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**OFFICIAL REPORT**
**(HANSARD)**

## Friday, May 19, 2017

**Speaker: The Honourable Geoff Regan**

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# HOUSE OF COMMONS

**Friday, May 19, 2017**

The House met at 10 a.m.

*Prayer*

## GOVERNMENT ORDERS

● (1005)

[*English*]

### CRIMINAL CODE

**Hon. Jody Wilson-Raybould (Minister of Justice and Attorney General of Canada, Lib.)** moved that Bill C-46, an act to amend the Criminal Code (offences relating to conveyances) and to make consequential amendments to other Acts, be read the second time and referred to a committee.

She said: Madam Speaker, it is my privilege and honour to speak to Bill C-46, an act to amend the Criminal Code (offences relating to conveyances) and to make consequential amendments to other acts

I introduce the bill with the ultimate goal of reducing the significant number of deaths and injuries caused by impaired driving, a crime that continues to claim innocent lives and wreak havoc and devastation on Canadian families. No law is adequate comfort for devastating loss, but I want to stress that this proposed legislation was drafted with all victims of impaired driving in mind.

This includes the three Neville-Lake children and their grandfather killed on a Sunday afternoon on their way home from a sleepover in Vaughan, Ontario. This includes the entire Van de Vorst family, a family of four killed by an impaired driver as they crossed an intersection in rural Saskatchewan. This includes the thousands of people injured because someone else chose to get behind the wheel while impaired.

Every year, drivers impaired by drugs and alcohol cause devastation on our roads and highways. Impaired driving continues to be the leading criminal cause of death and injury in Canada. This is completely unacceptable.

That is why I am proud to have proposed legislation to enact an impaired driving regime that would be among the strongest in the world. It would ensure as much as possible that no one has to live through tragedies like those I have just mentioned. Before I discuss the specific proposals in the legislation, I would like to comment briefly on the structure of the bill, as it takes a unique approach.

Part 1 of the bill proposes new tools to detect drug-impaired drivers at the roadside. It would also create three new driving offences of being over a legal drug limit. I will come back to these proposals in a moment. This part of the bill would come into force upon royal assent to ensure that a more robust drug-impaired driving regime is in place before the legalization and regulation of cannabis.

Part 2 of the bill would repeal all of the transportation-related provisions in the Criminal Code and replace them with a clear, coherent structure. Over time, the Criminal Code provisions have become too complex and difficult to understand. Part 2 also proposes substantial reforms to strengthen the law of alcohol-impaired driving and address existing challenges with detection, enforcement, and prosecution.

Given the substantial reforms in part 2, a longer coming into force date of six months is proposed to ensure that provinces and territories, key stakeholders responsible for the administration of justice, have adequate time to prepare. Over all, the bill proposes to strengthen the criminal law approach to both drug-impaired and alcohol-impaired driving. I would like to spend a few moments outlining key proposals to tackle drug-impaired driving.

The bill would authorize police officers for the first time to use roadside drug screeners in situations where they have reasonable suspicion a driver has drugs in his or her body. A positive reading on such a device would not, on its own, lead to a criminal charge. Instead, it would offer to assist an officer in forming the reasonable grounds necessary to take further investigative steps.

The bill also builds on the existing drug-impaired driving offence by proposing new offences for being over a legal drug limit. This offence structure will be familiar to many, as it is similar to the offence that prohibits driving over the legal limit for alcohol, otherwise known as the “over 80” offence.

Although the proposed offences would apply to several impairing drugs, including cocaine and methamphetamines, I intend to focus on the proposed levels of THC. The legal limits would be set by regulation and proven through blood analysis. The bill would authorize the taking of a blood sample from a driver when an officer has reasonable grounds to believe that either a drug-impaired or legal limit offence has occurred.

These proposed drug offences have been developed in recognition of the differences between alcohol and THC, in particular, the difference in the way that they are absorbed, metabolized, and eliminated by the human body.

This bill takes a precautionary approach by establishing a low level, fine only drug offence for THC that would prohibit having between two and five nanograms of THC per millilitre of blood within two hours of driving. Additionally, Bill C-46 proposes a hybrid offence for a higher level of THC where a driver has five nanograms or more of THC per millilitre of blood.

