have to make the difficult decision to leave their profession if we fail to protect freedom of conscience rights.

Dr. Sephora Tang, who is an Ottawa psychiatrist, shared with the Senate committee on Wednesday her concerns about the lack of protection in Bill C-14.

She stated:

It is very difficult for me, as a professional physician and psychiatrist, to say that some of my patients I should be referring to medical aid in dying.... With the whole issue of conscientious objection, it's almost as though my professional judgment has been stripped.... If we do not have legislation that allows me to practice according to my conscience, this time that I have with my patients to work with them will be truncated, and I feel to their detriment and to the detriment of the families and friends of the patient that are left behind, and also to the individual health care professionals and the team members who work with this patient as well.

Dr. Matthew Meeuwissen, an emergency doctor from Stony Plain, Alberta, also expressed this opposition to medical assistance in dying. He said that the act of helping a patient to find a physician to assist in suicide is nothing short of complacency in killing vulnerable people. He said, "As a physician, I am not aware of any medical condition where killing my patient is an effective treatment".

There are many more health care professionals who hold similar views and face ultimately between choosing for their conscience or their work. These health care professionals journey with those who are suffering and sick every day. They help patients at the end of life but object to ending their life.

The Hippocratic Oath rightly recognizes this element of our nature. Health care professionals take an oath stating they will remember that there is art to medicine as well as some science, and that warmth, sympathy, and understanding may outweigh the surgeon's knife or the chemist's drug.

Freedom of conscience for all health care professionals must be protected. Hope, a constituent in my riding, sent me an email recently stating:

Conscience Rights are a protected freedom under the Charter of Rights and should NOT be violated. Saying this it should be clearly stated that healthcare providers can refuse to perform or refer for physician assisted suicide on the grounds of conscientious objections. Do not trammel the rights of one group for the perceived rights of another.

Business of Supply

A majority of Canadians agree with Hope. A recent Nanos Research poll showed that 75% of Canadians agreed that doctors should be able to opt out of offering assisted dying, compared with 21% who disagreed. Even the Canadian Medical Association noted that approximately 70% of Canadian physicians do not want to participate, directly or indirectly, in assisted suicide.

Freedom of conscience rights must be given a priority, as in the charter. The government should strengthen Bill C-14 by adding codified protections for conscience rights as anticipated in Carter, similar to the recognition of conscience and religious rights in the Civil Marriage Act. This would be accomplished by adding an offence to intimidate or coerce health care professionals to take part, directly or indirectly, in assisted suicide or euthanasia.

The government should also make it an offence to dismiss from employment or to refuse to employ health care professionals if they refuse to take part, directly or indirectly, in assisted suicide or euthanasia.

If freedom of conscience rights for health care professionals is not protected, the rights of a few will trample the charter rights of those who have dedicated their lives to helping us heal and live healthy lives.

I hope the government will support this motion and ultimately act to legislate real protection for health care professionals on medical assistance in dying.

• (1015)

Mr. Sean Casey (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, the member who proposed the motion was present at many of the hearings of the justice committee on this matter. The original draft of Bill C-14 did not have any reference to conscience rights, except in the preamble.

Each party had a proposal to put wording around conscience rights, and quite frankly, it was Parliament at its best to see representatives of the Conservative Party, the New Democratic Party, and the Liberal Party huddle and come up with wording upon which they could all agree.

That wording has been amended in the bill, and here we are with an opposition day motion that seeks to subvert that all-party agreement by presenting a motion like this in Parliament. Furthermore, that all-party agreement resulted in a unanimous vote amending the legislation, as the hon. member pointed out.

I have two questions for the member. Number one, why does he seek to subvert the will and the agreement of the Conservative members of the justice committee? Second, when the department was asked about this particular provision, Joanne Klineberg from the Department of Justice said:

...the view of the department is that this would be outside [the scope of] Parliament's jurisdiction. The provinces have the competence jurisdictionally to legislate on this, and likely it would be invalid federal law.

Does the hon. member have an opinion contrary to that of the Department of Justice that would give us some faith in this?

Mr. Arnold Viersen: Mr. Speaker, I sat through a number of meetings at the justice committee where we brought forth many

amendments to the bill. The amendment the member speaks of is a good amendment. I am not denying that at all. However, it still does not codify protection for conscience rights in the law.

One of the things we heard repeatedly was that we should have consistency across the country, and in order to ensure consistency across the country, we do feel that there should be codified conscience rights. When we talk about consistency, we often talk about it as consistency to access. We want to make sure that is indeed the case, but on the other side, we also want to make sure that there is consistency for protection of conscience rights across the country.

Everything we are dealing with, within this bill providing medically assisted dying to people in this country, is a complete handshake between provincial and federal jurisdictions. If we are willing to put a federal plan in place on the one side in terms of right to die, we have to ensure that we put a federal framework in place on the other side for conscience rights.

• (1020)

[*Translation*]

Ms. Anne Minh-Thu Quach (Salaberry—Suroît, NDP): Mr. Speaker, I would like to thank my colleague for his speech.

We all agree that health care workers who exercise their freedom of conscience and religion must be protected. The NDP worked with the Liberals and the Conservatives in committee to approve an amendment to ensure that the following is set out in the bill in black and white:

(9) For greater certainty, nothing in this section compels an individual to provide or assist in providing medical assistance in dying.

The NDP member for Victoria also added an amendment to the bill's preamble to indicate that nothing in the act will limit the freedom of conscience, freedom of religion, and freedom of expression guaranteed by the charter.

However, what the Conservatives are presenting is an additional measure to prevent health care workers from referring patients to someone else. That infringes on provincial jurisdiction because it falls under the responsibility of professional bodies.

I would therefore like to know whether my colleague respects the provinces' jurisdiction in that regard.

[*English*]

Mr. Arnold Viersen: Mr. Speaker, I did address this in my speech as well. There is precedent for this in the Civil Marriage Act in that the federal government is able to put into place a framework all across the country for protection of conscience rights.

I reiterate that we need to ensure that we do not have a patchwork framework across this country. We have to have consistent respect for conscience rights across this country and we have the capability here at the federal level to ensure it is enshrined in law, so that we can ensure that our health care remains strong, our health care professionals have the confidence to remain in the system, and we continue to have one of the best health care systems in the world.

Business of Supply

Mrs. Cathay Wagantall (Yorkton—Melville, CPC): Mr. Speaker, I am speaking today to compel the House to ensure the protection of the freedom of conscience of a medical practitioner, nurse practitioner, pharmacist, or any other health care professional who objects to taking part, directly or indirectly, in the provision of medical assistance in dying.

I would like to introduce everyone to Os Guinness, an author, a social critic, and a member of RZIM speaking team. The great-great-grandson of Arthur Guinness, the Dublin brewer, he was born in China in World War II, where his parents were medical missionaries. A witness to the climax of the Chinese revolution in 1949, he was expelled with many other foreigners in 1951 and returned to Europe, where he was educated in England. He completed his undergraduate degree at the University of London and his doctorate in philosophy in the social sciences at Oriel College in Oxford. I say that to give him the credibility he deserves.

He has said, “Freedom of conscience has always been understood as the first right”. In a world ravaged by conflict, there is real threat to human dignity. Dr. Guinness proposes that the way forward is through engaging in the civil public square, where freedom of conscience and religion are promoted for all people, where we can disagree respectfully, where the right to free expression by all human beings is recognized.

In Canada, everyone has freedom of conscience and religion under section 2 of the Canadian Charter of Rights and Freedoms. No one has the right to demand all services from all providers in all circumstances.

The Coalition for HealthCARE and Conscience represents more than 100 health care facilities, with almost 18,000 care beds and 60,000 staff, and more than 5,000 physicians across our country. They represent several like-minded organizations committed to protecting conscience rights for health practitioners and institutions.

Members of this coalition include the Catholic Archdiocese of Toronto, the Christian Medical and Dental Society of Canada, the Catholic Organization for Life and Family, the Canadian Federation of Catholic Physicians' Societies, the Canadian Catholic Bioethics Institute, Canadian Physicians for Life, and the Catholic Health Alliance of Canada. I echo their concern that Bill C-14 does not protect the conscience rights of health care workers or facilities that morally object to performing or referring for what is being referred to as medically assisted death.

No other foreign jurisdiction in the world that has legalized euthanasia or assisted suicide forces health care workers, hospitals, nursing homes, or hospices to act against their conscience or mission or values. Coalition member and executive director of the Christian Medical and Dental Society of Canada Larry Worthen says, “These conscience rights must be preserved”, and I agree.

A recent Nanos Research poll found that 75% of Canadians agree that doctors should be able to opt out of offering assisted dying, compared to 21% who disagree. The Canadian Medical Association indicates that approximately 70% of Canadian physicians do not want to participate in any way in assisted death and euthanasia, and 30%, approximately 24,000 Canadian physicians, would participate.

In no way should a physician, nurse, pharmacist, or any other health care professional be intimidated or coerced into taking part directly or indirectly in assisted suicide or euthanasia. In the same way, neither should they face dismissal or discrimination in hiring for exercising their freedom of conscience and religion under section 2 of the Canadian Charter of Rights and Freedoms.

Like the Coalition for HealthCARE and Conscience, I support the right people have to accept, refuse, and/or discontinue the use of life-sustaining treatment and allow death to occur. I, too, also hold strong moral convictions that it is never justified for a physician to help to take a patient's life under any circumstances. Our health care workers journey with those who are sick and suffering every day and they will continue to do so in a caring and compassionate way. They help patients at the end of life. What they object to is ending their lives.

As I indicated in my first speech in the House of Commons on Bill C-14, we need to and can significantly reduce the number of people who see death as the only possible option to end their suffering by improving medical, palliative care, and social services. As a small but mighty example, I learned at the World Red Cross Day celebration here on the Hill that my local Red Cross received ongoing funding to continue a seniors visitation program for the lonely and elderly through the new horizons for seniors program. When they are not called out to deal with a disaster, these amazing volunteers invest in the quality of life of our elderly.

● (1025)

“Our worth as a society is measured by the support we give to the vulnerable,” says Worthen. “We need increased access to palliative care, chronic disease and mental health services to help individuals who are suffering across the country.”

I truly believe that we have made a very grave error in putting Bill C-14 ahead of a significant palliative care initiative.

I am proud to stand here today, on behalf of my own physician in my hometown of Esterhazy. She is an amazing doctor who takes deep personal interest in her patients. She has invested in continued and specialized training to care for the elderly. I am so grateful that she is my father's physician, who has Alzheimer's. Under no circumstances should she, or any other doctor, be required to assist an individual in taking their own life.

I am standing here today, as a member of Parliament in the Government of Canada, to advocate on behalf of the rights of health care providers. As legislators, our first responsibility is to advocate for the vulnerable and for conscience protection. This is foundational in the Canadian Charter of Rights and Freedoms. Without this protection, we lose our freedoms and our democracy. We have a responsibility to respect the conscience rights of our physicians and health care professionals who choose not to participate in assisted suicide and euthanasia.

Business of Supply

Mr. Richard Cannings (South Okanagan—West Kootenay, NDP): Mr. Speaker, I would just like to ask the member what she might think about the charter compliance of Bill C-14, which we are talking about today, the compliance with the Supreme Court decision, and whether it might save a lot of taxpayer money if the government referred the bill directly to the Supreme Court.

• (1030)

Mrs. Cathay Wagantall: Mr. Speaker, I understand that the Supreme Court has made a decision and that it feels it has made the decision that it should. I also understand that it has said to us that we have a responsibility to respond to its decision and bring in legislation.

I said in my first speech on this topic that I believe, in spite of the fact that all of the judges agreed, they have made the wrong decision, and that we, as legislators, have the ultimate responsibility in Canada, for the people of Canada, for the laws that are made here and those laws have to reflect, more than anything, the rights of the vulnerable and the protection of people's consciences.

That is why I am standing here today to say this is something that I do not believe is covered effectively, even with what has been put forward and agreed to in the committee. Doctors across our country are concerned and we need to be far more specific. We have a responsibility across our nation to give this directive to our provinces. This party across the floor, which is now in government, has stressed over and over again that it wants to work with the provinces to give them frameworks and to encourage them in all other areas of responsibility in our country. This is one in which we should not let Canadians down.

Mr. Sean Casey (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I have two questions for the hon. member.

What does she say to her Conservative colleagues on the justice committee who unanimously voted for and negotiated and agreed with the wording contained in subclause (9) that, "nothing in this section compels an individual to provide or assist in providing medical assistance in dying." What does she have to say to her Conservative colleagues who helped to come up with that wording?

Second, she offered a long list of organizations that had some problem with the absence of conscience rights in the bill. Conscience rights were put into the bill, in the section I just referred to, on Tuesday. Has she talked with the organizations she listed, since Tuesday, about the amended bill?

Mrs. Cathay Wagantall: Mr. Speaker, the truth of matter is that the Conservative individuals who are on that committee put forward a number of other amendments, which, clearly, did not see the light of day at the committee.

I feel that we are in a situation where there is this forced timeline that I do not believe needs to be as forced as it is, and apparently, there are others on the member's side of the floor who are now prepared to say they are willing to vote against what has been presented for other reasons. That, too, in itself, shows just how divided the House is and how divided Canadians are on this issue. That is why we continue to press for concerns with respect to protection of conscience.

In Ontario, already, it has been made clear that doctors there will be required to provide this service, all doctors, to all people.

That is not right in my country. Freedom of conscience should be a first priority of our charter, and it is our responsibility in the House to uphold that.

Ms. Marilyn Gladu (Sarnia—Lambton, CPC): Mr. Speaker, in my riding of Sarnia—Lambton, we have excellent palliative care. We have a wonderful hospice with a full range of services including spiritual counselling, all kinds of crisis care and home care. It seems that in assisted dying, there would be the potential that somebody could be prescribed something, and I see that the legislation has been opened up to allow for other people who maybe have to help out with the person taking the pill and swallowing the water.

I am wondering if the member could comment on those people's conscience rights.

Mrs. Cathay Wagantall: Mr. Speaker, it gravely disturbs me to even think in that direction, having done a great deal of work in palliative care and in hospitals myself, and having my dad in the circumstances that he is in. I truly believe that we can take the time to bring in a palliative care program across this country that mirrors a number of them that are very effective in ensuring that our elderly are taken care of in their last days.

Hon. Jody Wilson-Raybould (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I rise in this House to address the opposition motion concerning the conscience rights of health care professionals.

The motion directly relates to Bill C-14, a historic piece of legislation that would create a legislative framework governing the provision of medical assistance in dying.

I call this legislation historic because with its enactment, Canada would not only become one of the first jurisdictions in the world to permit medical assistance in dying, but also, even among this small group of countries, we would be one of the first that does so in the context of a federal system of government.

I am mindful of how important the issue of conscience rights is to health care professionals, as well as many groups who have made representations on their behalf.

In the Carter case, many of the intervenors who participated in the litigation raised the issue of conscience rights, including, as noted by the Supreme Court of Canada in paragraphs 130 and 131 of its decision, the Canadian Medical Association, the Catholic Civil Rights League, the Faith and Freedom Alliance, the Protection of Conscience Project, and the Catholic Health Alliance of Canada.

As the Supreme Court said clearly in its decision, nothing in the court's declaration would compel a physician to provide medical assistance in dying.

Following the Carter decision, the theme of conscience rights featured prominently in the consultations conducted by the federal external panel. Many individuals and organizations made submissions and participated in this process to ensure their perspectives on conscience rights were heard.

Business of Supply

The panel's final report noted that while the medical profession is divided on how exactly conscience rights should be protected without compromising patient access, stakeholders were unified in the view that physicians' and other health care professionals' conscience rights must be respected and that those who choose not to participate must not face negative repercussions.

The report of the provincial and territorial expert advisory group which was released in December of last year shows that it also received significant input about, and carefully considered, the conscience rights issue.

When the special joint committee of the House of Commons and the Senate conducted its own study of medical assistance in dying in January and February of this year, conscience rights continued to be front and centre. Numerous witnesses raised it, and the issue was addressed in the committee's report.

Following the introduction of Bill C-14, I have closely followed the Standing Committee on Justice and Human Rights' study of the proposed legislation, as well as the Senate's pre-study, which have both heard significant evidence from many people and organizations about conscience rights.

For example, I am mindful that the House of Commons committee stakeholders were from various diverse backgrounds who held a broad spectrum of views on medical assistance in dying generally supported conscience rights. Individuals and organizations motivated by their faith traditions, including the Evangelical Fellowship of Canada, the Canadian Council of Imams, the Centre for Israel and Jewish Affairs, and Cardinal Thomas Collins all spoke eloquently about why the legalization of medical assistance in dying, which is intended to respect the charter rights of eligible patients, should not have the uncomfortable consequence of violating the charter rights of health care professionals.

Representations from professional organizations, such as the Canada Medical Association, the Canadian Pharmacists Association, the Canadian Society of Palliative Care Physicians, and the Canadian Medical Protective Association also emphasized the need for conscience rights protections not only through legislative measures, but also via a system that would ensure that the patient is not abandoned in his or her hour of need, and would connect the patient with willing providers.

Not everyone agrees on all issues that are posed in medical assistance in dying; however, there is general consensus that the conscience rights of health care practitioners must be taken into consideration as we introduce this practice into our society.

As the Minister of Justice and Attorney General of Canada, I want to express my sincere appreciation to each and every one of these persons and groups, as well as the members in this House who have been so vocal on the issue of conscience rights for contributing to a national conversation on medical assistance in dying.

●(1035)

I am keenly aware that it takes significant time, energy, and effort to prepare and present submissions, whether it is before the courts, consultative bodies, or committees. Rest assured their voices have been heard.

In a moment I will turn to the issue of how the government's approach to medical assistance in dying reflected in Bill C-14 respects the conscience rights of health care professionals and respond to the member opposite's motion.

First I want to take the opportunity to say a few words about the bill and how it respects all rights guaranteed under the charter, including conscience rights. I will say more about this when the bill is reported back by the committee for third reading debate.

At the Standing Committee on Justice and Human Rights as well as in the Senate as part of the legal and constitutional affairs committee's pre-study of the bill, parliamentarians heard from some who have expressed concerns that Bill C-14 falls short of complying with the charter. At the same time, we have also heard from other constitutional experts who have said that given the recent developments in the law, the bill is charter and Carter compliant.

Given all these diverse opinions, the key takeaway here is that nobody has a monopoly on interpreting the charter and nobody can predict with certainty whether a piece of legislation will some day be considered by the courts. Furthermore, many of those who seem certain that this law will be struck down do not acknowledge that Bill C-14 is not the same as the previous criminal prohibition that was struck down.

Let me be clear. This proposed legislation permits medical assistance in dying to an overwhelming number of those who are expected to seek it, namely, those who are nearing or who are at the final stage of life. Data from places where assistance in dying is lawful bear this out. Make no mistake that Bill C-14 would provide access to the vast majority of Canadians who would seek to access it.

At the same time that Bill C-14 permits access to the majority of those who would want it, it would not allow any and all Canadians to access it. It limits access in accordance with the legislative objectives that are stated in the preamble of the bill. These new legislative objectives were not part of the old law. Accordingly, the new legislative objectives change the charter analysis which has not been acknowledged by those who say that Bill C-14 will be struck down.

Even the justices of the Supreme Court themselves cannot pronounce on the constitutionality of legislation until they have a real case before them that is supported by a fulsome evidentiary record and submissions from counsel. This is especially true on issues as complex and sensitive as medical assistance in dying with so many different compelling, competing and important interests.

At the end of the day, the responsibility rightly falls to Parliament to enact a law that is consistent with the charter and which meets the needs of Canadians, striking a fair balance between all the diverse interests that are at stake. As the Supreme Court stated in Carter, any legislative regime will be shown a high degree of deference by the courts. In the context of medical assistance in dying, conscience rights raise distinct and nuanced constitutional issues.

First and foremost, it is critical to note that since the repatriation of the Constitution in 1982 and the enactment of the Charter of Rights and Freedoms, all statutes, whether they are adopted at the federal or provincial and territorial levels, must comply with the charter.

Business of Supply

Indeed, as trite as it sounds, we must remember that charter rights do not come from provisions in a given law or regulation. They come from the charter itself. Nothing is gained by having an ordinary statute confirm or affirm charter rights. It is a recognized principle of statutory interpretation that courts should endeavour to interpret and apply laws in a manner that is consistent with the charter and its values.