Finally, I am proposing an offence of low levels of THC in combination with low levels of alcohol. This new offence would convey to Canadians that combining THC and alcohol intensifies impairment. I am proposing that the low level THC offence of between two and five nanograms be punishable by way of a maximum fine of $1,000. The higher drug offence of having five nanograms of THC in the body or more and the combination offence of having a mixture of THC and alcohol in the blood would have escalating penalties that mirror the existing impaired driving penalties: a $1,000 fine for the first offence, 30 days' imprisonment for the second offence, and 120 days' imprisonment for a third or subsequent offence.

It is important to note that drug-impaired driving has been an offence in Canada since 1925. However, our government is committed to strengthening these existing measures before strictly regulating and legalizing cannabis.

The proposed drug levels to be prescribed by regulation are based on the advice of the drugs and driving committee of the Canadian Society of Forensic Science, which has been working tirelessly on a volunteer basis to consolidate existing science on drug-impaired driving and setting legal limits.

In developing this approach, we were mindful of other jurisdictions. In the United Kingdom, where cannabis remains illegal, the legal limit is two nanograms of THC per millilitre of blood. In Colorado and Washington where cannabis is legalized, the legal limit is five nanograms. The approach in Bill C-46 to drug-impaired driving would be among the toughest in the world, particularly in jurisdictions where cannabis is legal.

I would now like to turn to the proposals in Bill C-46 which aim to strengthen our approach to alcohol-impaired driving.

One of the key elements is an important new tool known as mandatory alcohol screening. This would permit the police to demand a preliminary breath sample from a driver who is already subject to a legal traffic stop.

Most people will know that police already have the power to stop vehicles under provincial and common law in order to check, for example, for a vehicle's fitness or driver's licensing. These stops have been upheld by the Supreme Court of Canada on three different occasions, in Dedman v. The Queen from 1985, R. v. Hufsky from 1988, and R. v. Ladouceur from 1990.

After having made a lawful traffic stop, mandatory alcohol screening would simply permit a police officer to demand a preliminary breath sample. Under current law, a police officer must have reasonable suspicion before the officer can demand a breath sample, but research shows that up to as many as 50% of drivers who are over the legal limit are able to escape detection by police.

While a new proposal for Canada, mandatory alcohol screening is already law in Australia, New Zealand, Ireland, and many European countries. It has led to a significant reduction in the number of deaths and injuries related to impaired driving. I am expecting that it will have the same effect in Canada. The reason is simple. Mandatory alcohol screening will change the mindset of drivers. No longer will drivers be able to convince themselves they can evade police detection of their alcohol consumption if stopped.

As Andrew Murie, the chief executive officer of Mothers Against Drunk Driving Canada, has said, mandatory alcohol screening "is going to make the biggest impact. It will drive down the number of deaths and injuries. People will know that they can't play around with officers."

● (1010)

Ireland presents one of the most compelling examples. In the four years following the enactment of mandatory alcohol screening, fatalities on Irish roads decreased by 40%, and total charges for impaired driving diminished at a similar rate. In short, drivers quit thinking they could beat the system and simply gave up on driving while impaired.

In the face of such compelling evidence, I feel I have an obligation to all Canadians to propose this approach for Canada.

I would like to move on to discuss some of the proposed changes to the existing over 80 offence. One of the most significant changes proposed in this offence relates to the time frame. Currently, the offence is committed while driving. The proposals in Bill C-46 would stretch the time frame so that it would be an offence to be over the legal limit within two hours of driving. This is a common formulation used in many states in the U.S. Its primary purpose is to eliminate risky behaviour associated with bolus drinking, sometimes referred to as drinking and dashing.

Members may be surprised to learn that some people drink, or claim to drink, a significant amount of alcohol immediately before driving in the hopes of arriving at their destination before the alcohol fully absorbs and therefore before they are over the legal limit. The proposed formulation of "within two hours" would capture this reprehensible conduct. It also has the benefit of eliminating what is known as the intervening drink defence. This arises when a driver takes a drink of alcohol after being stopped by the police but before providing a breath sample primarily to frustrate the investigative process.

I understand there are many concerns that the proposed offences would criminalize people who have done nothing wrong. I share this concern, and that is why the bill proposes an exception that is intended to apply in cases of innocent intervening drinking. This could apply in cases where a driver consumes alcohol after driving but has no reason to expect he or she would be asked to provide a breath sample. If the results of the driver's breath test are consistent with the individual having a blood alcohol concentration under the legal limit at the time of driving, the offence would not be made out and the driver would not be convicted. I feel very strongly that this proposed offence structure would reduce the incentive of people to mix alcohol and driving.

Finally, Bill C-46 also proposes a formula to calculate blood alcohol concentration at the time of the offence where the driver's breath is tested outside of the two-hour period. The formula would be the concentration at the time of testing, plus five milligrams per complete half hour. This is a very conservative dissipation rate for alcohol and so would not be unfair to the driver. It is supported by the alcohol test committee of the Canadian Society of Forensic Science and would eliminate the need to call an expert toxicologist at trial.

I would now like to discuss some of the proposals in Bill C-46 which would strengthen the law, while also creating much needed court efficiencies. Impaired driving is one of the most litigated offences in the Criminal Code and takes up a disproportionate amount of time in courts. This is all the more important since the Supreme Court of Canada's decision in R. v. Jordan last July.

One proposal is to limit crown disclosure obligations to scientifically relevant information about breathalyzers and blood alcohol concentration without unfairly limiting access to relevant disclosure. Another is to simplify proof of blood alcohol concentration by setting out in the code what the crown must specifically prove.

I would like to turn briefly to the penalties proposed in the bill. The mandatory minimum penalties for impaired driving would not change where there is no death or injury. Those are a $1,000 fine for the first offence, 30 days' imprisonment for a second offence, and 120 days' imprisonment for the third or subsequent offence. While the minimums would not change, the bill proposes to raise the mandatory fines for first-time offenders with high blood alcohol concentrations and for refusing a breath test.

● (1015)

I want to be clear that I have carefully reviewed the mandatory minimum penalties for impaired driving. I am confident that they are charter compliant and necessary. The mandatory terms of imprisonment for repeat drunk drivers have been shown to serve a deterrent function. A first-time impaired driver leaves the criminal justice system knowing that if he or she reoffends, the next stop is jail. This has a real, psychological impact.

The bill would also increase the maximum sentences for these offences from 18 months to two years for a summary conviction, and from five years to 10 years for more serious indictable offences. The maximum for dangerous driving causing death would be raised to life, as is already the case in impaired driving causing death.

The impaired driving causing bodily harm offence would also be amended. Currently, it can only be prosecuted by indictment. The bill proposes to hybridize it to allow the crown, in appropriate cases, to proceed summarily, such as for minor injuries.

The bill would also respond to calls to shorten the time an offender must wait before driving within the Criminal Code's driving prohibition period, where the driver uses an ignition interlock device under a provincial program. Allowing this earlier access has been shown to reduce recidivism and save lives.

Since the introduction of this bill last month, there has been a lot of commentary regarding the constitutionality of some of the proposals, with particular attention being paid to mandatory alcohol screening. I am confident that all the proposals in Bill C-46 will withstand charter scrutiny, as explained in the charter statement I was pleased to introduce on May 11.

In conclusion, it is my hope and expectation that the combined effects of the many reforms proposed in Bill C-46 will be enormously effective in deterring drug and alcohol impaired driving. No more Canadian families should have to suffer the devastation caused by impaired driving.

I ask all members to consider the benefits in terms of the effectiveness and efficiency this major reform to the criminal law would achieve. I ask all members to join me in supporting Bill C-46.

● (1020)

**Mr. Alistair MacGregor (Cowichan—Malahat—Langford, NDP):** Madam Speaker, I would like to thank the hon. Minister of Justice for her presentation today and for tabling the bill last month. I am also thankful that I had departmental officials come by my office for a private meeting about the specifics of this bill.

I appreciate that there has been a charter statement tabled and that none other than the great Prof. Peter Hogg has expressed support for this in previous years. The section I am referring to is specifically section 320.27. While we want to see this bill go to committee to examine the constitutional provisions in it, I want to bring the minister's attention to some statistics we have from other police agencies.

As members from Toronto will know, the carding statistics from that city show that while blacks make up 8.3% of the population, they actually have been subjected to 25% of the carding. If we take those very same statistics and apply them to visible minorities being subjected to random breath testing, that may be a cause for concern. If visible minorities are receiving a disproportionate amount of the testing at these lawful stops, is it allowing non-minorities to get through? I am wondering if the minister can comment on that specific concern some people in our society have.

**Hon. Jody Wilson-Raybould:** Madam Speaker, I very much appreciate my hon. colleague taking the opportunity to sit down and engage with my officials and staff and would offer that to any other hon. members in the House.

I was pleased to table the charter statement, as I said, earlier this month. I want to acknowledge that the concern about racial profiling in terms of stops has been brought to my attention many times since the introduction of Bill C-46, and I will say a number of things.