Whether or not Bill C-14 or any other legislation that is proposed says something specific about charter rights, including conscience rights, it does not mean that such rights are not protected. On the contrary, as the charter is part of our Constitution and the supreme law of the land, such rights are always protected and can only be limited in accordance with the Constitution, such as under section 1 of the charter which allows for reasonable limits that can be demonstrably justified in a free and democratic society.

• (1040)

Therefore, strictly speaking, legislation does not need to restate rights that are already guaranteed in the Constitution, and nothing is gained in terms of charter protections by restating it from a legal point of view. However, in terms of public understanding, I do appreciate that legislative statements referring to charter rights can alleviate the comfort level of those who are affected by the law. I will say more about that in a moment.

Second, but equally important, legal consideration that informs how we must approach conscience rights is the other pillar of our constitutional framework, which has been with us since Confederation. Of course, I am referring to the division of powers between the federal and provincial governments.

When it comes to medical assistance in dying, the Supreme Court of Canada in *Carter* recognized that the division of powers was implicated when it said, in paragraph 53:

Health is an area of concurrent jurisdiction [and that] aspects of physician-assisted dying may be the subject of valid legislation by both levels of government, depending on the circumstances and the focus of the legislation.

In other words, while health might be, broadly speaking, an area of concurrent jurisdiction, the specific context still matters.

With respect to medical assistance in dying, the major federal authority to legislate in respect of health comes from the criminal law power. That power is concerned with preserving public safety as well as conveying norms about what conduct should attract the most serious sanctions available in our society.

In respect to medical assistance in dying, the main federal role is to ensure that legalization of the practice takes place in a manner that minimizes the risks to the vulnerable and that supports other crucial societal objectives, such as affirming the inherent value of all Canadians' lives, supporting suicide prevention, and promoting the maintenance of a just and peaceful society more generally. This is why Bill C-14 creates criminal law exemptions for medical assistance in dying so that health care providers can lawfully participate in the termination of human life while maintaining criminal prohibitions against such conduct in other situations.

In contrast, while the federal government administers some aspects of health care, for example, to first nations who have not assumed responsibility on reserve, and federal prisoners, provinces

have primary responsibility for the delivery of health care and the regulation of professions, including health care professionals, such as physicians, nurses, pharmacists, and others. They also have responsibility for health care institutions, including hospitals. This is because things fall under matters either specifically addressed in section 92 of the Constitution Act of 1982, or are in respect of other provincial heads of power, including matters of a local or private nature in a province.

Federal laws, including amendments to the Criminal Code and other statutes, as proposed in Bill C-14, must respect this division of powers and not unduly interfere in provincial jurisdiction. To do so would be unconstitutional. It is for this reason that we as parliamentarians must be honest with Canadians about the limits of our jurisdiction and acknowledge that it would not be appropriate, for example, to attempt to directly regulate what hospitals or provincial professional regulators can or cannot do with respect to conscience rights. To do so would be misleading to health care providers and to Canadians.

With that said, this does not mean that we cannot address conscience rights in Bill C-14. It just means that we have to do it in a manner that respects the Constitution.

As introduced, the preamble of Bill C-14 included language about respecting the convictions of health care providers. However, it was obvious that many people did not find that reference in the preamble to be adequate and were seeking more precision.

Of course, our government wants all Canadians to have comfort, as much as they can, with Bill C-14. Therefore, I am pleased to report, as has been reported today, that members of the Standing Committee on Justice and Human Rights worked diligently and collaboratively to amend Bill C-14 to indicate Parliament's intent with respect to conscience rights, while also ensuring compliance with the division of powers.

• (1045)

The committee amended the preamble to specifically recognize that everyone has freedom of conscience and religion under section 2 of the charter and that nothing in the act would affect the guarantee of freedom of conscience and religion. The committee also amended the body of the bill so that in the most critical section of the Criminal Code, that law would state, "For greater certainty, nothing in this section compels an individual to provide or assist in providing medical assistance in dying." I certainly welcome these amendments.

There are a few important features of the amendment to the body of the bill that I believe are worth highlighting.

First, it is prefaced with the expression "for greater certainty", which is legally important because, as I mentioned earlier, it helps remind the reader that the source of conscience rights is in the charter, not the provision that would be inserted in the Criminal Code.

Business of Supply

Second, the new provision explains that nothing compels an individual. That language clearly communicates that while it is true that Bill C-14 would remove the criminal prohibition against medical assistance in dying in certain defined circumstances, such a change to the Criminal Code would not impose any positive duty that did not exist in the law before. It is not this change to the Criminal Code that would make medical assistance in dying a form of health care. It would only open the door to it. It is also consistent with the framework for medical assistance in dying put forward in Bill C-14, which is, as I have mentioned, a new set of criminal law exemptions from various offences that would now permit conduct that used to be illegal, in order to give effect to the Supreme Court's ruling in Carter. We must remember that what the Carter ruling did was to find those criminal prohibitions to be unconstitutional.

Third, the language in the new provision specifically indicates that nothing would compel an individual to provide or participate in providing medical assistance in dying. As all members are aware, charter rights belong to all Canadians, not just physicians, nurse practitioners, or pharmacists. By using the word "individual", the provision is clear that the bill would not impose any new positive duty on anyone, including but not limited to those health care professionals who provide or participate in providing medical assistance in dying. At the same time, this new provision added by the committee would not interfere with the division of powers, nor would it encroach on the jurisdiction of provincially regulated entities.

In terms of working together, since the Carter decision, one thing that we have consistently heard from many individuals and organizations who have spoken about conscience rights is the need for there to be real, practical solutions to the problem of palliative care. The Minister of Health has emphasized, and I agree with her, that non-legislative measures can act in tandem with Bill C-14 to ensure the charter rights of everyone involved, and that they can be respected.

This is why the government has announced its commitment to work closely with the provinces and territories to put in place a system that will connect willing providers to patients who qualify for medical assistance in dying. This is in line with the long-standing Canadian tradition of co-operative federalism, which is about each level of government working together while also respecting their respective jurisdictions. I am confident that this system will meet the access needs of Canadians and play an important role in ensuring that health care professionals can continue to care for their patients in a manner that is consistent with their beliefs and their values.

The motion from the member opposite is well intentioned. It speaks to rights and values that are important to many Canadians, particularly as they pertain to medical assistance in dying. However, I cannot support it. As amended, Bill C-14 would appropriately respond to all the important considerations that surround medical assistance in dying, including enabling autonomy for persons who choose a peaceful death, protecting vulnerable persons, affirming the value of the lives of all Canadians, and respecting the charter rights of health care professionals. The bill would respect these rights in a manner that is consistent with our constitutional framework. Unfortunately, the motion from the member opposite would fail to meet a similar balance, and I will not be supporting it.

● (1050)

The Speaker: We will now have time for approximately half of the 10-minute question and comments period following the minister's speech, and then we will have the second half after question period.

Questions and comments, the hon. member for Sarnia—Lambton.

● (1055)

Ms. Marilyn Gladu (Sarnia—Lambton, CPC): Mr. Speaker, I thank the hon. member for being here today to hear our comments.

I heard the government cite that it will leave conscience protection to provincial jurisdiction. However, in Ontario, I would certainly not want to leave conscience protection to Kathleen Wynne, because from her actions to date, she does not appear to have a conscience.

Seeing how the Province of Ontario will force medical professionals to participate in assisted dying and thus violate their charter rights and freedoms, does the minister not see the need for the federal government to mirror the protections provided federally for the Civil Marriage Act, which is a provincial responsibility?

Hon. Jody Wilson-Raybould: Mr. Speaker, I appreciate the hon. member's question.

To reiterate what I stated in my comments, there is nothing in this federal legislation that would compel medical practitioners to participate in medical assistance in dying. I am very pleased that all parties at the Standing Committee on Justice and Human Rights worked collaboratively and agreed on an amendment that would not only provide a discussion about this in the preamble, but for greater certainty, placed the conscience rights of medical practitioners into the body of the legislation.

We live in a country that I embrace in terms of the realities of co-operative federalism, and I, the Minister of Health, and our government will continue to work collaboratively with the provinces and territories to ensure that we have a substantive relationship and that we provide a regime of medical assistance in dying that is consistent with the charter rights of all Canadians.

Ms. Linda Duncan (Edmonton Strathcona, NDP): Mr. Speaker, I thank the minister for attending and participating.

However, I think the minister is misleading the House. She stated that Bill C-14 enables autonomy and access to the majority of those requesting the right to assistance in death. In fact, the bill excludes a whole category of persons, including my constituent, John Tuckwell, who is suffering immeasurably under ALS and has been forced to go to the courts to get assistance in dying.

I wonder if the minister could qualify what she is saying about the majority who are seeking this assistance, who are suffering grievously, according to what the Carter decision has said, and why she is varying the section 7 charter rights of Canadians.

Statements by Members

Hon. Jody Wilson-Raybould: Mr. Speaker, this is a deeply personal and complex issue, and we have sought to move forward and introduce Bill C-14, a piece of legislation that provides what we believe to be the best option for our country at this time. We have heard from a diversity of perspectives.

The object of this piece of legislation is in response to the Supreme Court of Canada's decision that said two things: one, that an absolute ban on medical assistance in dying in this country is unconstitutional; and, two, it placed upon Parliament the necessary ability and direction that Parliament put in place, a regime that ensures that we protect the personal autonomy of individuals while at the same time ensuring, as much as we can, protection for the vulnerable people among us. This also includes ensuring the conscience rights of medical practitioners.

We have put forward a bill that seeks to do that and that provides the necessary balance and response to the Supreme Court of Canada.

The Speaker: There will be six minutes remaining in questions and comments after the minister's speech following question period.

Statements by members, the hon. member for La Pointe-de-l'Île.

STATEMENTS BY MEMBERS

[*Translation*]

FINANCES OF AN INDEPENDENT QUEBEC

Mr. Mario Beaulieu (La Pointe-de-l'Île, BQ): Mr. Speaker, yesterday, another extensive study on the finances of an independent Quebec was made public. It responds to the arguments of my colleagues who think that they can scare Quebecers by saying that if Quebec does not agree to become a highway for bitumen, it should no longer receive equalization payments.

This financial analysis once again proves that if Quebec were to keep the billions of tax dollars that it gives to Ottawa, it could continue to provide all of the services currently offered by the federal government, including old age pensions. Not only that, but Quebec could also use all of that tax money to develop its own economy by focusing on its strengths, which include renewable energy, electric transportation, and aerospace.

I would like to acknowledge all of the supporters who will assemble across Quebec this weekend as part of the Bloc Québécois's independence day to explain that the best thing for Quebec is not to have to beg Ottawa for its own money, but to take back all of its power and tax money—

• (1100)

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

* * *

[*English*]

BRAIN TUMOUR AWARENESS MONTH

Mr. Bill Casey (Cumberland—Colchester, Lib.): Mr. Speaker, the month of May is Brain Tumour Awareness Month in Canada. It is a time to reflect on and bring attention to the estimated 55,000 Canadians living with a brain tumour.

Brain tumours continue to afflict too many Canadians, and particularly hard hit are children and infants. One of those victims was Brandon Dempsey, who passed away at the age of 18 after a long battle to survive.

Brandon's incredible determination and courage inspired my motion M-235 that passed in the House on February 14, 2007. The motion called on the government to implement a national strategy to count and classify malignant and non-malignant brain tumours, as both can have profound effects.

I encourage the government to continue efforts to ensure that motion M-235 achieves all the results hoped for by Brandon Dempsey when the motion passed.

In the meantime, many other significant advancements have been achieved and there is great hope for more progress in the years to come.

* * *

JUSTICE

Mrs. Cathay Wagantall (Yorkton—Melville, CPC): Mr. Speaker, a publication by Statistics Canada on family violence states that 11% of Canadian female spousal victims were pregnant during violent incidents between 2004 and 2009. Within this five-year period, 63,000 pregnant women were violently victimized by their spouse while carrying their child.

Choosing to become a mother should be joyful and exciting, but clearly too many pregnant women in Canada are victims of violent crimes that injure the child they carry, jeopardizing a woman's choice to have a family.

Cassie and Molly's law is named in reference to one of the latest murders of a pregnant Canadian woman, Cassie Kaake. Cassie was murdered in her Windsor, Ontario, home in December 2014, when she was just weeks away from giving birth to her daughter Molly.

This new legislation is precise and robust, amending the Criminal Code to create a new sentence for crimes against a pregnant woman that injure her preborn child. Cassie and Molly's law will also codify pregnancy as an aggravating factor.

I invite my colleagues to join me in supporting these new protections for pregnant women.

* * *

[*Translation*]

FUNDRAISER FOR SURVIVORS OF SEXUAL ABUSE

Mr. Steven MacKinnon (Gatineau, Lib.): Mr. Speaker, I am pleased to announce that I, along with 11 other well-known members of the Gatineau community, will be participating in the Grand Saut pour une bonne cause, an initiative of the Outaouais Centre d'intervention en abus sexuels pour la famille, which helps families coping with child sexual abuse.

Statements by Members

This will be a dream come true for folks who would like to see their MP jump out of a plane. Once they reach their \$25,000 fundraising goal, the 12 ambassadors will jump out of a plane at roughly 14,500 feet. The courage that will take is nothing compared to the courage children and their families have to muster to face life after sexual abuse.

The ambassadors will jump on May 22 and 28. The money raised will help two new groups of child survivors of sexual abuse this year and lay the groundwork for a pilot project focusing on children who are victims of sexual cyberbullying.

I would like to thank everyone who so generously—

The Speaker: The hon. member for Drummond.

* * *

RELAY FOR LIFE

Mr. François Choquette (Drummond, NDP): Mr. Speaker, I am pleased to rise in the House today to talk about an important event being held across Canada, the Canadian Cancer Society's Relay for Life.

I want to take this opportunity to invite my constituents to register for this unique event being held in Drummondville on June 4 and 5 from 7 p.m. to 7 a.m., at the Saint-Jean-Baptiste community recreation centre.

I invite everyone to get involved in raising money to support cancer research and to buy luminaries to light the track where participants will be walking all night.

I want to take this opportunity to congratulate honorary president Stéphane Thérout for his involvement and the chair of the organizing committee, Nathalie Thérout, not to mention all the members of the organizing committee for this 14th annual Relay for Life.

I invite everyone to be part of this rewarding human experience and register for the Relay for Life. It is a date.

* * *

[English]

MIKE GALLANT

Mr. Robert Morrissey (Egmont, Lib.): Mr. Speaker, on the morning of May 14, 2015, Captain Mike Gallant and his fellow members of the Miscouche Volunteer Fire Department were called to an emergency scene in western P.E.I. Afterward, while returning to his day job, Mike was killed in a single-vehicle accident. His death was the direct result of a medical condition, and he was considered to have died in the line of duty, due to the strenuous work of emergency response.

Mike served as a volunteer firefighter for most of his adult life. He had also become involved in volunteering with youth, and he helped found the department's junior firefighting program.

In many Canadian communities, emergency response is handled in large part by volunteers like Mike Gallant. Their hard work and sacrifice serves to keep Canadians safe, as we have seen so clearly from the astounding efforts of the firefighters in Fort McMurray.

Tomorrow, Mike will be remembered in a public ceremony at the Miscouche Fire Hall. In the fall, he will be honoured with a service at the Canadian Firefighters Memorial here in Ottawa.

He is dearly missed by his family and the community.

* * *

● (1105)

NATIONAL NURSING WEEK

Mr. Colin Carrie (Oshawa, CPC): Mr. Speaker, May 9 to May 15 is National Nursing Week, a week that encompasses International Nurses Day and Florence Nightingale's birthday, which is May 12.

The Canadian Nurses Association is the national professional voice for registered nurses. The theme this year for National Nursing Week is "Nurses: With you every step of the way".

It is an honour for me to rise in the House today to recognize the vital contributions that nurses make in the health and well-being of all Canadians, both across Canada and in my hometown of Oshawa.

With more than 406,000 regulated nurses across Canada, they are by far the largest group of health care providers in our country. Our party supports nurses in their commitment to deliver safe, effective, and quality health care.

On behalf of all Canadians, I would like to thank Canada's nurses, nursing students, and our next generation of nurses for their leadership in delivering better health for our nation.

* * *

[Translation]

LA SYMBIOSE YOUTH CENTRE IN CAP-ROUGE

Mr. Joël Lightbound (Louis-Hébert, Lib.): Mr. Speaker, La Symbiose youth centre held its third Cocktail osez le Rouge event yesterday, under the honorary chairmanship of Pierre-Olivier Dufresne.

Every year, this event showcases the impressive talent of many young artists from the region, especially the graduates of the interior design program at the Centre de formation professionnelle Marie-Rollet.

I am very pleased to rise today to highlight the immense contribution made by my riding's youth centre. Every year for more than 31 years, the centre has made it possible for more than 3,000 young people between the ages of 12 and 18 to participate in educational activities in a safe environment.

From organizing workshops to collecting cans and bottles, La Symbiose youth centre in Cap-Rouge empowers our young people by giving them valuable tools so they will become adults who are critical thinkers and active and responsible citizens.

Statements by Members

I would like to thank the staff and board of directors of La Symbiose youth centre in Cap-Rouge for their dedication and commitment. I would also like to recognize Michel Boissel, who has been the centre's coordinator for 22 years and, according to the chair of the board of directors, does a super job.

* * *

[English]

SRI LANKA

Mr. Chandra Arya (Nepean, Lib.): Mr. Speaker, during the month of May this year, Tamil Canadians mark the seventh anniversary of the end of the very tragic and traumatic events that took place in Sri Lanka. Leading up to May 19, 2009, tens of thousands of people lost their lives. Many Tamil Canadians, including those living in my riding of Nepean, lost family members during the violent events, which have left a painful and indelible scar in our hearts. It is also a chance to reflect on the root causes of the conflict, and work toward a better future for their entire people.

Let us never forget what happened to the Tamil people during this tragic part of their history. This will be a constant reminder for us to help Tamilians in their struggle to recover from this tragedy, and to do whatever possible to prevent this from happening again.

* * *

ENTREPRENEURS

Mr. Alexander Nuttall (Barrie—Springwater—Oro-Medonte, CPC): Mr. Speaker, as most of us know, last week Startup Canada was in Ottawa for its day on the Hill. Startup Canada is a grassroots organization that represents 22 start-up communities and more than 120,000 individual entrepreneurs, and what is better, it achieved all this through volunteers and private capital. Whether it is developing a new app, creating an amazing product, or reinventing the wheel, entrepreneurs are a big part of driving productivity and innovation in Canada, and for that they should be celebrated.

I am proud that I represent the city of Barrie, which is one of these 22 start-up communities. I especially want to recognize my friends from Barrie, Chad and Sandra Ballantyne, who were part of the Startup Canada delegation. They do incredible work fostering entrepreneurs of all ages and types in the greater Barrie area.

In closing, I want to congratulate everybody from Startup Canada for their successful day on the Hill, and I want to thank them for keeping the entrepreneurial spirit alive and well in Canada.

* * *

PENSIONS

Ms. Yvonne Jones (Labrador, Lib.): Mr. Speaker, I rise today to address the ongoing economic challenges in my riding.

The town of Wabush was founded on iron ore mining, but with low global commodity prices, the company operating the mine, Cliffs Natural Resources, entered bankruptcy protection. While this may be an unavoidable circumstance in a free market economy, what has happened to the pensioners should not be unavoidable.

The Companies' Creditors Arrangement Act protects creditors. It gives them the confidence that they will not lose their investment.

However, in the case of Wabush, the company's underfunded health and pension plans were left to languish while the company liquidated assets for its creditors.

Pension funds should not be allowed to be so terribly underfunded, nor should profitable companies be allowed to abandon their negotiated obligations to the very workers who made them profitable. We need to act now to protect Canadians who work their whole lives to build our companies and build our communities.

* * *

• (1110)

[Translation]

MUNICIPALITIES

Mr. Jean-Claude Poissant (La Prairie, Lib.): Mr. Speaker, this week, as the Union des municipalités du Québec holds its 95th annual meeting, I would like to take this opportunity to recognize how much municipalities contribute to our country. They are the heart of the Canadian economy.

I was a municipal councillor in the riding of La Prairie for a few years, in the town of Saint-Philippe, so I understand the vital role that municipalities play in providing services to the public. Though they often work behind the scenes, municipalities have the most immediate presence of the various levels of government.

Events like the ones in Lac-Mégantic and Fort McMurray show just how strong and united our municipalities are and how we can count on them to do the impossible.

That is why I would like to pay tribute to the elected officials and various players in our municipalities, who are working for the good of all Canadians. I especially want to thank those in the seven municipalities in my riding for their outstanding work.

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[English]

BAHA'I COMMUNITY IN IRAN

Mr. David Anderson (Cypress Hills—Grasslands, CPC): Mr. Speaker, tomorrow will mark eight years of imprisonment for seven innocent Baha'i religious leaders. Their only crime is freely practising their faith in Iran and serving the needs of their fellow believers.

On May 14, 2008, morning raids tore these innocent men and women from their homes and families and began a long eight-year charade of false charges, legal delay, and blatant disregard for Iran's own penal code. In fact, these innocent men and women are now well overdue for conditional release, but the regime continues to ignore international voices as it pursues its long-standing cradle-to-grave persecution of the Baha'i minority.

Statements by Members

Tomorrow's day of outcry is an attempt to change that. The case of the Baha'i seven is just one more example of Iran's total disregard for the rule of law and the fundamental rights of its own people. I encourage all members to add their voices to mine and countless others around the world when we declare that enough is enough. It is time for the Iranian regime to adhere to its own laws and release the innocent Baha'i seven immediately.

* * *

DEMOCRATIC REFORM

Hon. Ginette Petitpas Taylor (Moncton—Riverview—Dieppe, Lib.): Mr. Speaker, I am honoured to rise today to congratulate the Minister of Democratic Institutions and the government House leader for the motion to begin our national discussion on electoral reform. Our government is continuing to fulfill its pledges to Canadians to strengthen and to modernize our democratic institutions.

[*Translation*]

I want to commend the ministers for proposing that all parties in the House of Commons, including the Green Party and the Bloc Québécois, participate in these discussions to modernize and reform our democratic institutions. It is essential for all parties in the House, as well as all Canadians and communities, to have an opportunity to share their thoughts on this very important topic.

Now is the time to remind Canadians that they are masters of their own destiny. The modernization of our voting system will give everyone an opportunity to influence our country's future. Let us make sure that the 2015 election was the last one under first past the post.

* * *

[*English*]**MIGRATORY BIRDS**

Mr. Richard Cannings (South Okanagan—West Kootenay, NDP): Mr. Speaker, this year marks the centennial of the Migratory Birds Convention Act, a landmark piece of legislation that was the beginning of effective conservation efforts in North America.

Saturday is International Migratory Bird Day, celebrating one of the most spectacular events on earth.

We talk a lot about Canada's exports in this House, but one of our greatest exports is birds. Each year over three billion birds are produced in Canada. They fly south to spend the winter in warmer climes, and they return in spring to our vast forests, our long summer days, and our generous supply of insects.

Bird populations are literally the canaries in the coal mines for environmental health. However, recent studies have shown that almost half of Canadian bird species are declining. We need to work hard with our neighbours in North America and South America to reverse these declines.

Tomorrow morning, Nature Canada is hosting a celebration of migratory birds in Brewer Park in Ottawa. I invite all MPs to join me there to celebrate our birds.

THE BUDGET

Mr. Jamie Schmale (Haliburton—Kawartha Lakes—Brock, CPC): Mr. Speaker, the Minister of Finance went to Quebec City yesterday to defend his surplus-slashing, deficit-building budget and delivered a cringeworthy performance reminiscent of the worst wedding speech anyone has ever heard. Let us just say he shared a little too much information.

However, the interesting fact is that when it comes to sharing specifically on budget transparency, the parliamentary budget officer said that the Minister of Finance did not provide enough information.

The PBO accused the Minister of Finance and the Liberal government of suppressing financial data. He accused them of twisting and exaggerating the information it did provide in the budget. The PBO said that the Liberals did not provide them any information for them to judge their projections.

This is becoming a trend with this Liberal government. Not only has it misled the PBO, but it has misled Canadians about the fact that Conservatives left Liberals with a healthy surplus, a fact confirmed by the minister's own department officials.

Mislead, misdirect, mistakes: meet the new Liberals, same as the old Liberals.

* * *

●(1115)

ASIAN HERITAGE MONTH

Mr. Ali Ehsassi (Willowdale, Lib.): Mr. Speaker, I am honoured to rise before the House today to celebrate Asian Heritage Month.

I am fortunate enough to represent one of the most diverse ridings in Canada. In my riding of Willowdale, generations of Asian-Canadians have profoundly contributed to our culture, our economy, and the richness of our day-to-day lives.

Asian-Canadians have not only made important contributions in Willowdale, of course, but throughout Canada. Asian Heritage Month provides Canadians from coast to coast the opportunity to celebrate the transformative contributions Asian-Canadians have made to our great country over the course of many decades.

In that spirit, I would like to say in Mandarin:

[*Member spoke in Mandarin and provided the following translation:*]

Let us build our collective future together.

In Korean let me add:

[*Member spoke in Korean and provided the following translation:*]

Let us continue moving forward together.

ORAL QUESTIONS

[English]

GOVERNMENT ADVERTISING

Mr. Andrew Scheer (Regina—Qu'Appelle, CPC): Mr. Speaker, there is yet another broken promise from the Liberals.

Just yesterday, the President of the Treasury Board said, “We want to make it absolutely clear that we are ending the ability for any government...to use tax dollars to fund what are partisan or quasi-partisan ads”. The rules include that the advertising must be “devoid of any name, voice or image of a minister, member of Parliament or senator”. Yet, in the same breath, they are defending a video that stars the Prime Minister.

Why would the Liberals break their own rules for the Prime Minister's special vanity advertising project?

Hon. Bardish Chagger (Minister of Small Business and Tourism, Lib.): Mr. Speaker, during the election campaign, we promised to change the way that the government does advertising. We committed to eliminate partisan government advertising and to modernize its communications.

Yesterday, and this is good news, the Government of Canada took another step to make government more open, and more transparent and accountable. The policy announced yesterday relates to paid advertising. This video is not paid advertising.

Destination Canada's social media marketing campaign is in line with the government's new policy. We are proud of the role that Destination Canada, its partners and tourism industry stakeholders play in stimulating economic growth.

Mr. Andrew Scheer (Regina—Qu'Appelle, CPC): Mr. Speaker, the Liberals should probably stop listing their campaign promises, because it is just reminding Canadians that they keep breaking them.

Would they really have us believe that a crown corporation used no taxpayers' dollars to create this advertising? Apparently, the new rules do not apply to the Prime Minister. The Liberals are the masters of do as they say and not as they do.

When will the Liberals apply the new rules to the Prime Minister's puff piece?

Hon. Bardish Chagger (Minister of Small Business and Tourism, Lib.): Mr. Speaker, we are proud of the work that Destination Canada, its partners, and tourism industry stakeholders do in stimulating economic growth. For the first time in over a decade, overnight visitors to Canada increased by 7.5%, outpacing the international growth of 4.4%. These visitors spent \$16.8 billion while in Canada, contributing to the livelihood of over 190,000 small and medium-sized tourism businesses and supporting over 637,000 jobs.

The tourism industry is important for economic growth. We support tourism.

Mr. Andrew Scheer (Regina—Qu'Appelle, CPC): Mr. Speaker, the Liberals just cannot stop breaking their own promises. The very day that they announced new rules to keep politicians out of government ads, they broke the rules with the Prime Minister's own vanity project.

Oral Questions

The arrogance and hypocrisy of this is just astounding. Will the Liberals pull this government-funded advertising, or are they still entitled to their entitlements?

• (1120)

Hon. Bardish Chagger (Minister of Small Business and Tourism, Lib.): Mr. Speaker, yesterday, our government took another step for a more open and transparent government by delivering on our commitment to eliminate partisan government advertising and to modernize communication. The policy announced yesterday relates to paid advertising. This video is not paid advertising.

We are proud of the work that Destination Canada does. We are excited to welcome people from around the world, especially the U. S., for our 150th celebrations next year.

Everyone is welcome to come visit Canada.

[Translation]

Mr. Gérard Deltell (Louis-Saint-Laurent, CPC): Mr. Speaker, once again, the government is going on and on saying all the right things but doing exactly the opposite.

Yesterday, the President of the Treasury Board introduced rules to prevent elected officials from using government advertising for partisan purposes. What do you know? The Prime Minister was the first to break the rule. Destination Canada is a crown corporation, and it made a video with the Prime Minister.

Will the government acknowledge that it broke yet another of its promises to Canadians?

[English]

Hon. Bardish Chagger (Minister of Small Business and Tourism, Lib.): Mr. Speaker, Destination Canada's social media marketing campaign is completely in line with the new government's policies.

We are proud of the role that Destination Canada, its partners, and tourism industry stakeholders play in stimulating economic growth. For the first time in over a decade, overnight visitors to Canada increased by 7.5%, outpacing the international growth of 4.4%.

This is an exciting time with huge opportunities for the tourism industry. I support Destination Canada's independence in choosing the best possible marketing campaign to showcase Canada.

[Translation]

Mr. Gérard Deltell (Louis-Saint-Laurent, CPC): Mr. Speaker, I will give the minister this: she knows a lot about advertising. She said the same thing three times, but that does not make it true.

This is clear as day. Yesterday, the government clearly said that advertising must be “devoid of any name, voice or image of a minister, Member of Parliament or senator”.

Oral Questions

Has the Prime Minister changed jobs? No, he is still the Prime Minister of all Canadians, but he broke a rule made by the President of the Treasury Board.

Why is the government yet again blathering on about lofty principles but doing exactly the opposite? That is so typical of the Liberal Party.

[*English*]

Hon. Bardish Chagger (Minister of Small Business and Tourism, Lib.): Mr. Speaker, in all honesty, if they are going to repeat the same question, I am going to have to repeat the same answer.

During the election campaign, we promised to change the way the government does advertising. We committed to eliminating partisan government advertising and to modernize communications. Yesterday's announcement did exactly that. Destination Canada's marketing campaign is totally in line with our new rules, and Canadians will be proud and should be proud.

[*Translation*]

Mr. Peter Julian (New Westminster—Burnaby, NDP): Mr. Speaker, they broke a promise, a promise that was in the Liberal platform.

The Liberal platform was clear: they promised to appoint an advertising commissioner to ensure that government advertising was non-partisan. That is not what they announced yesterday. They waited six months and spent millions on government advertising, just like the Conservatives always did.

When will the government keep its promise and appoint an advertising commissioner?

[*English*]

Hon. Bardish Chagger (Minister of Small Business and Tourism, Lib.): Mr. Speaker, I encourage Canadians to have a look at Destination Canada's amazing marketing campaign. I am confident that they will be as proud as I am of the work that Destination Canada does in promoting our nation, our culture, our diversity, our cuisine. There is so much that our nation has to offer.

Yesterday's announcement was a good-news announcement for more open and transparent government. Our advertising rules are in line with the commitment that we promised Canadians. I know Canadians are proud.

Mr. Peter Julian (New Westminster—Burnaby, NDP): Mr. Speaker, all the talking points in the world do not change the fact that the Liberals broke their promise. These new rules come with a whole bunch of Liberal-sized loopholes. The rules will not apply to taxpayer-funded online promotional videos featuring who? Featuring the Prime Minister.

When will the Liberals admit that this self-promotion on the public dime is not what they promised and not what they advertised last October. Will they now close all of these self-serving Liberal loopholes?

Hon. Bardish Chagger (Minister of Small Business and Tourism, Lib.): Mr. Speaker, yesterday, the Government of Canada took another step to make the government more open, more

transparent, and more accountable. We look forward to working with members in the House.

The policy announced yesterday relates to paid advertising. This video is not paid advertising. We have a Prime Minister who people want to meet and get to know. This is an exciting time. We should be proud.

• (1125)

The Speaker: I want to remind the member for New Westminster—Burnaby that when he asks a question, it is important to also listen to the answer.

The hon. member for Salaberry—Suroît.

* * *

[*Translation*]

FOREIGN INVESTMENT

Ms. Anne Minh-Thu Quach (Salaberry—Suroît, NDP): Mr. Speaker, today, the Liberal government approved the sale of Rona, Quebec's leading renovation chain, to U.S. retailer Lowe's. However, the guarantees obtained by the minister are extremely vague. One of the conditions is to maintain "a significant level of employment in its Canadian operations". That means absolutely nothing.

Is the supply chain for SMEs, which creates thousands of jobs, in danger? How many jobs is the minister saying will be lost in Quebec?

Mr. Greg Fergus (Parliamentary Secretary to the Minister of Innovation, Science and Economic Development, Lib.): Mr. Speaker, I would like to thank my hon. colleague for this question.

Today, the minister approved the sale of Rona to Lowe's. Our government is pleased that companies like Lowe's continue to invest in Canadian companies.

We know very well that a more innovative Canada needs to include competitive Canadian companies that are connected to global value chains, which in turn help our economy grow and strengthen the—

The Speaker: The member for Salaberry—Suroît.

Ms. Anne Minh-Thu Quach (Salaberry—Suroît, NDP): Mr. Speaker, the government is not very reassuring. Maybe it needs help from a Quebec hardware store to tighten the screws on its loose guarantees. The government essentially keeps saying what Lowe's told us in its purchase offer in February. However, it could well have required tough terms and conditions.

Can the minister try again and tell us what new job protection conditions he was able to get? Can he be transparent and release his department's review and approval of the sale?

Mr. Greg Fergus (Parliamentary Secretary to the Minister of Innovation, Science and Economic Development, Lib.): Mr. Speaker, this gives me a good opportunity to inform my hon. colleague that we got all the terms and conditions we demanded.

The first thing is the headquarters. The headquarters will remain in Boucherville, Quebec. Canadians will continue to play an important role within Rona's senior management. We will continue to have a high level of employment in companies in Canada.

Oral Questions

What is more, we will keep the Rona banner and give the chain the opportunity to provide products to Rona and Lowe's across Canada, the United States, and—

* * *

[English]

DEMOCRATIC REFORM

Mr. Scott Reid (Lanark—Frontenac—Kingston, CPC): Mr. Speaker, if the Prime Minister believes that his amazing and innovative new consultation process will win the consent of the people to change the voting system in this country, he should have no trouble winning a referendum on his plan. The trouble is that it is not at all clear that he either has that support or ever will have that support. He wants to ensure that once Canadians find out what his plan actually is they will not be able to say no.

The new voting system needs the democratic consent of Canadians or else, by definition, it is not democratic. Why will the Prime Minister not hold a referendum?

Mr. Mark Holland (Parliamentary Secretary to the Minister of Democratic Institutions, Lib.): Mr. Speaker, the party opposite has proposed no ideas. The reality is that I do not know what they would hold a referendum on.

When we look at the election and we look at the problems that Canadians saw with our democratic systems, including the scandals in the Senate, the disenfranchisement from the unfair election act, and the scandals that happened with violations of the Elections Act, we know that is why the Conservatives lost. That is why Canadians said this had to be the last time we saw those kinds of violations and that we needed a new system of governance and we needed to modernize our system.

That is exactly what we are going to do. I engage them in this. I ask them to participate in finding that better way, that better system.

Mr. Scott Reid (Lanark—Frontenac—Kingston, CPC): Mr. Speaker, if I understand the first part of the parliamentary secretary's response, he said that there will never actually be a proposal unless the opposition parties come up with it, and that the government will not actually be coming forward with any proposal ever. That will be a problem.

Let me suggest an alternative narrative. There is a process to design a new system, designed by the Liberal PMO. The timeline is controlled by a Liberal minister. The proposal or whatever is approved will be done through the Liberal majority on the committee. The outcome will be decided by the Liberal cabinet.

At some point, Canadians should have a say. Why can Canadians not vote yes or no on the Liberal proposal, which will come eventually, in a referendum?

Mr. Mark Holland (Parliamentary Secretary to the Minister of Democratic Institutions, Lib.): Mr. Speaker, this is how a proposal is going to come. A proposal is going to come by our engaging Canadians in all 338 ridings, going coast to coast and listening to them, and working with the member opposite and all members in the House on compromise, middle ground, and in understanding how we can modernize this system. I do not accept

the cynical approach of the member, saying from the outset that it is impossible to find consensus.

Let us work together. Let us find that better system. Let us ensure we find that right path and in doing so we will get a better voting system for Canadians.

• (1130)

Mr. Blake Richards (Banff—Airdrie, CPC): Mr. Speaker, I do not think the media believe it will be built on compromise and middle ground. Let us go over some of the comments that have been made on the Liberal plan to change the way that Canadians vote. *National Post* columnists said that the minister “is adrift in a sea of platitudes”, and also that the Liberals were on top of their game with electoral reform doublespeak. *The Globe and Mail* said, “[I]t's built for Liberal control.”

Can the Liberals just cut the charade and answer the question? Will they give Canadians a chance to have a say in a referendum, yes or no?

Mr. Mark Holland (Parliamentary Secretary to the Minister of Democratic Institutions, Lib.): Mr. Speaker, I have been very clear that the consultation process that is going to happen is going to reach out to every corner of this country. The idea that the only form of valid consultation is a referendum is an interesting concept to hear from the members opposite. They never advocated this policy before. When they created the unfair elections act, it was not as if they even consulted in many instances with their own caucus, let alone Canadians.

I would suggest that they give this a try and work on trying to find a better system, and that they engage with us in this dialogue with all Canadians on modernizing our electoral system and enfranchising Canadians.

Mr. Blake Richards (Banff—Airdrie, CPC): Mr. Speaker, we were happy to engage in a dialogue, but Canadians need to have a chance to have their say on whatever the results are in a referendum.

Listening to Canadians is at the heart of a healthy democracy. Despite those being the words of the minister, it is obvious the Liberals have no intention to actually listen. The Prime Minister has been quite clear about his preferred voting system, and he has stacked his committee with a Liberal majority, so the fix is already in. If the Liberals were serious about listening to each and every vote, they would give a referendum. Why will they not hold one?

Mr. Mark Holland (Parliamentary Secretary to the Minister of Democratic Institutions, Lib.): Mr. Speaker, the opposition members should try consultations. They might like it. They may enjoy the process of engaging with Canadians and listening and having an exchange of ideas. That is what this process is about. I welcome the member to do that.

I have yet to hear a single proposal of how they would modernize or improve our electoral system. I do not even know what their question to Canadians would be. Instead, work with us on trying to find that better way, that better system, and ensuring that the Canadian population gets the voting system it deserves.

Oral Questions

[Translation]

Mr. Jacques Gourde (Lévis—Lotbinière, CPC): Mr. Speaker, we are far from the Liberals' supposedly sunny ways. Choosing our new voting system is up to Canadians, not a partisan Liberal committee.

Why is the government proposing a rigged parliamentary process when the best solution in this case is a referendum?

[English]

Mr. Mark Holland (Parliamentary Secretary to the Minister of Democratic Institutions, Lib.): Mr. Speaker, the party opposite is not advocating any new ideas. It is advancing the status quo. We had a referendum on the status quo during the last election. More than 60% of Canadians voted no. They did not want to continue with the status quo. They wanted change. That is exactly what we are going to make sure happens in this process.

I want to work with the hon. member across and with all Canadians on finding a system that is going to achieve exactly that, enfranchising Canadians, giving them the power to have their say in a more fair way. I am excited. Let us work together.

[Translation]

Mr. Jacques Gourde (Lévis—Lotbinière, CPC): Mr. Speaker, again, the government's lack of vision is undermining our democracy. True to Liberal form, the government is proposing a rigged parliamentary process.

Why is the government refusing to hold a referendum on electoral reform?

[English]

Mr. Mark Holland (Parliamentary Secretary to the Minister of Democratic Institutions, Lib.): Mr. Speaker, what weakened our democratic institutions and our democracy was the violations that we saw, the abuses that we saw, things that we saw in the Senate, the unfortunate scandals that took place with members abusing the Canada Elections Act. Canadians wanted that to end. They wanted something different. That is what they have asked of us. They have asked to end that way of doing democracy and have something more open, more inclusive. That is the process that we are engaging in.

If the member wants to see that kind of new way, if he wants to see that stronger democracy, here is his chance. He can participate in the committee and engage in talks with Canadians from coast to coast. Let us make it—

The Speaker: The hon. member for South Okanagan—West Kootenay.

* * *

INDIGENOUS AFFAIRS

Mr. Richard Cannings (South Okanagan—West Kootenay, NDP): Mr. Speaker, fewer than one in 10 indigenous people in Canada have a university degree. This is not because the demand is not there. It is because the funding is not there.

During the campaign the Liberals promised to put \$50 million into the post-secondary student support program every single year. How much money was in its budget this year? None.

The Liberals promised a new relationship with indigenous people, so why are they blatantly breaking their promise and failing to support indigenous post-secondary education?

● (1135)

Ms. Yvonne Jones (Parliamentary Secretary to the Minister of Indigenous and Northern Affairs, Lib.): Mr. Speaker, we certainly believe that more should be done and could be done in partnership with indigenous communities to support the success of indigenous students. That is why we are working with indigenous students, parents, educators, and many groups to uncover how we can best do that.

We have applied many resources and supports to help post-secondary indigenous students across this country. We are going to continue to do that, because we believe our indigenous young people are worth investing in. As Canadians we will be investing.

* * *

HEALTH

Ms. Georgina Jolibois (Desnethé—Missinippi—Churchill River, NDP): Mr. Speaker, yesterday the Minister of Health told the House that she is working toward a plan to “increase access to mental health services”. This is the time for action. Does the minister not understand that people in my community of La Loche, in Cross Lake, and in so many other communities do not need work on a plan? They need mental health care workers, now.

Will the Liberals immediately provide the necessary mental health workers for La Loche and Cross Lake?

Ms. Kamal Khera (Parliamentary Secretary to the Minister of Health, Lib.): Mr. Speaker, our government is committed to closing the gap in health outcomes for first nations and Inuit Canadians. In budget 2016 we outlined our historic investment of \$8.4 billion to improve the socioeconomic conditions of indigenous people and their communities.

We are investing more than \$270 million this year to support the mental illness needs of first nations and Inuit communities, including mental health promotion, addiction, suicide prevention, and counselling.

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FOREIGN AFFAIRS

Mr. Tom Lukiwski (Moose Jaw—Lake Centre—Lanigan, CPC): Mr. Speaker, Sergei Magnitsky was a lawyer who, after accusing Russian officials of theft, was arrested and tortured in prison. He later died in that very prison. Since that time the United States has passed a law seeking justice for Mr. Magnitsky. In Canada, such a law was adopted by all parties until yesterday.

Why is the Minister of Foreign Affairs breaking a Liberal campaign promise by opposing justice for Sergei Magnitsky?

Oral Questions

Hon. Stéphane Dion (Minister of Foreign Affairs, Lib.): Mr. Speaker, I suppose that one of the reasons the previous Conservative government never did what the member is now asking for was because it knew that the Immigration and Refugee Protection Act already had the power to ban these individuals from entering into Canada. Why did the Conservative government not say that at the time? It was the truth and that government hid it.

Mr. Tom Lukiwski (Moose Jaw—Lake Centre—Lanigan, CPC): Mr. Speaker, yesterday, in a complete show of bipartisanship, the Conservative member for Selkirk—Interlake—Eastman stood shoulder to shoulder with both the current and former members for Mount Royal. Irwin Cotler, a man who garnered much respect from both sides of the aisle throughout his career said, “It is now the responsibility of this government to adopt this legislation”.

Why is the Minister of Foreign Affairs listening to the advice from Vladimir Putin instead of Irwin Cotler?

Hon. Stéphane Dion (Minister of Foreign Affairs, Lib.): Mr. Speaker, as a matter of fact, this government has increased the sanctions against Russia compared with the former government. The fact is that it is not only the law as it exists that would ban these individuals from coming to Canada, but regarding sanctions, the Standing Committee on Foreign Affairs and International Development will be looking at that as part of its review of the Special Economic Measures Act. This government is looking forward to that study and that report from the committee.

Mrs. Karen Vecchio (Elgin—Middlesex—London, CPC): Mr. Speaker, Bill Browder, who has been fighting to preserve Sergei Magnitsky's memory, joined the all-party support for my Conservative colleague's private member's bill, but he did not have great things to say about the Minister of Foreign Affairs.

When it comes to seeking justice, Mr. Browder said that the minister is wrong and that his lack of action is an excuse. “He doesn't care about the morality of the issue...he just doesn't want to rock the boat”.

It is just another example of the Liberals' so-called responsible conviction policy.

Hon. Stéphane Dion (Minister of Foreign Affairs, Lib.): Mr. Speaker, it is a fully responsible conviction to do everything we can to be sure that these individuals will be banned in Canada and that the sanctions will be appropriate. It is why I have proposed a way to do it and the committee has accepted it. Why during 10 years did the Conservatives do nothing but double-talk?

Mrs. Karen Vecchio (Elgin—Middlesex—London, CPC): Mr. Speaker, Mr. Browder also had interesting things to say about the Minister of Foreign Affairs' colleague on the bill. He said that the Minister of International Trade favours it very strongly.

Mr. Browder also said, “We have had discussions with others in the cabinet who also said this [bill] was a no-brainer”.

Will the Minister of International Trade stand in the House today and confirm his friend's statement that when it comes the time to vote, she will support our Sergei Magnitsky act?

• (1140)

Hon. Stéphane Dion (Minister of Foreign Affairs, Lib.): Mr. Speaker, it is really interesting that when the House had to vote on

this issue a year ago, the government insisted that the word “explore” was in the motion. Why the government did it was because the government knew what I am saying today. The Conservative government knew that an existing law allows us to ban these individuals for their wrongdoing against Mr. Magnitsky, but they did not say that at that time. They were playing double games. Not this government. We have responsible convictions and we will always be frank about the issues.

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AGRICULTURE AND AGRI-FOOD

Ms. Linda Duncan (Edmonton Strathcona, NDP): Mr. Speaker, farmers, especially in the Prairies, need better access to interswitching to get their crops to market. This was identified as a key issue in the Emerson report. But extended rights under the Fair Rail for Grain Farmers Act are set to expire on August 1 of this year. This means that many farmers could lose access to markets this season, which would lead to severe hardship.

Will the government commit today to legally extend these rights for fair rail access before the House rises in the summer?

Ms. Kate Young (Parliamentary Secretary to the Minister of Transport, Lib.): Mr. Speaker, we want to talk about grain production, and for the 2015-16 grain shipping year, it is estimated to be the second largest on record. The performance of the grain handling and transportation system has kept pace or exceeded the record levels of performance seen last year.

Given the challenges faced by western Canadian rail systems in the winter of 2013-14, the statutory review of the Canada Transportation Act was accelerated by one year and asked to give grain transportation priority consideration.

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FOREIGN AFFAIRS

Ms. Irene Mathyssen (London—Fanshawe, NDP): Mr. Speaker, Bill Browder has been fighting for human rights and justice in memory of Sergei Magnitsky, who was murdered in prison after exposing a tax fraud scheme by Russian officials.

The Liberals promised a Magnitsky act, but now they are refusing. Browder says that the Liberals are giving the same old excuses he has seen in so many countries, and our foreign affairs minister is “wrong”.

How can the Liberals keep claiming that Canada is back while they break their promises and cast serious doubt on their commitment to upholding human rights?

Oral Questions

Hon. Stéphane Dion (Minister of Foreign Affairs, Lib.): Mr. Speaker, speaking of breaking promises, the MP for London—Fanshawe has a lot to explain in her riding. But let us answer about the Magnitsky case. There are two issues here: banning the individuals, and the sanctions.

On the first point, foreign nationals and their family members who are involved in human rights violations cannot enter Canada under the Immigration and Refugee Protection Act. Second, regarding sanctions, the Standing Committee on Foreign Affairs and International Development will be looking at that as part of its review of the Special Economic Measures Act, and the government—

The Speaker: The hon. member for Fredericton.

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DISASTER ASSISTANCE

Mr. Matt DeCoursey (Fredericton, Lib.): Mr. Speaker, New Brunswickers and Canadians across the country want to help the people of Fort McMurray in northeastern Alberta who are still suffering from the tragic forest fires.

With Base Gagetown in the riding I represent, I am reminded daily that the women and men of the Canadian Forces are no exception. Can the Parliamentary Secretary to the Minister of National Defence update this House on the contributions being made by the Canadian Forces to the firefighting efforts?

Hon. John McKay (Parliamentary Secretary to the Minister of National Defence, Lib.): Mr. Speaker, I thank the hon. member for Fredericton for his concern and his question.

Aid to civil authority is one of the key responsibilities of the Canadian Forces. The joint task force transported 367 evacuees to safety and 173 firefighters in and out of the affected area. The air task force conducted one search and rescue mission, eight reconnaissance flights, and eight night surveillance flights.

I want to thank the men and women who took part in this effort, and I am happy to say that they all returned safely.

Canadians know that when the Canadian Forces are needed, they will be there for them.

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VETERANS

Mrs. Cathay Wagantall (Yorkton—Melville, CPC): Mr. Speaker, Canadian veterans are Canadian heroes, and they and their families take great interest in changes to legislation that provide them with the benefits they deserve. On the Veterans Affairs departmental website, the background information on the budget changes for veterans is left blank.

Why is the minister hiding information from Canadian veterans?

• (1145)

Mrs. Karen McCrimmon (Parliamentary Secretary to the Minister of Veterans Affairs and Associate Minister of National Defence, Lib.): Mr. Speaker, I know the hon. member cares about veterans, and I know that she wants to make it better for all veterans. This should be a non-partisan issue that we can all work on together to make things better for our veterans.

I did not know there was something missing from the website, but we will take that under advisement. If there is something missing, we will fix it and make it right.

Mrs. Cathay Wagantall (Yorkton—Melville, CPC): Mr. Speaker, I appreciate that very much, and I do enjoy working with the member.

There is an expectation by Canadians that changes to legislation are explained and available online through the Parliament of Canada website. However, on the legislation to implement the budget changes for veterans, no background information is available.

Can the Minister of Veterans Affairs explain why this key information is being kept from Parliament and not disclosed to the veterans it affects?

Mrs. Karen McCrimmon (Parliamentary Secretary to the Minister of Veterans Affairs and Associate Minister of National Defence, Lib.): Mr. Speaker, as I already indicated, I do not know about that particular issue. I do not have an answer for the hon. member right now, but I believe that kind of information is needed. We do need to share it. I will look into it and bring an answer back to this House.

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INTERNATIONAL TRADE

Mr. Todd Doherty (Cariboo—Prince George, CPC): Mr. Speaker, yesterday the Minister of International Trade rose in this House, not to offer solutions or an update on the progress of a new softwood lumber agreement, but to pass the buck, point fingers, and try to assign blame away from the mismanagement of the Liberals on this file.

When will the Liberals take responsibility for Canadian jobs and bring home a new softwood lumber agreement?

Mr. David Lametti (Parliamentary Secretary to the Minister of International Trade, Lib.): Mr. Speaker, we are within the 100 days to find a framework with our American partners on softwood lumber.

The issue remains a very important priority for this government. We are aware. We are consulting with industry members. We are consulting with our provincial counterparts. We are obviously working with the Americans.

As the Minister of International Trade said yesterday in this House, it is not just about getting an agreement; it is about getting a good agreement for this country, and that is exactly what we will do.

Mr. Todd Doherty (Cariboo—Prince George, CPC): Mr. Speaker, the clock continues to tick down and we are going into a U.S. election. That response is simply not good enough.

Hundreds of thousands of forestry jobs are on the line, yet instead of working hard to resolve the softwood lumber dispute, the Liberals are waving the white flag.

Canadian companies need this agreement to be signed immediately in order to create good-paying jobs from coast to coast. Why are the Liberals planning to fail by failing to plan?

Oral Questions

Mr. David Lametti (Parliamentary Secretary to the Minister of International Trade, Lib.): Mr. Speaker, the only flag we are waving is the Canadian flag, and we are waving it proudly.

We have every intention of coming away with a good agreement with our American partners that serves our industry across this country, as well as the particular provincial industries. We are aware of the various aspects and elements of this file. It is a complex file, but we have been working hard at it since day one.

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EMPLOYMENT INSURANCE

Mr. Erin Weir (Regina—Lewvan, NDP): Mr. Speaker, since budget day, the NDP has been pushing to have all parts of Alberta and Saskatchewan included in extended EI benefits. More recently, even the Conservatives who cut EI have joined our push for fairness.

Yesterday, it was revealed that according to the government's own formula, Edmonton and southern Saskatchewan should be included. Why has the government not made extended EI benefits available to all laid-off workers in Alberta and Saskatchewan?

Mr. Rodger Cuzner (Parliamentary Secretary to the Minister of Employment, Workforce Development and Labour, Lib.): Mr. Speaker, as my colleague noted, with any sharp, sustained jump in EI numbers in a particular region, changes have been made.

We were quick and decisive in the 12 regions. Certainly the new numbers, and the spike created by the forest fires in Fort McMurray, have again changed those numbers. They are being analyzed.

I will encourage the member across to stay tuned.

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[Translation]

OFFICIAL LANGUAGES

Mr. François Choquette (Drummond, NDP): Mr. Speaker, the Liberals have always supported the various bills introduced by the NDP regarding the bilingualism of Supreme Court judges. However, now that they are in government, they have changed their minds. They are not going to support my bill. The Department of Justice supposedly told them that they cannot take action. Nevertheless, many experts have clearly indicated that the government's argument does not hold water. Parliament can legislate on this matter.

Will the Liberals show some transparency and release the legal opinions they are relying on to justify their inaction?

• (1150)

Mr. Pablo Rodriguez (Parliamentary Secretary to the Minister of Infrastructure and Communities, Lib.): Mr. Speaker, the government does not need any lessons from the NDP about official languages.

Official languages are the basis of who we are. We have always shown respect for official language minority communities. I have the opportunity to meet with members of these communities across the country and we commend them for their courage and determination to continue living and working in their own language.

We will continue to stand up for the francophone minority outside Quebec and the anglophone minority in Quebec. We are there for our minorities and we do not need any lessons from the NDP.

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[English]

HEALTH

Mr. Colin Carrie (Oshawa, CPC): Mr. Speaker, during the election, the Liberals promised Canadians \$3 billion towards palliative care.

Sadly, the Prime Minister's priority is not health care. Zero. There are zero new dollars in the budget for health, and the \$3 billion for palliative care has become another broken Liberal promise.

Will the Liberals keep their promise to Canadians of \$3 billion for palliative care, as they rush into their assisted suicide agenda?

Ms. Kamal Khera (Parliamentary Secretary to the Minister of Health, Lib.): Mr. Speaker, we know there is more to do to provide Canadians with end-of-life care.

Canadians have told us that they want to stay independent and receive care at home, including at the end of their lives. As part of the new health accord, our government has committed to providing \$3 billion over the next four years to improve home care, and this includes palliative care.

In collaboration with provinces and territories, we will move forward on shared health priorities, including examining ways to integrate and expand access to palliative care at home.

Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC): Mr. Speaker, if that is true, that the government cares about palliative care, it should have told its members on the justice committee.

This week the justice committee shot down almost all opposition amendments on Bill C-14, including this one, “[that if someone] consulted a medical practitioner regarding palliative care options and were informed of the full range of options”.

Can the minister explain why Liberals shot down a very modest amendment requiring that patients simply be informed about palliative care options?

Ms. Kamal Khera (Parliamentary Secretary to the Minister of Health, Lib.): Mr. Speaker, our government has made it clear that we are committed to making sure that Canadians have access to health care services where they need it, which includes palliative care.

We are investing in home care. We have committed to investing \$3 billion in home care. We have spoken with colleagues in provinces and territories to make sure that palliative care is part of that package.

We will make sure that Canadians have access to palliative care where they need it, and we will make sure it is accessible across this country.

Oral Questions

Mr. Colin Carrie (Oshawa, CPC): Mr. Speaker, this is a matter of life and death, and Canadians need to know they have options.

Since the Liberals have steadfastly refused to support meaningful conscience protection, the situation in palliative care is about to go from bad to worse. Palliative care doctors are speaking out. Many do not want to be involved in assisted suicide. Sadly, some will even leave the field of practice if they are not given the opportunity to opt out.

Protecting conscience for individuals and institutions will keep beds open and keep doctors at work. Why did the government reject a meaningful conscience protection amendment?

Ms. Kamal Khera (Parliamentary Secretary to the Minister of Health, Lib.): Mr. Speaker, we know that Canadians are looking to their governments for leadership to advance availability and quality of palliative care within the broader scope of how we address Canadians' needs at the end of their life. This is why we are committed, as I mentioned earlier, to improving palliative care as part of the new health accord, supported by a long-term investment of \$3 billion over the next four years.

Recently, federal, provincial, and territorial ministers of health agreed to work individually and collectively on improving home care to better meet the needs of Canadians.

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[Translation]

INFRASTRUCTURE

Mr. Angelo Iacono (Alfred-Pellan, Lib.): Mr. Speaker, the government has announced an ambitious plan for social infrastructure, green infrastructure, and public transit. We know that these new funds will be disbursed quickly and efficiently, since the plan is based on the municipalities' priorities.

Nevertheless, can the minister tell us where we stand on infrastructure in Quebec?

Mr. Pablo Rodriguez (Parliamentary Secretary to the Minister of Infrastructure and Communities, Lib.): Mr. Speaker, my colleague from Alfred-Pellan asked a good question. This gives me an opportunity to mention that I was in Montreal last week, along with the Minister of Infrastructure, to speak to our Quebec counterparts. As a result of these positive and constructive discussions, we will soon be able to sign an agreement.

Speaking of agreements, this morning, the Minister of Canadian Heritage announced \$18 million for the Musée d'art contemporain de Montréal, with Minister Hélène David and Alexandre Taillefer.

That is what you call delivering the goods.

* * *

• (1155)

[English]

EMPLOYMENT INSURANCE

Mr. Kelly McCauley (Edmonton West, CPC): Mr. Speaker, it has been months since we have had a jump in EI in Edmonton, and it has been months since the government excluded Edmonton region from the EI extension. It is not an issue associated with the fire

recently in Fort McMurray. We have raised this issue several times with the government. When we finally received a response from the Liberals, it was nothing but a flippant talking point and non-answers. The Liberal MPs from Edmonton have failed to represent their hard-working constituents in the Edmonton region. We know workers in the Edmonton region qualify. Why is the minister forcing them to wait for the EI extension?

Mr. Rodger Cuzner (Parliamentary Secretary to the Minister of Employment, Workforce Development and Labour, Lib.): Mr. Speaker, as I said earlier, this government responded quickly to the spike, the sudden, sharp jump in unemployment rates in 12 regions in this country. Certainly, as the numbers have increased in the Edmonton area, we know that in Saskatchewan there was a jump of 0.1%. Most of that was in part-time jobs. However, that data is fresh. We are analyzing it. I would encourage my colleague to stay tuned.

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FINANCE

Mr. Francis Drouin (Glengarry—Prescott—Russell, Lib.): Mr. Speaker, this week the government tabled the supplementary estimates (A), seeking Parliament's approval for important investments in Canadians and their communities. These estimates raised the bar once more on openness, transparency, and accountability. Will the Parliamentary Secretary to the President of the Treasury Board please tell this House about the steps the government is taking to allow Canadians to more easily track how the government spends its money?

Ms. Joyce Murray (Parliamentary Secretary to the President of the Treasury Board, Lib.): Mr. Speaker, we certainly are making progress. In fact, in this year's supplementary estimates (A), there was funding for 33 items that have been announced in this year's budget, and that's compared with 11 last year and six the year before. Therefore, this is just the beginning. We look forward to working with all parliamentarians to better align the budget and the estimates processes to provide Canadians with far greater transparency and openness in government spending.

*Points of Order***CANADIAN HERITAGE**

Hon. Peter Van Loan (York—Simcoe, CPC): Mr. Speaker, it looks as if the Liberals' war on history is going according to plan. First, they ordered the citizenship guide to be rewritten so that new Canadians would learn less about Canadian history. The government then announced that Confederation and Canadian history will not be themes of the 150th anniversary of Confederation. Now we have learned that Canada's only museum that is fully dedicated to Confederation is being shut down due to a lack of federal support, this on the very eve of the 150th anniversary of Confederation. Why this ruthless Liberal war on history?

[Translation]

Mr. Pablo Rodriguez (Parliamentary Secretary to the Minister of Infrastructure and Communities, Lib.): Mr. Speaker, my colleague always knows how to make us laugh.

He knows very well that the Liberal Party of Canada and the Liberal government have always viewed history as absolutely essential, since it is part of our identity and our values. However, we also look at history to make projections and to build a stronger Canada. That is what we are doing.

Moreover, Canada must also be celebrated. That is why we are organizing major festivities across Canada to celebrate our 150th anniversary together, in each region and province.

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FOREIGN INVESTMENT

Mr. Gabriel Ste-Marie (Joliette, BQ): Mr. Speaker, there you have it. The minister just gave Lowe's the go-ahead to buy Rona. He alone had the power to turn promises made by Lowe's into legal obligations, but he did not do so. He decided that the American giant's words, which are legally worthless, were good enough.

That is the problem with Quebec being part of Canada. We are entirely dependent on a guy from Toronto to care enough to protect our economy, but he is just not stepping up, and Quebec's economy is suffering as a result.

Why did he not turn the promises that Lowe's made into legal obligations? Is it because he cannot do his job or because he could not care less about Quebec?

Mr. Greg Fergus (Parliamentary Secretary to the Minister of Innovation, Science and Economic Development, Lib.): Mr. Speaker, with all due respect to my hon. colleague, I will give a simple answer to his question.

Lowe's has made firm commitments in connection with its purchase of Rona. As I have said, the head office will remain in Boucherville. Canadians will continue to play an important role within Rona's senior management. Canadian suppliers will have opportunities to sell not only to Rona, but also to the entire Lowe's chain in the United States and around the world.

* * *

● (1200)

DEMOCRATIC REFORM

Mr. Luc Thériault (Montcalm, BQ): Mr. Speaker, the Minister of Democratic Institutions wants to change the rules of democracy

without holding a referendum because that democratic instrument apparently is an outdated, 19th century tool. The minister thinks that she has the authority to change the rules without a referendum because she campaigned on this issue.

By that logic, Quebec would have the right to independence without a referendum, making the Clarity Act null and void.

Will the Minister of Foreign Affairs throw out his Clarity Act?

[English]

Mr. Mark Holland (Parliamentary Secretary to the Minister of Democratic Institutions, Lib.): Mr. Speaker, I am very happy that the member is going to be participating in the all-party process. He is going to have an opportunity to travel with the committee and pose questions.

We have gone further than our normal committee process in ensuring that parties that are not recognized as parties in the House are included, because we feel that the voice of the Bloc and the voice of the Green Party are incredibly important to have at the table. That is why we have taken that measure.

I look forward to that dialogue. I look forward to working on that with the member to modernize our electoral system.

[Translation]

Mr. Luc Thériault (Montcalm, BQ): Mr. Speaker, this reform is off to a bad start. The government wants to use its majority to change democracy. However, this should not be a partisan issue. Changing the way we vote cannot be left just to experts and parliamentarians. The people should decide.

How can the government think it has a legitimate right to impose a voting system without a referendum, when it received less than 40% of the vote in the last election?

[English]

Mr. Mark Holland (Parliamentary Secretary to the Minister of Democratic Institutions, Lib.): Mr. Speaker, I could not agree more with the member that this process should not be partisan and that we need to work across the aisle to find compromise and work together, but the fact of the matter is that more than 60% of the Canadian population said the status quo was not going to work.

I would ask members to start coming up with ideas. It is not enough to just say that they want the system to stay as it is. Canadians have not accepted that. They say they want our institutions to modernize. Be part of that process, give us ideas, make sure we are able to change the system so that Canadians are enfranchised and their voices are heard.

* * *

[Translation]

POINTS OF ORDER

OFFICIAL REPORT

The Speaker: The Minister of National Revenue on a point of order.

Routine Proceedings

Hon. Diane Lebouthillier (Minister of National Revenue, Lib.): Mr. Speaker, in my response to a question from the member for New Westminster—Burnaby on May 9, 2016, my remarks may have been inadvertently inaccurate. I would like to correct them.

In my original response I was referring to legal procedures and ongoing civil court actions launched by the Canada Revenue Agency relating to the KPMG case.

The Speaker: I thank the hon. minister for correcting her remarks.

ROUTINE PROCEEDINGS

[English]

NUNAVIK INUIT LAND CLAIMS AGREEMENT

Ms. Yvonne Jones (Parliamentary Secretary to the Minister of Indigenous and Northern Affairs, Lib.): Mr. Speaker, under the provisions of Standing Order 32(2), I have the honour to table, in both official languages, copies of the 2008-11 biennial “Nunavik Inuit Land Claims Agreement Report of the Implementation Committee”.

* * *

[Translation]

INTERPARLIAMENTARY DELEGATIONS

Mr. Joël Lightbound (Louis-Hébert, Lib.): Mr. Speaker, pursuant to Standing Order 34(1), I have the honour to present, in both official languages, the report of the Canadian Branch of the Assemblée parlementaire de la Francophonie respecting its participation at the bureau meeting and the 41st ordinary session of the APF, held in Bern, Switzerland, from July 6 to 10, 2015.

[English]

Hon. Jody Wilson-Raybould: Mr. Speaker, there have been discussions with parties and, if you seek it, I hope that you will find unanimous consent for the following motion: that notwithstanding any Standing Order or usual practice of the House, on Tuesday, May the 17th, 2016, and on Wednesday, May the 18th, 2016, the House continue to sit beyond the ordinary hour of daily adjournment for the purposes of considering Bill C-14, an act to amend the Criminal Code and make related amendments to other acts.

The Speaker: Does the hon. minister have the unanimous consent of the House to move the motion?

Some hon. members: Agreed.

Some hon. members: No.

● (1205)

Hon. Jody Wilson-Raybould (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, pursuant to Standing Order 56.1(1), I move:

That, notwithstanding any Standing Order or usual practice of the House on Tuesday, May the 17th, 2016, and on Wednesday, May the 18th, 2016, the House continue to sit beyond the ordinary hour of daily adjournment for the purposes of considering Bill C-14, an act to amend the Criminal Code and make related amendments to other Acts (medical assistance in dying).

The Speaker: Will those members who object to the motion please rise in their places?

And 25 or more members having risen:

The Speaker: Twenty-five or more members having risen, the motion is deemed to have been withdrawn.

(Motion withdrawn)

* * *

PETITIONS

PHYSICIAN-ASSISTED DYING

Mr. Jim Eglinski (Yellowhead, CPC): Mr. Speaker, it is impossible for people to give informed consent to assisted suicide/ euthanasia if appropriate palliative care is unavailable to them.

Therefore, I am pleased to present two petitions calling upon Parliament to create a national strategy on palliative care to ensure that every Canadian has access to high-quality palliative care at the end of life.

DEMOCRATIC REFORM

Mr. David McGuinty (Ottawa South, Lib.): Madam Speaker, pursuant to Standing Order 36, I rise today to table a petition. The petition is signed by hundreds of local residents who are urging the government to undertake public consultations to ensure Canadians have a fair electoral system and to introduce a suitable form of proportional representation following those discussions. I am pleased to table this petition, and I look forward to our government's response.

FIREARMS

Mr. Bob Zimmer (Prince George—Peace River—Northern Rockies, CPC): Madam Speaker, I am honoured today to present this particular petition. It is record setting. It is the highest recorded e-petition that we have had in Canada so far, at 25,249 individuals who signed the petition. I would also like to honour the person who started this petition, Mr. Marc Bennett, who is a firearms advocate.

The petition states, in part:

We, the undersigned, Lawful Firearm Owners of Canada, request (or call upon) the Minister of Public Safety and Emergency Preparedness to Re-classify the Armalite Rifle—15 back to non-restricted status so we can once again use this rifle to lawfully participate in the Canadian cultural practices of hunting.

JUSTICE

Mrs. Cathay Wagantall (Yorkton—Melville, CPC): Madam Speaker, I am pleased to present four petitions to add to the growing voice that is truly across Canada calling on our Parliament to introduce a law that protects pregnant women and their preborn children.

* * *

QUESTIONS ON THE ORDER PAPER

Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Madam Speaker, I would ask that all questions be allowed to stand.

The Assistant Deputy Speaker (Mrs. Carol Hughes): Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

•(1210)

[*Translation*]

BUSINESS OF SUPPLY

OPPOSITION MOTION—FREEDOM OF CONSCIENCE

The House resumed consideration of the motion.

Ms. Anne Minh-Thu Quach: Madam Speaker, I will be giving a speech on the opposition motion of—

The Assistant Deputy Speaker (Mrs. Carol Hughes): Order.

The hon. member for Sherwood Park—Fort Saskatchewan on a point of order.

[*English*]

Mr. Garnett Genuis: Madam Speaker, on a point of order, I am sorry, but as I recall there were six minutes remaining in questions and comments on the Minister of Justice's speech before we proceed to resuming debate.

The Assistant Deputy Speaker (Mrs. Carol Hughes): I appreciate the member's pointing that out, and I will certainly go back to the minister and do the questions and comments.

Questions and comments, the hon. member for Sherwood Park—Fort Saskatchewan.

Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC): Madam Speaker, I listened to the Minister of Justice's speech with great interest. I think she spoke very eloquently, but there was some evident sleight of hand in terms of how she described a number of things.

I was at the committee, and certainly nobody on our side of the House thought the amendment brought forward was sufficient. We supported it. We thought it was a very modest step in the right direction. However, the amendment that she spoke of did not and would not provide positive conscience protection. It does not deal with institutions. It does not deal with issues of referral. It does not deal with the reality that in the province of Ontario, physicians might be called on to provide euthanasia—not just refer for it, but provide it—in an emergency situation under the existing college policy.

The government has the ability, following the precedent set in the Civil Marriage Act, to describe the contours of this exception in the Criminal Code by providing for, within that exception, a requirement for conscience. The government has the ability legally to do it, and that is what at least our members consistently advocated at the committee.

Why is the member saying things that are not quite correct about what happened at the committee, and why does she not provide robust meaningful conscience protection?

Hon. Jody Wilson-Raybould (Minister of Justice and Attorney General of Canada, Lib.): Madam Speaker, I thank the hon. member for the question and for participating at the committee.

The Civil Marriage Act has been raised a number of times in this House today. I will speak to the Civil Marriage Act in terms of the specific provisions, which referred to specific religious officials and

Business of Supply

the performance of private functions. We are talking about medical assistance in dying, which is a public general function.

I will say that I embraced the discussions that happened at committee. There were 16 thoughtful amendments proposed. There is nothing in Bill C-14 that would compel a medical practitioner to perform medical assistance in dying. Of the amendments that were made, two of them inject conscience rights into the preamble, and as well within the legislation itself.

[*Translation*]

Ms. Anne Minh-Thu Quach (Salaberry—Suroît, NDP): Madam Speaker, a number of experts such as representatives of the Barreau du Québec and the Canadian Bar Association, as well as people who intervened in the Carter case, are saying that there will be several legal challenges to the minister's Bill C-14 on medical assistance in dying, that it violates the Canadian Charter of Rights and Freedoms, that there will be more medical and legal problems, and that many people will not have access to medical assistance in dying services. What are the minister's thoughts on that?

The recommendations made by a number of experts were not accepted. It is very worrisome to see that the Liberal government is hurrying the debate in this manner when there are still many outstanding issues that are not being considered.

[*English*]

Hon. Jody Wilson-Raybould: Madam Speaker, with respect to our country, Bill C-14, medical assistance in dying, is a transformation in terms of our thinking and in terms of the discussion around medical assistance in dying. We have had the opportunity to engage with a diversity of opinions, a diversity of expert opinions and individual Canadians right across this country.

I received in my office thousands of letters and engagements on this particular issue. There is always going to be a diversity of opinions on both sides.

The opportunity and the challenge presented to parliamentarians is to ensure that we put forward the best solution, the best balance, in terms of this really difficult issue. I am confident that Bill C-14 responds to the Carter decision of the Supreme Court of Canada and is compliant with the charter.

•(1215)

Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Madam Speaker, I would ask the minister to provide her thoughts on the sense of urgency. The Supreme Court of Canada's unanimous decision is that there is a void that needs to be filled and the deadline is June 6. There are issues surrounding health care professionals' concerns. I know that there has been a great deal of consultation over the last number of months.

My question for the minister—

Mr. Garnett Genuis: Madam Speaker, on a point of order, I believe we are still debating the opposition motion. I think the member is asking about Bill C-14, not about the opposition motion or conscience at all.

Business of Supply

The Assistant Deputy Speaker (Mrs. Carol Hughes): As the member will know, there is some latitude on discussions and questions, and I will ask the parliamentary secretary to ensure that his question is related. I would also ask him to make it very quick so the minister can answer.

Mr. Kevin Lamoureux: Madam Speaker, it is unfortunate the member did not listen to his own question and the previous question. He would definitely find some relevance in it.

Could the minister provide some sense of the types of consultations that have taken place with respect to this issue?

Hon. Jody Wilson-Raybould: Madam Speaker, there have been extensive consultations with respect to medical assistance in dying. There was a federal panel, an expert provincial and territorial panel, the substantive work that was done by the special joint committee which presented a report and recommendations for consideration, as well as engagement with Canadians and experts right across the country.

We have a deadline that we need to comply with. On this side of the House, we have the utmost respect for the Supreme Court of Canada. We need to put in place a regime by June 6. We are committed to meeting that deadline.

[*Translation*]

Ms. Anne Minh-Thu Quach (Salaberry—Suroît, NDP): — Madam Speaker, I am pleased to speak to the Conservatives' motion today, which states:

That, in the opinion of the House: (a) it is in the public interest to protect the freedom of conscience of a medical practitioner, nurse practitioner, pharmacist or any other health care professional who objects to take part, directly or indirectly, in the provision of medical assistance in dying; (b) everyone has freedom of conscience and religion under section 2 of the Canadian Charter of Rights and Freedoms; (c) a regime that would require a medical practitioner, nurse practitioner, pharmacist or any other health care professional to make use of effective referral of patients could infringe on the freedom of conscience of those medical practitioners, nurse practitioners, pharmacists or any other health care professional; and (d) the government should support legislation to protect the freedom of conscience of a medical practitioner, nurse practitioner, pharmacist or any other health care professional.

I want to explain why the New Democrats oppose this motion. Throughout the debate on Bill C-14 on medical assistance in dying, the Conservatives have said they are concerned that health care professionals would feel compelled to provide medical assistance in dying to patients, in violation of their personal or religious convictions.

However, the government has clearly indicated, and rightly so, that the bill would not force anyone to provide this service. Although it is not legally necessary to protect freedom of conscience, all of the parties on the Standing Committee on Justice and Human Rights drafted and adopted a compromise amendment, which was proposed by the NDP member for Victoria. The amendment states:

For greater certainty, nothing in this section compels an individual to provide or assist in providing medical assistance in dying.

Another amendment proposed by the NDP member for Victoria was also made to the preamble to ensure that nothing in this act will affect the guarantee of freedom of conscience, religion, and expression, as enshrined in the charter.

Any other additional measure regarding these freedoms would infringe on the provinces' jurisdiction over health because the regulations governing referrals are determined by medical regulatory authorities and professional bodies, not by the federal government's authority over criminal law.

During the discussions in committee about medical assistance in dying, the NDP and almost every party agreed that it was necessary to respect health care workers' personal conscience. We are therefore very proud to have introduced amendments that all parties of the House helped to draft in order to emphasize that there is nothing in this bill that would compel an individual to provide this service or that would infringe on the freedom of conscience, religion, or expression guaranteed by the charter.

The Conservative motion that we are currently debating is asking the federal government to infringe on provincial jurisdiction. I cannot support that. Each level of government needs to respect the others' jurisdictions. By adopting this type of motion, we would not be respecting provincial jurisdiction. Standards of care are established by medical regulatory authorities, not the Criminal Code.

There are a number of factors related to medical assistance in dying that are not included in the bill, and there are also some factors that are included but create vague definitions that were not set out in the Supreme Court's decision.

Throughout my speech, I will explain why it is worrisome that the Liberals are trying to push through Bill C-14 any way they can. Let us start with the process we must follow.

Once again today, during routine proceedings after oral question period, the Minister of Justice rose in the House seeking unanimous consent to debate Bill C-14 for 24 hours, right through the night, some time next week, on the pretext that she wanted to let every parliamentarian speak to the bill.

● (1220)

However, we had already proposed debating Bill C-14 on medical assistance in dying until midnight next Monday, Tuesday, and Wednesday. That is reasonable. It extends the debate and lets parliamentarians do their jobs. They could continue to debate an extremely complex and very sensitive issue on which there really is no unanimity, consult experts, and obtain input from witnesses who appeared and continue to appear before the committee.

The minister rejected sitting until midnight next Monday, Tuesday, and Wednesday. Furthermore, today, on a Friday, a day when not all MPs are necessarily in the House, she is rather aggressively trying to impose another process on the House to force us to sit for 24 hours. Who will watch this debate in the House of Commons at three or five o'clock in the morning? That is completely absurd, and it does not let parliamentarians do a proper job.

The Liberals have already imposed time allocation on Bill C-14, even though they said it was important to take the time to listen to everyone and have a thorough, intelligent debate on the very controversial topic of medical assistance in dying. That completely contradicts what they said when they were in the opposition. Every time the Conservatives invoked closure or tried to cut a debate short or speed it up, the Liberals were the first on their feet in the House to sound the alarm and condemn such undemocratic measures.

Business of Supply

Now that the Liberals are in power, they are using the same undemocratic tactics they condemned back then to shut down debate on a very important subject: medical assistance in dying. I cannot believe what I am seeing. They said they wanted to give Canadians change. Now they are forcing us to accept a deeply flawed bill because, they say, they have to get it done by June 6. Experts have criticized the bill because it is not in line with the Carter decision or the Canadian Charter of Rights and Freedoms. This makes no sense.

I want to come back to some of the points that have been raised since the beginning by a number of experts and members of the House, including NDP members. This will open the door to legal challenges because the bill does not comply with the charter and goes against several processes.

I can cite people from the Barreau du Québec. Many experts and stakeholders have shared their concerns. In fact, there is a definition in the wording of Bill C-14 that refers to parts of the bill. That is a problem because the Supreme Court does not use the same language as Bill C-14.

The Supreme Court talks about a person who:

has a grievous and irremediable medical condition (including an illness, disease or disability) that causes enduring suffering that is intolerable to the individual in the circumstances of his or her condition.

However, the bill talks about “reasonably foreseeable natural death”. That wording does not appear in the Carter decision at all.

• (1225)

Jean-Marc Ménard from the Barreau du Québec said in committee that by adopting a criterion that is more restrictive than what section 7 of the Canadian Charter of Rights and Freedoms allows, the bill would go against the charter. He said, “We should be aware that the impact of the law will in future be measured in light of section 7 of the Canadian Charter of Rights and Freedoms”.

Section 7 is broader in scope than what the bill is proposing, which clearly opens the door to legal challenges. What the Barreau du Québec does not want is for people who could have access to medical assistance in dying under the criteria in the Carter decision to no longer have this access because of Bill C-14, introduced by the Liberals.

That happened in Quebec with a slightly more restrictive criterion. For example, people stopped eating so that they would be eligible under the law. That is serious. Some people who feel extremely desperate about their condition, their situation, and their suffering and who do not have access to medical assistance in dying under Bill C-14 may try to end their life in one way or another just so that they can access the service. That is completely ridiculous.

People mainly want to access this service so that they do not have to suffer anymore. They will inflict greater suffering on themselves so that they can have access to this service, which does not make any sense. The minister does not see that. According to the Barreau du Québec, problems such as that may arise. Earlier, the minister answered a question by saying that there is a diversity of opinions and that she does not think that there will be any court challenges. She is in denial. This is coming from the Barreau du Québec.

I would like to quote some other people. According to the Collège des médecins du Québec, Bill C-14 is unworkable. The secretary of the CMQ believes that it would be far less complicated for Quebec doctors to not have a federal law than to have one. He indicated that the legislative measure that the Liberals hope to pass falls somewhere in a grey area between the Supreme Court's decision and Quebec's law.

Another quote gives me goosebumps. Yves Robert, the secretary of the CMQ, said, “Ultimately, the burden does not fall on the shoulders of legislators. It falls on the shoulders of doctors. They are the ones who are going to have to deal with these cases and these requests.”

Many experts have testified and are still testifying before the committee. They are raising worrisome issues and facts. The minister and the members of the committee examining Bill C-14 are ignoring these opinions but are still claiming that they are making informed decisions that reflect the opinions of most experts and the public's recommendations.

I will now talk about the patients. People who pleaded before the Supreme Court, including the Carter family, are saying that because of Bill C-14, Kay Carter and many people like her would not be eligible since their death is not foreseeable because of their illness. That is what Kay Carter's daughter, Lee Carter, said. It is serious.

The people who fought for this, the pioneers of the bill on medical assistance in dying, argued their case before the Supreme Court and won. However, we are taking a step backward. Those people who won their case in the Supreme Court will likely be denied this care by the Liberal government, which is not listening to the advice of experts or ensuring it upholds the Supreme Court ruling.

Another very troubling point is the lack of funding for palliative care.

• (1230)

During the election campaign, the Liberals promised to invest \$3 billion in palliative care, end-of-life care, and home care. However, these investments were nowhere to be found in their budget, nor are they in Bill C-14 on medical assistance in dying.

All the Liberal members who have spoken in the House have recognized that we need to work on a long-term strategy to ensure that patients have access to good-quality, long-term palliative care, and to ensure that all those who want to continue living with a decent quality of life are able to do so.

For this to happen, we need more than words. We need investments and a plan. However, we are not seeing any of that. As of today, May 13, 2016, the bill is still in committee. It will soon return at third reading, and the government has yet to propose anything. So far, it has invested zero dollars in palliative care. That is very worrisome. I remind members that our population is aging. More and more people will have serious illnesses and will be experiencing unbearable suffering, and the Liberal government has still not proposed any significant measures to address this.

Business of Supply

In 2014, my colleague from Timmins—James Bay moved Motion No. 456, which was about a pan-Canadian palliative and end-of-life care strategy, and that motion was passed. The Liberals voted in favour of the motion to implement such a strategy.

The motion said that the government should work with the provinces and territories to develop a flexible, integrated model of palliative care that takes into account the geographic, regional, and cultural diversity of urban and rural Canada as well as Canada's first nation, Inuit, and Métis people and respects the cultural, spiritual, and familial needs of all Canadians.

The model would also have had the goal of ensuring that all Canadians have access to high-quality home-based and hospice palliative and end-of-life care, providing more support for caregivers, improving the quality and consistency of home and hospice palliative and end-of-life care in Canada, and encouraging Canadians to discuss and plan for end-of-life care.

The Liberals supported this motion. Then how is it that the Liberal government did not announce a specific and real investment in its budget or in committee after discussing medical assistance in dying with the experts? This is actually a very important bill. We have to accommodate as best we can people at the end of life who are suffering. It is completely unacceptable and irresponsible for the government to not have included a plan in the bill.

Nevertheless, we are pleased to have made an amendment to Bill C-14, which will protect the individual's right to freedom of conscience and secure a much greater commitment to palliative care, mental health, dementia, and services to indigenous patients. However, the money must be made available. Writing words on a bill is not enough. Investments are needed in order to implement a palliative care strategy.

Moreover, we must work in a non-partisan manner. The Liberals must open their eyes and realize that their bill is deeply flawed. Their bill could give rise to a thousand and one legal challenges because they are trying to push it through and are not considering the opinions of experts. The experts who returned to committee repeated what they said the first time. It is a waste of time and money.

• (1235)

The NDP is asking the Liberals to refer their bill to the Supreme Court to ensure that it is constitutional and thus prevent countless legal challenges. The Liberals are refusing to do this. What are they afraid of? Why are they refusing to refer their bill to the Supreme Court if they are so sure that everything is just fine and dandy?

I hope that the Liberals will eventually listen to reason.

Ms. Marilyn Gladu (Sarnia—Lambton, CPC): Madam Speaker, I would like to thank my colleague for her fine speech.

[*English*]

I agree with many of the things the member has said. How ridiculous the antics have been today, trying to do things with this debate when this is such a serious topic of conversation. I agree totally on palliative care. We hear a lot of rhetoric about how the Liberals are going to do it, but there is not a single word in budget 2016. In the bill, they tried to bring it as an amendment, and again it is not there. It is a lot of talk and no action.

The question I have for the member is about the provincial jurisdiction discussion. The medical professionals are under provincial jurisdiction. However, the Province of Ontario has been clear that it is going to force them to participate in this process, and that would definitely be violating their charter rights. The federal government, I believe, has a role there. Would the member agree?

[*Translation*]

Ms. Anne Minh-Thu Quach: Madam Speaker, I would like to thank my colleague for her heartfelt comments about medical assistance in dying.

To answer the first part of her question, we are indeed extremely disappointed. We are more than disappointed. We find it inconceivable that there is no money allocated for medical assistance in dying when the Liberals promised \$3 billion during the election. There is also no money allocated for mental health, for example, so there are a number of problems.

As I said in my speech, there are many problems with the constitutionality of this bill, particularly with regard to a number of definitions that affect access for some people. Some people who would have had access to medical assistance in dying before will no longer have access once the bill is passed. That is completely ridiculous. It was irresponsible of the Liberals to introduce this bill.

With regard to the second part of the question on the conscientious objection of some health care workers who, for all sorts of personal or religious reasons, would not want to provide this sort of service and would not want to refer a patient, the bill protects this freedom of conscience and does not require health care workers to refer a patient. That is why I think—

• (1240)

The Assistant Deputy Speaker (Mrs. Carol Hughes): We are still on questions and comments.

The hon. Parliamentary Secretary to the Leader of the Government in the House of Commons.

[*English*]

Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Madam Speaker, the member spoke a great deal in terms of the issue of palliative care and tried to give, what I would suggest, is a false impression.

When the member talked about palliative care and the budget, I would advise her and she should at the very least recognize that even within the budget there is acknowledgement of the health care accord and a commitment from this government to move forward in regard to that. When we talk about palliative care, surely to goodness she would recognize that one of the best ways to deliver the type of palliative care that Canadians want to see is to work with our provincial counterparts. They are the administrators of health care, although Ottawa can play a strong leadership role in that.

Business of Supply

Would the member, at the very least, acknowledge that there is a role for the provinces to play, and that it is good of the Canadian government and the Minister of Health to be working with her provincial counterparts to try to devolve and evolve a health care accord that would take palliative care into serious consideration and action?

[*Translation*]

Ms. Anne Minh-Thu Quach: Madam Speaker, unfortunately, here is even more rhetoric from the Liberals.

During the election campaign, the Liberals said that they wanted to make changes to health transfers to the provinces, but now they are backtracking and saying that we still need to discuss this issue. They have been saying we need to discuss it for six months now.

We need investments in palliative care right now. They promised a \$3-billion investment, but once again, they are backtracking and saying they want to reconsider.

They cannot always backtrack and try to stall by saying that we must work with others. If they were truly working with others, they would listen to the experts, the Canadian Bar Association, the Barreau du Québec, Quebec doctors, and the people who won their case at the Supreme Court of Canada, like the Carter family, which successfully argued its case on medical assistance in dying. If the government worked with others, we would have services that comply with the Canadian Charter of Rights and Freedoms.

That would also mean that we could stop working with terms that are becoming increasingly vague. Doctors do not understand certain terms, and the Liberals are not even able to explain what “reasonably foreseeable death” means. This term excludes a number of people who could receive medical assistance in dying, which violates the charter. There are all kinds of problems.

The Liberals are making big promises, and then they utterly fail to keep them.

[*English*]

Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC): Madam Speaker, the NDP has been willing to go partway with us on issues of conscience but one of the major areas of disagreement is the question of conscience protection for institutions. I would like to ask the member for her thoughts on that.

From my perspective, institutions are really composites of individuals and protecting the conscience rights of institutions is a way of ensuring the individuals involved, the people who are supporting the organization, those who are involved in whether it be a Catholic hospital or an organization like that, that their conscience rights are protected.

Could the member explain why some members of the NDP at least see this distinction between individual and organizational conscience rights but organizations are composites of individuals and should have those rights' protections themselves?

[*Translation*]

Ms. Anne Minh-Thu Quach: Madam Speaker, I think we all agree that it is important to protect professionals' freedom of conscience.

The reason I oppose the Conservatives' motion is that they are eliminating the possibility of referring patients to other professionals. If we adopt the Conservatives' motion, patients will no longer have the right to request medical assistance in dying as they do now thanks to the Supreme Court's ruling.

We have to respect patients' rights and freedoms. Bill C-14 does not force health care professionals to refer patients elsewhere if they conscientiously object.

• (1245)

[*English*]

Mr. Garnett Genuis: Madam Speaker, I talked about the issue of institutions and maybe the member could address that specifically.

Perhaps she could address the issue of referral as well. If a person refers somebody to another provider, that individual is very much complicit in that process, because the individual is endorsing the course of treatment that will be provided. Does the member not understand or appreciate that when somebody refers a person to someone else, that individual is very much involved in endorsing that course of action? That is different from facilitating a transfer of information or medical records. It involves a direct endorsement of that course of treatment. Would the member agree with that?

[*Translation*]

Ms. Anne Minh-Thu Quach: Madam Speaker, I would like to know if the member can find an obligation anywhere in Bill C-14 for professionals to refer patients. I cannot.

The whole issue of referral rests with professional associations, so it is under provincial jurisdiction. As federal MPs, we are obligated to respect provincial jurisdiction and every individual's basic right to equal access to medical assistance in dying.

[*English*]

Hon. Ed Fast: Madam Speaker, I have a point of order. In follow-up to a number of motions that have bounced back and forth in the House today, I hope you will find unanimous consent for the following motion, that notwithstanding any standing order or usual practice of the House, on Tuesday, May 17, 2016, and on Wednesday, May 18, 2016, the House continue to sit beyond the ordinary hour of daily adjournment but no later than midnight, at which time the House shall adjourn to the next sitting day.

The Assistant Deputy Speaker (Mrs. Carol Hughes): Having heard the motion, does the hon. member have the unanimous consent of the House to move the motion?

Some hon. members: Agreed.

Some hon. members: No.

Ms. Irene Mathysen: Madam Speaker, on a point of order, I would like to say that we are very disappointed in what is going on in the House regarding Bill C-14. It is very serious legislation. Currently, there are sensitive, ongoing negotiations being conducted in regard to it, and those negotiations should be respected.

The Assistant Deputy Speaker (Mrs. Carol Hughes): That is not a point of order.

Business of Supply

Mr. Kevin Lamoureux: Madam Speaker, I was actually going to address the point of order raised, but if it is necessary to bring up a separate point of order, I will do it as a separate point of order.

I just want to say that I am very much aware and sensitive to the many negotiations that are taking place surrounding Bill C-14. Having said that, the government's will has always been to try to allow members to address the bill. That is the reason we brought forward the motion earlier today—

• (1250)

The Assistant Deputy Speaker (Mrs. Carol Hughes): Again, this is more debate than it is a point of order.

Resuming debate. The hon. member for Cypress Hills—Grasslands.

Mr. David Anderson (Cypress Hills—Grasslands, CPC): Madam Speaker, I am splitting my time with the member for Sherwood Park—Fort Saskatchewan.

I am a little confused as are some people here with the back and forth. Conservatives take Bill C-14 very seriously and we want to debate it. I was surprised a little earlier when it seemed the Liberals wanted us to go all night, through the night. I assume that means they would like to speak during the day and then leave the opposition to speak at night when supposedly no one is listening. I think a reasonable compromise was suggested a couple of minutes ago, which is that we extend the hours to midnight, during which time we would have serious debate on this issue.

That is why we are here today. It is interesting that the notion of freedom of conscience seems to be coming up more and more in our society. In the last couple of weeks, I have crossed paths with it in discussions separate from discussions around Bill C-14.

Yesterday, at the Subcommittee on International Human Rights, someone spoke about working with persecuted minorities and the question came up about what role freedom of conscience plays.

Last week, there was a forum in town about making the world safer for diversity. Dr. Os Guinness talked about how freedom of conscience has always been properly understood as the very first right. We can talk about life, liberty, and happiness, but without freedom of conscience, none of those other things actually exist in reality.

Everybody has beliefs that are important to them. I guess it is a common misconception we have that others have beliefs and I am the one who is unbiased. Each of us brings valid perceptions to these discussions and in our culture, until recently, it seemed that we were generally of the opinion that no one has the right to force anyone to work against their own beliefs.

It seems as we focus more and more on rights and less and less on responsibilities, we find ourselves pressured and I think we have to admit that we often find ourselves pressuring others on their values of conscience and the core values that people hold. It is beginning to affect every area of our culture. With the Carter decision, this has come to the forefront, because it is no longer just perceived discrimination that it is impacting, but it comes right down to the court's decision that having the right to kill oneself is a charter right.

I will take a bit of time to look at the Carter decision. It was a reversal of a previous decision, the Rodriguez decision. The court ruled that we now have, as Canadian citizens, a charter right to kill ourselves and we have the right to have others help us. There are very few guidelines that the court put on that decision. It talked about how the condition had to be irremediable and a grievous condition, basically beyond the person's decision to suffer through it. I could go into the criteria for that, which perhaps I will do a little later.

While the court decided one decision, it created a whole host of other complications. One of them, of course, is the call to reconcile physicians' and patients' rights. The question we are dealing with today is what role others have to play or do they play in that decision to prematurely end life.

Bill C-14 does not solve that. I was glad to hear the minister acknowledge that earlier. Conscience issues are becoming the biggest issues around Bill C-14. In this case, I would argue that the government has failed Canadians.

There is a legitimate question to be asked and I am surprised that it has not even been discussed—it is not discussed in other countries either—as to why medical personnel are expected to be involved at all. However, they are, and even though they are, most of them do not want to participate. The medical personnel whom I have talked to are not accepting of or enthusiastic about this. I have spoken with a number of doctors who say that if they are forced to participate in this, they are willing to leave the country, that they are not going to participate. For those of us who live in rural areas and have a very small supply of medical care, it is a frightening thing to hear one's doctor say he or she is prepared to leave if this is forced on him or her.

I want to talk about the protection of conscience in Bill C-14. The preamble states:

Whereas everyone has freedom of conscience and religion under section 2 of the Canadian Charter of Rights and Freedoms;

Whereas nothing in this Act affects the guarantee of freedom of conscience and religion;...

That is the preamble, which has no legal impact. There is no content within Bill C-14 that provides this balance.

The Senate committee heard some great testimony. The Justice Centre for Constitutional Freedoms said:

...the Court discussed and reiterated the conscience and religious rights of medical practitioners, stating that, "nothing in the declaration of invalidity which we propose to issue would compel physicians to provide assistance in dying."

However, then it went on to say, "the Charter rights of patients and physicians will need to be reconciled. Thus, it is apparent that the Court intended Parliament's legislative response to address the issue of medical practitioners' conscience rights. Bill C-14 fails to do so."

Business of Supply

•(1255)

It is interesting to me that Bill C-14 actually provides protection for participants, but it does not provide protection for those who do not want to participate. There is an exemption for medical assistance in dying where it says that no medical practitioner commits homicide if they provide a person with medical assistance. It says that no person is a party to homicide if they do anything for the purpose of aiding in that. Then it says that for greater certainty, if the person has any reasonable, even mistaken, belief about any fact that is an element of the exemption, they have no legal responsibility for that.

I just point out that protection for participants has been included for those people who choose to participate, even if they are mistaken in what they have done. I can find no similar parallel protection for those who conscientiously object.

Some have said to pass it on to the provinces. We just heard that a minute ago from my colleague from the NDP. I would argue this is not a provincial issue. If it is, there will be a dozen different scenarios in this country and then the courts will get even more involved than they have been. It is a Criminal Code issue. Why would we give legislative protection in a bill to those who want to participate and then argue that Parliament has no right to legislate protection for those who do not want to take part?

The executive director of the Christian Medical and Dental Society said at the Senate committee:

...what our members cannot do is perform or participate in what is referred to as medical assistance in dying. To be clear, by participation, I also mean playing a role in causing death by arranging for the procedure to be carried out by someone else through referral.

He went on to say that the current preamble respects the personal conviction of health care providers, but it does not have any legal weight, and that no foreign jurisdiction in the world has legalized assisted suicide and euthanasia and then forced their health care workers in hospitals, nursing homes, and hospices to act against their conscience, their mission, or their values. He said that to force providers to act in this way in Canada would actually be to violate section 2 of the Charter of Rights and Freedoms.

It is necessary that the federal government legislate protection of conscience rights for health care professionals in order to respect the charter and to protect our existing health care system. Federal legislation would send a clear signal to provinces, organizations, and the courts that the right of conscience must be protected.

I argue that because medical personnel and supervisory groups cannot and will not agree, Parliament should set those guidelines, and they should be set in the Criminal Code.

A minister said a little earlier today that the protection is in the charter, not in the Criminal Code, but I think that is exactly the concern that Canadians have. The charter interpretation has gone 180° on the issue of assisted suicide, and there is nothing keeping that from happening as well on section 2 of the charter.

We need conscience rights. What are they? They are the right not to participate, the right not to be forced to refer. They are a fundamental freedom guaranteed by section 2 of the charter.

We need to protect the health care system. As I mentioned earlier, I have been told by physicians that they are prepared to leave if they are going to be forced into this, and they are not prepared to go against their own conscience. The Ontario college is making a big mistake in thinking that it can force doctors to do this against their conscience. I am not sure why it thinks it needs to control others who are just trying to do the right thing.

There were other suggestions that we heard a little earlier. For example, what is wrong with allowing patients to transfer their medical care to a doctor of choice? How about a directory of doctors so people can identify doctors who provide such services? We live in an electronic age, that should not be difficult. It would give Canadians confidence they could find medical personnel who would not be acting contrary to their care.

We need to protect the charter right of health care professionals. We need to make it a criminal offence to intimidate or coerce the health care professional to take part directly or indirectly in assisted suicide or euthanasia and to make it a criminal offence to dismiss anyone from employment for taking that position.

As I wrap up, I just want to come back to the point that no person should be put in a position where his or her private rights, which are guaranteed by the charter, are removed by force. Nothing is more fundamental than being able to live out that which we believe, especially if that belief is aimed at supporting and preserving life.

•(1300)

[*Translation*]

Mr. René Arseneault (Madawaska—Restigouche, Lib.): Madam Speaker, I listened closely to our colleague's comments and concerns. I attended public hearings during which the Canadian Medical Association said that freedom of conscience for doctors who would be responsible for providing care related to medical assistance in dying would not be a problem because so many doctors are okay with making that kind of assistance available.

I would like my colleague to tell us more about why he thinks it is important, essential even, for Bill C-14 to include a specific provision on freedom of conscience for doctors and people who will provide care related to medical assistance in dying.

How can we square what he thinks is so important with the Supreme Court's requirement in Carter, which does not mention that issue but says instead that we have to help non-vulnerable people get that assistance?

[*English*]

Mr. David Anderson: Madam Speaker, I do not think that is difficult to reconcile. When the member is saying the majority agree, I do not know that I would agree with that. However, that does not negate the obligation and the requirement to have conscience rights for those who do not. For the majority who are agreeing, obviously that is not an issue for them, but that is not what we are talking about today.

Business of Supply

We are talking about that group of people, whether it is a minority or a majority, who have said, “I am involved in the medical profession. I do not want to participate in this. I am not prepared to do that”. I do not know that it is so difficult in this day and age to be able to provide that opportunity for people to say, “I’m backing out of this. There are other people who have made a choice that they will participate and take part in this”, and allow them to do that as well. I do not think it is a difficult decision to make.

We actually have Bill C-268 by one of our members that talks specifically about the provisions that would be acceptable and very useful in that situation.

Hon. K. Kellie Leitch (Simcoe—Grey, CPC): Madam Speaker, our country has actually been built on fairness and freedom, and as my colleague has already mentioned, the issue with respect to that freedom empowering each of us as Canadians with regard to our private and individual rights. As a practising physician, I take very seriously my freedom to make choices for my patients in working with them.

My concern with respect to what we are focused on here is this principle that binds us together as Canadians, that unites us together, that freedom of choice is not represented here. I recognize that there have been amendments put forward, particularly to clause 3, to legally protect those who provide, but it actually does not specify those who do not provide. My concern is that is an issue of freedom as a Canadian.

[*Translation*]

I have serious concerns about the lack of conscience protection for physicians in this bill. Does the hon. member have any suggestions for improving conscience protection for physicians?

[*English*]

Mr. David Anderson: Madam Speaker, we have a motion before us today with a few basic points, and it seems to me that conscience rights for health care professionals are a fundamental freedom, and I argue that they are guarded and protected under the Charter of Rights and Freedoms. However, the failure to protect those conscience rights within our health care system cannot do anything but damage our health care system.

We have a private member's bill, Bill C-268, that addresses these issues and specifically talks about giving people the opportunity to be able to exercise their freedom. I appreciate the minister's attention to this bill. Earlier today, though, she said that this does not create a duty that was not there before. I would argue that actually it does, because this is new ground. This is completely new ground that we are going into. There has never been an expectation in the medical community before that health care providers need to participate in causing death. There are new duties being created here that are not being addressed by Bill C-14 that need to be. We need to stop, take a look at it, and then try to reapply some of those things that are important in terms of conscience rights.

• (1305)

Mr. Garnett Genuis (Sherwood Park—Fort Saskatchewan, CPC): Madam Speaker, I am very pleased to participate in this important debate about conscience rights. It is an honour to follow my friend, the member for Cypress Hills—Grasslands. I want to, particularly, salute the great work done on this motion by the

member for Peace River—Westlock, someone who is making a great contribution here, not just with his clever S.O. 31 rhymes but also with his substantive contributions at other times.

I think we have had a good debate today, but at the same time, as much as our conventions are to take a liberal view of topicality, there has been a lot of discussion about aspects of Bill C-14 that do not directly relate to conscience. Maybe that underlines the fact that there actually should have been more discussion of Bill C-14 at second reading. I hope there will not be closure on it at third reading.

I want to focus my comments today on this specific opposition day motion on the issues of conscience.

First of all, right off the bat, I want to underline what we are talking about here. The government has talked about an amendment that was brought in at committee to the legislation that discussed conscience rights. I say, “discussed conscience rights”, but it did not protect conscience rights.

I want to read that amendment so members know exactly what we are talking about. It is on page 8 of the reprinted bill, lines 32 to 34:

For greater certainty, nothing in this section compels an individual to provide or assist in providing medical assistance in dying.

Let us be clear about what that section says, “nothing in this section compels an individual”, etc. The concern was never that this section compelled individuals, but rather, that the interaction of this legislation and policies at the provincial level, which are pre-existing, which we know exist, without the protections in this legislation will have the effect of a violation of conscience protection.

It is sleight of hand for the government to say there is nothing in the legislation by itself. It is precisely the interaction of the legislation with existing policies that causes the problem.

The government has quite correctly pointed out that Conservative members supported this amendment, because it was a very small step in the right direction. However, on the many substantive problems to the legislation, which we proposed amendments about, we did not see any support from government members. We proposed robust, serious conscience protection, things that would not just reference conscience but would actually protect conscience. We proposed those amendments. The member for St. Albert—Edmonton and others did an excellent job of presenting and advocating those, but unfortunately, to no avail.

That is what we are talking about, whether or not the legislation should contain robust, meaningful protection of conscience.

For all those members who have, today, paid lip service to the idea of conscience, I ask, “Why, then, did the members in the committee not support things that would take the necessary action to protect conscience?”

Business of Supply

We have heard a number of different arguments about this issue. We have heard that conscience rights are already protected in the charter, so we do not have to worry about them because they are already part of our underlying laws. Yes, it is correct to say that conscience rights are in the charter, but it is not at all sufficient to say that we do not need policies and legislation that ensure those charter principles are actually implemented.

Why is this important?

First, courts are going to show some degree of deference to the legislature when they are interpreting the exact application of these rights. It is important for the legislature to be clear about the importance of conscience rights to us and how we would like to see it operationalized in particular situations.

It also provides certainty. Without the certainty of guaranteeing positive conscience protection in the legislation, people will have their conscience rights violated, at least in the interim, and will be forced to go to the court to seek a remedy.

I am of the view that the current College of Physicians and Surgeons' policy in Ontario does violate section 2 provisions around conscience in the charter, but this now requires what is happening now, which is a legal challenge. For the time being, it creates a great deal of problems and uncertainty. It prevents many medical practitioners from participating effectively in serving their patients.

It is not enough to just say we have these guarantees in the charter so we do not need to think about them. No. We need to ensure that the rights of conscience are protected in policies and in legislation. That is why we want to see positive conscience rights protection here.

There has been some discussion, as well, about this jurisdictional question. It is curious that the government says, on the one hand, "We've provided conscience protection in the legislation", and then it says, on the other hand, "Conscience protection is not something we can provide; it's at the provincial level".

Which is it? Its arguments against the motion are in fact mutually exclusive.

Let us be very clear. This legislation does not provide positive conscience protection, but given that the legislation, Bill C-14, is describing the contours of an exception to the Criminal Code, it is very much within our rights, as the legislature, to say that the exception we are creating in the Criminal Code has conditions and exceptions within it.

● (1310)

There is no principle problem with doing that. Again, as has been discussed, this is something that has been done before when the federal government is involved in areas describing the contours of those exceptions and ensuring conscience protection.

We often talk here about the importance of pluralism, about the value of Canadian multiculturalism. Protection of conscience is an essential part of our fabric as a multicultural nation. People come here from other places, people who have lived here for a long time. They have different kinds of traditions, different kinds of values. Multiculturalism is not just that we look different and eat different

food but that we can have substantive different perspectives on what constitutes the good life, and that we can live out those conceptions in our lives and that we can have respectful discussions with each other about those different conceptions of the good life.

However, it is important to have that meaningful robust concept of multiculturalism, of pluralism existing, and that we do protect rights of conscience and religion. It is not enough to just pay lip service to these concepts, like pluralism, they need to be protected. Conscience rights provide the foundation on which a well-functioning pluralistic and multicultural society is built.

I want to underline as well that conscience rights are a right of non-interference. They are not a demand to interfere in someone else's life. An expectation of the protection of a conscience right is simply the expression of someone saying, "Just leave me alone. Just let me do my own thing with my own medical practice. I am not going to interfere with someone else, but just let me do what I wish to do within my own sphere." That is all those who are seeking conscience protection are asking for.

Therefore, why will the government not ensure that the doctors who want to provide good service to their patients, who want to provide palliative care and other necessary services, and who may have a different conception of the good life or of some of these moral questions than others do are left alone? They are not asking for anything special. They are asking to be left alone so that they can continue to do the good work that they want to do.

One of the counter-arguments we hear is that health care is public, so given that there is some degree of public involvement the state should somehow be able to dictate the terms of health care up to the point of taking away individual conscience rights. Is it not curious that as soon as the state is partially involved in something there is this automatic assertion that conscience rights and the rights of the individuals involved go out the window?

Given that health care is, in practice, provided as a partnership between state funding and individuals who are acting within that system who are motivated not just by the funding that comes from the state but by values, compassion, and a desire to serve their patients, and given that health care is a partnership between community groups, volunteer donors, those who fundraise for local hospitals, as well as the state, why not protect the conscience rights of individuals and of institutions so that they can continue to provide services that reflect their values?

We have talked a lot here about law, theory, and principles of rights. Let us bring this back to something very concrete and practical.

I have mentioned Dr. Nancy Naylor before, who is a palliative care physician in Strathroy, Ontario. I have not spent a lot of time in Strathroy, but I do not suspect that there are a very large number of palliative care physicians there. She is leaving the practice of palliative care because she is concerned that her conscience rights will be infringed as a palliative care physician.

Private Members' Business

We can talk back and forth about the theory of the rights that are at play here, but never mind the doctor and her career, what is the cost to this doctor's patients, the many people who do not want to die and who just want access to good quality palliative care? What about them? Every time a doctor is forced to leave a jurisdiction because of an infringement on their conscience rights that affects those patients who lose access to that family doctor or palliative care physician. That affects far more patients than the doctor or the doctor's family.

Whatever members think about this arguably important theory of conscience rights, they should think about the impact on patients and about the impact on our already woefully inadequate system of palliative care.

I ask members to support this important motion.

• (1315)

[*Translation*]

The Assistant Deputy Speaker (Mrs. Carol Hughes): It being 1:15 p.m., pursuant to order made Thursday, May 12, 2016, all questions necessary to dispose of the opposition motion are deemed put and a recorded division deemed requested and deferred until Tuesday, May 17, 2016, at the expiry of the time provided for oral questions.

[*English*]

Mr. Kevin Lamoureux: Madam Speaker, I suspect that if you were to canvass the House you would find support to see the clock at 1:30 at this time so that we can begin private members' hour.

The Assistant Deputy Speaker (Mrs. Carol Hughes): Is there unanimous consent?

Some hon. members: Agreed.

The Assistant Deputy Speaker (Mrs. Carol Hughes): It being 1:30 p.m., the House will now proceed to the consideration of private members' business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS

[*English*]

EXCISE TAX ACT

Mr. Kevin Waugh (Saskatoon—Grasswood, CPC) moved that Bill C-241, An Act to amend the Excise Tax Act (school authorities), be read the second time and referred to a committee.

He said: Madam Speaker, it gives me great pleasure to speak to the merits of my first private member's bill.

Bill C-241 seeks to reimburse every school board across this country 100% of the goods and services tax, better known as GST.

I will give member's a little background on this.

Canadians pay for their schools either through municipal or provincial taxes. These schools are then charged 100% GST on almost everything they purchase and the services they require. They are subsequently reimbursed 68% of the GST after completing

cumbersome and time-consuming paperwork quarterly. Quite simply, the GST is a tax on tax.

Nationally, for the fiscal year 2014-15, the 32% GST that was not refunded amounted to almost \$187 million.

I want to give a shout-out today to Jalynn Middleton's grade 5 class at Buena Vista School in Saskatoon. They are following this bill with great interest, like thousands, and I mean thousands, of other students across this great nation. Not only is this an important bill, it is an educational component to the curriculum in this country. I also thank Jaelynn Cherwoniak, the teacher librarian at the school, for organizing a visit that was as educational for me as it was for the grade 5 class.

The Canadian School Boards Association unanimously supports this Bill C-241. Its president, Janet Foord, stated in a letter to the Prime Minister that:

This is not about the federal government spending money to school boards; it is about stopping the claw-back of the support provided through provincial grants and federal transfer payments. It is illogical that school boards, as publicly-funded - taxpayer-funded - institutions should be paying the Goods and Services Tax.

I served for many years on the Saskatoon Board of Education as a trustee, and also became an executive member of the Saskatchewan School Boards Association. I know first-hand what this money would mean to our schools in Saskatchewan. In fact, it would have amounted to over \$8 million in 2014-15, shared among the 28 school divisions.

Let us listen then to what a number of school divisions have said about Bill C-241 in my province of Saskatchewan.

The Saskatoon Board of Education has expressed its full support for this bill, because in its fiscal year 2014-15, the division paid \$2.2 million in GST. It received the rebate of \$1.5 million, but the remaining \$723,000 that was not refunded came out of the school division's reserve. I will add that nine full-time teachers could have been hired with this extra GST money.

Not only is the day-to-day learning affected, but extracurricular activities are also under pressure in this country. We are talking about band, art, drama, and sports. All of that helps to keep our children engaged in our school divisions.

At one time, the board put together \$100,000 for new band instruments. This was well received in our community.

The Greater Saskatoon Catholic Schools said that if the bill passes, it would give our school division an additional \$677,000 annually "to increase supports to children in the classroom". "[W]e could hire nine more teachers or 21 more educational assistants."

The funds received through the 100% GST rebate could pay for increasing supports for English as an additional language for the new immigrants. As we all know, the federal government has a healthy immigration policy, but school divisions across this country need federal dollars to support our new Canadians.

Private Members' Business

• (1320)

I have shared with members the numbers that each province would get with this 32% GST rebate, so let me refresh their memories. The province of Ontario would receive \$75 million; Quebec, \$47 million; Alberta, \$21 million; B.C., \$17 million; Manitoba, nearly \$9 million; Nova Scotia, \$4 million, and I could go on.

Out of the 338 MPs here in the House, I know that many were former teachers, administrators, and trustees. I do not have to share what this extra money, money that is well deserved, could do in our classrooms.

The majority of provincial governments across this country have taken over the funding of school divisions. School boards can no longer raise their mill rate. They depend on the provincial governments for some of their funding.

Let me remind members that it was not that long ago that municipalities were also funded by taxpayers in a very similar situation. Before 2004, municipalities paid the GST in full and they received a 57% rebate. They ended up paying 43%.

In the budget of 2004 of former prime minister Paul Martin, and prepared by the current member for Regina—Wascana as the finance minister, they gave a full 100% GST rebate to the municipalities, an improvement from 57%.

Did I mention that there was a \$7 billion in GST relief for municipalities over the last ten years? I do not have to tell the House that this has had a major positive impact on every community in this country.

This is the same property tax base that pays for school taxes. These are the same schools that face the same infrastructure problems and the same social challenges as municipalities, yet they have been paying 32% of the GST on everything they purchase or the services they use. Quite frankly, it is a tax on tax.

Here is another example from the province of British Columbia, which would have received an additional \$17.5 million in the fiscal year 2014-15. It, like every other province and territory, struggles to provide an inclusive school system for all students, including those with special needs. This province's website says:

In order to provide an inclusive education system in which students with special needs are fully participating members of a community of learners, additional support may be required by means of additional staff, specialized learning materials, physical accommodations or equipment, and assessments to enable them to meet their educational and social needs.

That \$17.5 million would go a long way in providing that much-needed additional support in the province of British Columbia.

When our Conservative government was in power, we reduced the GST from 7% to 6%, and eventually down to 5%, the current level. This was certainly a help to all school divisions in the country but, quite frankly, it was not enough. Our school authorities across the country need desperately to be reimbursed for the entire 100% of their GST.

After preparing this legislation, it was sent to as many school boards and associations as possible. Let me share with the House more of the responses.

From Manitoba, it reads:

I wish to indicate my [total] support for your Private Members' Bill, C-241 which seeks to have the GST paid by school authorities refunded from the Federal Government at 100% instead of the current 68%.

Our Kelsey School Division revenues are severely hampered due to its very low property assessment base, requiring a special needs tax levy that hinders greatly the local tax payers. The improvement of the GST [rebate, which is a tax on tax situation] would result in more direct funding [to] the education program needs of our school division.

It was signed by Vaughn Wadelius, who is the chair of the Kelsey School Division board of trustees, in The Pas, Manitoba.

• (1325)

Then we heard from Ken Cameron, president of the Manitoba School Boards Association, who said:

For many years, the Manitoba School Boards Association, acting both independently and in concert with the Canadian School Boards Association, has advocated for an increase in the GST rebate [to an annual increase in the revenue to be paid out to the school boards].

...the [additional] 32% rebate would equate to the annual increase in revenue of \$8.7 million [spread out in the Manitoba school divisions]. That amount, in turn, would translate to salaries for an additional 100 teachers [in Manitoba], increased supports for our students who are at-risk....

This story, unfortunately, is not unique at all in this country.

The Calgary Board of Education also supports my bill. In 2014-15, they paid a total of \$11 million in the goods and service tax, and they received the federal rebate, which back then was \$7.6 million. The CBE was required to fund the remaining \$3.6 million.

The Calgary Board of Education noted that they are constantly attempting to do more with less. Its core values are that the students come first. This continues to be the story in every school division in this country.

Jennifer Maccarone, who is the chairperson of Sir Wilfrid Laurier School Board, totally supports this initiative. The Quebec English School Boards Association has sent its support through the Canadian School Boards Association.

From the Ontario Catholic School Trustees' Association, its president Patrick Daly says that this GST rebate would fund critically important school programs in areas such as special education, and notes first nations, Métis, and Inuit curriculum development, something that is going on in all 10 provinces of this country and the territories.

Teachers from all over this country are very excited about this bill. Larry Mikulcik, who teaches in a small rural school, said:

...if the GST amount collected were to be fully refunded...the schools would benefit immensely. This would help to reduce the amount of time spent by schools...Student Leadership Councils, and School Community Councils in fundraising to support the extracurricular programs [in our schools].

It is the extracurricular programs that we see have engaged our students in this country. It puts them over the finish line. As a trustee for over 10 years, I saw that directly. If we can entice kids to stay in school with studies and extracurricular activities, we are all better off for it.

Private Members' Business

Finally, I want to thank my colleagues for their attention to Bill C-241, and the benefits it will bring our children, and even our grandchildren. I look forward to our continued conversation.

• (1330)

Mr. François-Philippe Champagne (Parliamentary Secretary to the Minister of Finance, Lib.): Madam Speaker, first of all, let me say how much I respect the member's point of view and his private member's bill.

I think everyone in this chamber has enormous respect for the time and effort put forward by every member putting forward a private member's bill.

I am sure that the member will be happy that in our budget 2016 there were a number of measures to help students and education across the country. The first was about making post-secondary education more affordable. We announced the Canada student grant. It makes student debt more manageable, and we introduced a flat rate for student contributions.

My question to the member is, what is the rationale for increasing the rebate for school authorities, if it is not to provide financing or financial assistance to primary and secondary schools, which is, as the member well knows, an area of provincial jurisdiction? In that regard, I would be very happy if the member could explain what consultation he has had with provincial governments and territories to see what exactly the unintended consequences would be of the bill that he is proposing today.

Mr. Kevin Waugh: Madam Speaker, GST is a federal responsibility. It was back in 1991 when it came into effect, and we have not updated it, although I might add and I did say that in 2004 it was updated for municipalities. However, this is a fair private member's bill. We need to update this. The GST is a federal responsibility.

Now, the current government has helped out students on reserves, and I thank the Liberals for that \$2.6 billion. However, now we need to do more, and this bill would give school boards in our country, in urban and rural situations, that much-needed funding.

Mr. Erin Weir (Regina—Lewvan, NDP): Madam Speaker, I am somewhat baffled by the preceding question from the Parliamentary Secretary to the Minister of Finance. The suggestion that providing a GST rebate to school boards is somehow an intrusion into provincial jurisdiction seems to miss the fact that the federal government already currently rebates most of the GST paid by school boards.

I wonder if the member for Saskatoon—Grasswood could kind of disentangle this, and perhaps shed some light on how his bill could possibly be an intrusion into provincial jurisdictions, when it would simply augment a rebate that already goes to school boards.

Mr. Kevin Waugh: Madam Speaker, I want to thank the member for Regina—Lewvan. He is absolutely correct that we already have the rebate at 68%. I do not know where that number came from in 1991, as I was not here. However—

Mr. Ron Liepert: He was just reading talking notes anyway.

Mr. Kevin Waugh: Yes, it was talking notes.

However, Madam Speaker, why are we not putting in money to our children? I ask members that. Why are we not giving our

children a chance to get a post-secondary education? If we do not do this, if we do not fill this gap of \$187 million coast to coast to coast, there will be no post-secondary education, and that is one of the reasons why I brought forward this private member's bill. It is the responsibility of the current government to give all the GST back to school boards, so we can educate our children.

Hon. K. Kellie Leitch (Simcoe—Grey, CPC): Madam Speaker, I thank my colleague from Saskatoon—Grasswood for his input here. As he said, education is something that we all feel is a part of being Canadian. We pride ourselves on providing that opportunity for freedom and prosperity to young students because they are educated. It is the reason why many people come to this country. As was mentioned by a previous member, this is already a mechanism in place.

Maybe the member for Saskatoon—Grasswood could explain the enormous benefits that students across the country would be receiving because of lowering the rebate that is asked for by the government.

Maybe the government members could at some point in time say why they are voting against students.

• (1335)

Mr. Kevin Waugh: Madam Speaker, the number of special-needs students in this country is growing every day. With special needs, we need special teachers and we need more educational assistants. This bill is very important for every classroom in this country, and we desperately need this bill to proceed.

The Assistant Deputy Speaker (Mrs. Carol Hughes): The Parliamentary Secretary to the Leader of the Government in the House of Commons is rising on a point of order.

Mr. Kevin Lamoureux: Madam Speaker, I rise concerning the Order in Council appointments tabled earlier today. I would like to inform the House that some of the appointments tabled are late due to an administrative error by officials. I thank members for their understanding.

The Assistant Deputy Speaker (Mrs. Carol Hughes): Noted with thanks.

Resuming debate, the hon. Parliamentary Secretary to the Minister of Finance.

Mr. François-Philippe Champagne (Parliamentary Secretary to the Minister of Finance, Lib.): Madam Speaker, I am very pleased. I was not looking at talking notes, but I was looking at the facts. Actually, we not only spoke, but we acted in the last budget. By enhancing the Canada student grants, we will have given \$1.53 billion over five years to students and education. So this is the government that is acting, not talking.

I would like to speak on behalf of the government regarding Bill C-241. The bill would amend the excise tax to increase the goods and services tax, the GST, rebate for school authorities from 68% to 100%.

The Government of Canada believes that there is no clear rationale for increasing the rebate rate other than to provide financial assistance to primary and secondary schools, an area as I said before, of provincial jurisdiction.

Private Members' Business

We feel that there are much better means to support education in this country and that is why the bill may encroach on provinces.

Without a clear rationale, unintended consequences could arise from the other orders of government that do have jurisdiction in this area. That is why we respect the jurisdiction of provincial and territorial governments in this and many other important matters.

Furthermore, it is imprudent to make piecemeal changes to GST exemptions, especially in light of the government's tax review.

As part of our commitment to ensuring tax fairness in this country, the government announced in budget 2016 that it would be conducting a review of the tax system to ensure our measures are fair, efficient, and fiscally responsible.

The principle of fairness was applied when GST was introduced, and the rebates to public sectors, including school authorities, were designed to ensure fairness. If, as the bill proposes, the government were to arbitrarily adjust the GST rate for one public sector body, this fundamental principle would be undermined.

While the bill before us focuses on a narrow issue, we are instead focused, as they know well on the other side, on the big picture. This is why, in budget 2016, growing the middle class, we introduced several measures that provide benefits for a broad cross-section of Canadians.

The first one that I would like to bring to the attention of the House is the Canada child benefit. Compared to the existing system of child benefits, the new Canada child benefit would be simpler, tax-free, more generous, and better targeted to those who need it most. It would put more money in the pockets of nine out of 10 Canadian families, representing the most significant innovation in social policy in a generation. Let me repeat: the most significant innovation in social policy in a generation.

As well, the middle-class tax cut that the government introduced last fall is already benefiting nearly nine million Canadians. These are exactly the kinds of measures that demonstrate fairness and leadership. Through these measures, families will have more money to save, invest and grow the economy.

Returning, if I may, to the bill before us, I would like to provide some context to the House about the bill. When the GST was introduced, rebates were provided to certain public service bodies to ensure that their overall tax burden did not increase.

In 2004, when the rebate for municipalities was increased to 100%, this additional support was part of the plan to provide long-term funding to help municipalities participate in a larger infrastructure initiative. As such, this was viewed as an exceptional measure.

We also have other exceptional measures: the investments made in infrastructure through budget 2016. In addition to providing direct help to families, we are making strategic investments in order to grow the economy for the long term. This will help to better position Canada for the global economy of tomorrow.

Over the next 10 years, our government will implement a \$120 billion infrastructure plan that will help reshape Canada in the 21st century.

● (1340)

Investing in infrastructure creates good, well-paying jobs that help the middle class grow and prosper. However, it does far more than that. Properly chosen and implemented, these projects can collectively improve Canada's fortunes. By working with our partners to develop world-class transit systems, improve and expand trade corridors, and reduce the carbon footprint of the national energy system, these investments will deliver cleaner growth, improve trade, and ensure the middle class can seize new economic opportunities.

Over the next two years, we will implement a plan to immediately invest in the infrastructure projects Canadians need most: modern and reliable public transit, water and waste water treatment systems, affordable housing, and retrofits and repairs to protect existing infrastructure.

Next, we will take a longer view that will also help support our ambitious vision of a modern, cleaner economy, and a more inclusive society that is better positioned to capitalize on global trade. The government believes that municipalities are best placed to make decisions about how to meet the needs of these respective communities. They will be our partners. Their involvement will not just ensure our collective economic success but also help to translate a broad vision into tangible change at the community level. We recognize that municipalities are already playing a significant role in federal efforts to upgrade and build infrastructure, but we want to work even closer with them to build our communities.

Our goal remains the same. We are committed to strong economic growth. We need the resolve to follow through on the sustained strategic investments, guided by a vision of the future in which all Canadians have a real and fair chance to succeed. This is our government's central mission. We are choosing to take advantage of a historic opportunity to invest in people and the economy and to prepare Canada for a brighter future.

Mr. Erin Weir (Regina—Lewvan, NDP): Madam Speaker, since we are discussing education, I want to take a moment to congratulate Lindsay Stuart, an early childhood educator from Regina—Lewvan, who is now in Ottawa receiving a Prime Minister's Award for Teaching Excellence.

I would also like to thank the member for Saskatoon—Grasswood for reviving a private member's bill that was presented in the last Parliament by Alex Atamanenko. Good ideas sometimes cross party lines and it is great to see a Conservative MP presenting a bill that was previously advanced by a former New Democratic MP.

I would like to make four points in this debate. The first one is about the value of education.

Private Members' Business

I think that the member for Saskatoon—Grasswood already spoke very eloquently on this point. I would note that education and a strong public school system provide a foundation for a much more prosperous and also a much more equitable society. I think that is a goal we should strongly support in this Parliament. How can the federal government support it? One thing it could be doing is investing in a child care and early learning system. The current federal government is failing to do that.

Another thing the federal government could do is transfer money to the provinces in support of post-secondary education. Unfortunately, what we saw in the recent budget was no increase in federal transfers to the provinces relative to the economy. In fact, by 2019-20, the current budget envisions transfers to the provinces that will be a billion dollars below what the previous Conservative budget had set for that fiscal year. Therefore, the government is actually cutting transfers to the provinces in support of public services like post-secondary education.

What about the K-to-12 system? As was pointed out by the Parliamentary Secretary to the Minister of Finance, that is in provincial jurisdiction so the federal government cannot directly fund school boards. However, what the federal government can and should do is stop taxing school boards. This is a very straightforward proposal for the federal government to simply stop collecting GST from school boards. We believe that is a tangible thing that can be done to support K-to-12 education.

That is the first point in favour of the bill.

The second point that I want to talk about is fiscal federalism.

Before being elected I worked as an economist in the federal-provincial relations division of the federal Department of Finance. Therefore, I very much like to talk about fiscal federalism. I have not had too many opportunities in the House but I think it is a particularly important point, given that the government seems to be hanging its hat on this notion of provincial jurisdiction in today's debate.

A fundamental principle of fiscal federalism is that one order of government cannot tax another. For that reason, provincial crown corporations do not pay federal corporate income tax. Based on that same logic, municipalities do not pay GST. I would submit that if we are really serious about respecting provincial jurisdiction and really want to adhere to the principles of fiscal federalism, that is an argument in favour of the bill because it does not make sense for the federal government to be taxing school boards, which are part of provincial jurisdiction, in effect. I would say they are very much analogous to municipalities. It does not really matter whether it is the municipal government or a separate school authority that runs the schools, they should not be paying tax to the federal government.

The third point that I would like to touch on is that the federal government has indeed imposed some costs on school authorities by increasing the number of refugees coming to Canada. I want to stress that the NDP is absolutely in favour of extending a helping hand to people who are running for their lives. We certainly pushed hard to have refugees brought to Canada and brought out of the horrific circumstances that they were facing in Syria. However, the member for Saskatoon—Grasswood is absolutely right to point out that this

does create a real cost for the school system, and it would make sense for the federal government to play some role in alleviating that cost.

● (1345)

Removing the GST from school boards is a straightforward way of achieving that goal. It probably does not compensate schools precisely for the amount they are spending on integrating refugees, but it is a simple thing the federal government could do to help school authorities who are trying to make do in spite of this additional cost.

Speaking of costs, that is the fourth point I want to make. The cost of this proposed bill is actually very reasonable. The member for Saskatoon—Grasswood talked about \$187 million per year. Presumably the government is opposing the bill because it does not want to have to pay that cost, but I think we need to put it in context. The budget shows that annual revenues from the goods and services tax are about \$33 billion. If we look at \$187 million compared to \$33 billion, we find it is only about 0.5% of GST revenues.

The cost of this private member's bill would be about half a per cent of all the money the GST currently brings in. It is a very affordable way of helping schools. At the same time, it would provide real dollars to schools and would make a real difference in terms of education and extracurricular activities, which were very well enumerated by the member for Saskatoon—Grasswood .

The final thought I would share is that all we are really voting on at second reading is whether or not to send the bill to committee. If members on the government side are seriously concerned about the potential cost or genuinely concerned that it might have some kind of implications for provincial jurisdiction, let us send the bill to the committee so we can have a proper study of those things. Those are not actually arguments to vote against the bill at this stage.

If we value education, if we believe that a strong public school system is necessary to build a more equitable and prosperous society, if we want to respect provincial jurisdiction and fiscal federalism by not having the federal government tax other levels of government, if we want to alleviate the cost on schools from integrating refugees, and if we want to have a further study of this excellent proposal at committee, I would urge all members of this House to vote in favour of the private member's bill of the member for Saskatoon—Grasswood.

● (1350)

Ms. Marilyn Gladu (Sarnia—Lambton, CPC): Madam Speaker, it gives me great pleasure to speak in support of Bill C-241.

Like my colleague from Saskatoon—Grasswood, I understand what this additional money could mean to our school boards from coast to coast to coast.

Private Members' Business

This is a well-thought-out bill that would benefit all taxpaying Canadians. This is an additional tax burden on what already tax-funded school authorities pay. The GST was lifted from municipalities for precisely this reason, and the same should be true for our schools and the good of our students attending them. Therefore, the comment of my colleague across the way that we do not want a precedent is wrong, because we already have had a precedent municipally since 2004.

Let me tell the House why I am passionate about the bill. School is in my blood. My 91-year-old mom was a teacher, starting at the age of 17 in a little schoolhouse in Prince Edward Island teaching eight grades. My daughter is a primary school teacher in the GTA. My first job was as a teacher's assistant in summer school. In addition to my professional career, I have been a youth leader for over 32 years, organizing weekends, camps, directing camps, planning activities. I have spent a lot of time with children, and it is through these various endeavours that I have gained an appreciation for the needs of our youth. The most basic need is a good, solid education to start them on the path to success.

I do not believe this should be a partisan issue. We all have schools in our ridings and we all have children in those schools who deserve to have the best education we can give them.

Not surprisingly, the author of the bill has received widespread support for the bill from all over the country, and he shared some of their messages with me. One that was very striking came from the Calgary Board of Education. It would have received an additional \$3.6 million in fiscal year 2014-15 if it had had the 100% GST refund. The quote reads in part:

To put this into perspective, \$3.6 million is equivalent to the entire operating costs of one of our large elementary schools for 600 students.

[Translation]

That same school board welcomed 427 Syrian students and is expecting more. Imagine how a \$3.6-million increase in the school board's budget could help provide the necessary services and support to those new students. They wrote to the Prime Minister about it. Like my colleague, I believe that a 100% GST refund would be an excellent way for the government to support our schools.

• (1355)

[English]

In my own province of Ontario, the main cities, as one can imagine, have experienced an enormous growth in student population, while my riding is experiencing declining enrolment. The following is a quote from the Lambton Kent District School Board's annual budget. It states:

While this Provincial funding amount is stable year-over-year, about two-thirds of [grants for student needs] funding is enrolment based. The declining enrolment in our region has a significant impact on GSN funding requiring cost saving measures to be implemented.

Just this week, on the front page of the *Ottawa Citizen*, was an article about the radical choices the Ottawa-Carleton District School Board is having to make. Its 2016-17 budget proposes many cuts, among them, upward of 38 teachers, four ESL teachers, four principals and vice-principals, and 47 administrators, support, and learning support staff. This is all to cover a \$9.3-million budget

shortfall. The additional 32% GST rebate would cover almost half of that shortfall in Ottawa.

Let us talk a bit more about the cost of doing this. The lost revenue from rebating 100% of the GST has been said to be about \$187 million. We talked about how that compares with the revenues received. Let us talk about how it compares with some other things.

Compared with the \$10 billion in interest we are going to pay each year on our deficit, it is a small amount. Compared with the \$2.65 billion we gave to the foreign climate change fund or the \$1.2 billion for Syrian refugees or the \$5 billion in foreign aid, it is a small amount.

These are Canadians who will benefit from the bill, our children, who deserve a bright future. Our children are our most important asset. They are the future.

This week, during Science Odyssey, there were many activities promoting that more young people get interested in science. I loved when the Minister of Science said that children are born curious. This is a fact, and stimulating that curiosity with science-based activities in school requires funding that current school boards are struggling to find. Therefore, the money rebated back through Bill C-241 could also help more school boards put a focus on science. More science in schools from the early ages on up will encourage boys and girls to enter this field where the future of well-paying jobs lies.

Another thing I like about Bill C-241 is that the mechanism to rebate the money to school boards is already in place. Since municipalities and other organizations receive their rebates, no new structure has to be put in place to make it happen. It can be done quickly and cost-effectively.

Think of the cost of the kinds of activities school boards are trying to promote these days: robotics, computers, coding. All of these things cost more than the crayons of old, and here is an easy way to help schools and to help our children as well.

I was glad to hear the member talk about another example of curriculum that has been added to the schools, which is the first nations, Métis, and Inuit component. As a mother of two non-status Métis children, I am proud to see this introduction. The Ontario Catholic School Trustees' Association has said that it would use this rebate to implement that curriculum.

Private Members' Business

One other thing I will say is that looking through the gender lens of a gender-based analysis, which we are currently studying in our Status of Women committee, we see that teaching is a profession that is more predominately women than men, especially at the primary grade level. It is also a fact that with many cuts to the school board budgets that have occurred over the years, many teachers are now having to purchase with their own money their own supplies for arts, crafts, and activities within their classrooms.

We would never imagine making a construction worker responsible to pay for the equipment they are using, nor would we expect policemen and firefighters to pay for the tools of their trade. However, we do see it in this female-dominated environment. Therefore, the returning of the full GST rebate to the school boards would, in my opinion, ease this gender-biased burden, and can be part of the measures described in budget 2016.

I encourage members to support Bill C-241. I am not sure if this is the shortest bill ever written, at just 30 words, but I do know that this little bill, if successful, would have the biggest positive impact that schools have experienced in a very long time.

Let me say that the loss to the government coffers is miniscule in the whole scheme of things, miniscule to the government but gigantic to the students who attend our Canadian schools.

I thank the member for Saskatoon—Grasswood for bringing forward this very positive initiative. I also thank my colleagues on all sides of the chamber for their attention to Bill C-241 and the benefits it would bring about for our children.

• (1400)

Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Madam Speaker, it is with pleasure that I rise to address the private member's bill. I find it very encouraging when private members take an initiative upon themselves to try to make a difference. I applaud this particular member in terms of what he is hoping to get before us so that there can be some sort of discussion about the issue of taxation and how taxation impacts, not only individuals but different types of entities.

I do find it relatively interesting. The Conservatives, as we all know, were in government for 10 years. They had the opportunity to invoke the type of change that is being promoted within the bill and they chose not to do so.

An hon. member: It's real change.

Mr. Kevin Lamoureux: Yes. We are going to see real change, Madam Speaker, with the new government, I can assure the member of that and I will talk a bit about that real change.

I suspect, if we would have had a dialogue with the Conservative minister of finance at the time, the types of arguments he would have been bringing forward would have been something to the effect of, "What is the actual cost?" and "Where are you going to get the money to replace it?"

We are talking an estimated \$200 million a year, in terms of lost revenue. An hon. member has just indicated that it is less than \$100 million.

I think we should take a look at the percentage difference, because it is important for us to recognize, and I do believe the member did, that there are current rebates. When we talk about the actual dollar amount, my understanding is that it is closer to \$200 million over the years.

If we take a look at those selected boards where there are rebates, and we are talking about the municipalities, as has been pointed out, in I believe 1994 the rebate was raised to 100%, recognizing through our municipalities the important role they play. There were different types of stakeholders at the time that articulated why we needed to move in that direction, and it was 2004. I believe it was a Liberal administration back then that recognized that this was something that had some value to it.

We also give exemptions to universities and public colleges of somewhere in the neighbourhood of 67%. If we take a look at our school authorities today, and this is what the member is trying to enhance, it is estimated at about 68%. Then for hospital authorities, facility operators, and external suppliers it is based on 83%.

What we are really talking about is that gap between 68% and 100%, and this is what the member is advocating for.

I know a question was put forward to the member with respect to the type of consultation or representations that might have been made to the member. I am not too sure in terms of exactly where the provinces themselves might be at.

We also need to take into consideration, when we talk about school boards or school entities, that there are public entities and there are private entities. I am not 100% clear, but I believe that the member across the aisle, by his actions, is implying that it would apply to both private and public. I do not know to what degree there would be an additional cost, but I can assure members that there would be an additional cost factor to it if we have both private and public.

I think the current government has been very clear in terms of what our taxation priorities are. We do recognize the need for reforming our taxation. We have seen some of the most significant changes probably in the last 15 or 20 years in terms of taxation policy with an underlying theme that what we want is for taxation to be fair. We want people to be paying their fair share.

• (1405)

That is why one of our government's first initiatives back in December was Bill C-2 which provided a middle-class tax break which will ultimately benefit all Canadians indirectly and nine million directly. That was a very important priority of this administration. Along with that particular tax change, we saw a tax increase for Canada's most wealthiest, those who have an income in excess of \$200,000 a year, again with the idea that Canadians expect a fair taxation policy.

The Government of Canada has not given up. We recognize there are many inequities within our taxation policies. That is one of the reasons we made a commitment to strengthen the middle class and grow the economy in the long term. The government made a commitment for the coming year to undertake a review of the tax system as a whole to ensure all tax measures are fair, efficient, and fiscally responsible.

Private Members' Business

It is very important to recognize that the federal government has a responsibility to work with the different stakeholders and get a sense from them where they believe the inequities are and how we might be able to assist in trying to cure some of those inequities while at the same time establishing some priorities as to where we might be able to act.

Would it not be wonderful if the Conservatives had left us in a better situation as opposed to a deficit? Would it not be wonderful if they had provided us with a better situation? Would it not be wonderful if we could just wave a wand and see if we could deal with all tax inequities and deliver the types of tax breaks that we on the Liberal side would like to deliver? It might take a bit of time in order for us to do that.

Do not underestimate the commitment of this government and our ability to work with others to deal with issues that come before the House of Commons, like the member opposite who brought forward Bill C-241. We recognize that is an issue which we will have to look at.

I would suggest to the Parliamentary Secretary to the Minister of Finance or the Minister of Finance that in the negotiations and the consultations that will take place going forward, one of the agenda items could very well be the issue of our school divisions both public and private.

I would encourage the member across the way to continue to lobby any way he can. I know through consultations with the Government of Canada what we have seen is a genuine commitment to work with Canadians, consult with Canadians on the very important issues of tax fairness. I can assure members as we witnessed even in that small window from the moment in which we took office to the time we presented legislation on tax fairness to the presentation of the budget, that thousands, and if we factor in the Internet, hundreds of thousands of Canadians were brought in to the circle of consultation in the hope of improving our system.

The good news to the member across the way, even if he does not get what he wants within this legislation, that at the end of the day, he is looking across the way at a government that is genuinely concerned about reforming our tax system. We will do our work in terms of talking to the many different stakeholders, because we want what all Canadians want, and that is a higher sense of tax fairness.

●(1410)

The Assistant Deputy Speaker (Mrs. Carol Hughes): Before we resume debate, I just want to remind the members of the official opposition that I know that this is a passionate issue. I would just ask them to please extend the respect that was provided to them during the debate to ensure everybody can hear what is being said.

As we resume debate, I just want to remind the member that I will unfortunately have to interrupt him at some point as we near 2:15.

Resuming debate, the hon. member for Drummond.

[*Translation*]

Mr. François Choquette (Drummond, NDP): Madam Speaker, I taught French for over a decade in high school and in the adult education system. As a teacher, I am pleased to take part in the debate on Bill C-241.

As everyone knows, school boards can get a 68% refund on the goods and services tax, the GST. The bill proposes increasing the GST rebate to 100%. That would contribute to increasing the funding that our school boards are getting, which is extremely important.

I am pleased to support the bill. The bill was introduced before by my former NDP colleague Alex Atamanenko. I want to point out that he did very good work during the time I knew him in the last Parliament.

I am very pleased that my colleague is bringing back this pertinent bill, which could help those in education who need it. I absolutely agree that we must go on. Even though it must not intrude in provincial jurisdictions, the federal government has a responsibility to provide health and education transfers. It is extremely important that it make these transfers so that the provinces can make appropriate investments. There is no logical reason for the GST rebate to be 68% instead of 100%. The figure is arbitrary. This bill would help school boards that need it.

I would like to take this opportunity to salute the school trustees and people on the school boards in my riding and thank them for their work. For example, Jean-François Houle, the chair of the Commission scolaire des Chênes, has been doing an excellent job for about two years now, since he accepted the position vacated by Jeanne-Mance Paul. She did fantastic work as chair of the school board. I met her on a number of occasions. She attended every important community event in Drummondville. I thank them for their significant involvement. These people do excellent work, outside of their professional careers.

An honourable mention goes to Christiane Desbiens, a young retiree who left her position in December 2015. She was also very active as the chair of the school board. She did a lot of work to increase the graduation rates and the services offered to students within the Commission scolaire des Chênes, which is growing.

I would also like to take a moment to acknowledge the arrival of France Lefebvre, who was recently appointed chair a few weeks or months ago. I congratulate her on her appointment and I wish her good luck in the future. There is a lot of work to be done, but I am pleased to see that the new staff is taking their work seriously and will continue to take on any challenges that arise.

I would like to mention Brigitte Bourdages from the CEGEP in Drummondville. I want to congratulate her and tell her to keep up the good work.

In closing, I would also like to thank everyone in the greater Drummond area who made the Drummondville university campus possible. Keep up the good work. There is a lot of work to be done in the field of education.

●(1415)

The Assistant Deputy Speaker (Mrs. Carol Hughes): The time for debate is up. The hon. member for Drummond will have approximately six minutes to finish his speech the next time.

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.

Private Members' Business

(The House adjourned at 2:16 p.m.)

[*English*]

It being 2:16 p.m., this House stands adjourned until next Monday at 11 a.m. pursuant to Standing Order 24(1).

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