A law enforcement officer, as the member quite rightly pointed out, would have to lawfully stop someone on the roadside. However, I want to distinguish the issue of racial profiling, which is an important one that needs to be addressed, from the objectives of this particular piece of legislation. The objectives of Bill C-46 are to keep our roads safe. That is not to say that in the exercise of the duties of law enforcement officers they will not continue to benefit from training and oversight in terms of fairness and appropriateness in the application of the law. We are very mindful of this, and we will certainly continue to have discussions on the important issue the member brought up.

● (1025)

**Mr. Martin Shields (Bow River, CPC):** Madam Speaker, one of the issues I have addressed with many municipalities in my constituency, of which there are many, is implementation at the municipal level. It will cover many areas, from inspection costs to licensing costs to enforcement. The municipalities foresee a tremendous number of costs being downloaded onto them with this legislation. How would the costs that will be incurred by the municipalities be dealt with on the government side?

**Hon. Jody Wilson-Raybould:** Madam Speaker, as I noted in my remarks, part 1, on drug-impaired driving, will come into force upon royal assent. In terms of alcohol-impaired driving, the proposed changes will have a delayed coming into force. We will continue to work with municipalities, provinces, and territories on the application of the reforms proposed in Bill C-46.

I have been working very closely with the Minister of Public Safety and Emergency Preparedness in testing the devices on the roadside in various municipalities across the country. He and I want to and will ensure that the necessary resources are in place to provide the appropriate training and necessary tools for police officers to comply with the legislation.

**Mr. David Anderson (Cypress Hills—Grasslands, CPC):** Madam Speaker, I know this bill touches on a number of issues that are very important to Canadians. I was struck by some of the complicated situations we find in this bill. The minister talked about criminalizing intervening drinking, but there would be innocent intervening drinking and guilty intervening drinking. There are some complications we really need to look at, but I think the biggest one is reasonable suspicion.

The minister has told us that there is no charter violation of personal rights in taking away the right to expect that police must have a reasonable suspicion before pulling anyone over, but we know that the majority of Canadians actually oppose mandatory screening. The legal community has said that the ruling she has lacks depth and does not reference any case law. I am wondering why the government is putting so much weight on such a lightweight judgment from her justice department.

**Hon. Jody Wilson-Raybould:** Madam Speaker, again, I was very pleased to table the charter statement. The statement speaks to where there may be charter implications. It is not a legal opinion. It is something the Department of Justice has committed to introducing with every piece of legislation to assist the public in understanding the reasons and rationale behind what we are doing, in this case with respect to alcohol and drug-impaired driving.

The reasonable suspicion requirement still exists within part 1 for drug-impaired driving. I believe the member opposite is referring to mandatory roadside screening, which would not require a police officer to have a reasonable suspicion but would enable the officer to do mandatory screening at the roadside. The reason for this, and I am confident in its charter compliance, is that the purpose of this bill is to protect safety and make our roads safe. I am confident that this is a justifiable public policy purpose, the results of which would significantly reduce the number of deaths on the road and the number of people convicted of alcohol-impaired driving.

**Mr. Alistair MacGregor:** Madam Speaker, I have another question for the Minister of Justice regarding the nanogram limits for THC that have been established. It has been noted in much scientific literature that when cannabis is inhaled versus when it is ingested, the peak periods when someone is impaired vary considerably, and they vary considerably when comparing first time users versus habitual users.

What plans does the Department of Justice have for a public awareness campaign so that when marijuana becomes legalized, people are aware of how much different amounts affect them before they can take the wheel?

● (1030)

**Hon. Jody Wilson-Raybould:** Madam Speaker, in terms of our intentions around moving forward with the legalization of cannabis and the strict regulations, there has to necessarily be, and we are committed to continuing to have, an extremely engaged, robust educational rollout to ensure that we assist in informing Canadians about the impact of cannabis.

In terms of impairment with respect to cannabis and what the levels are to get behind the wheel of a car, we are taking a precautionary approach in this legislation, a precautionary approach amounting to a zero-tolerance approach to ensure that if people have consumed a drug, they are deterred from thinking they can get behind the wheel.

[*Translation*]

**Mr. David Lametti (Parliamentary Secretary to the Minister of Innovation, Science and Economic Development, Lib.):** Madam Speaker, I congratulate the minister on what is a very important initiative for this country.

[*English*]

I first of all think the bill passes constitutional muster, and I would invite the minister to comment on the underlying change, which is that we have come to realize that people do not have a right to drink and drive or to consume and drive.

**Hon. Jody Wilson-Raybould:** Madam Speaker, I thank my hon. colleague for the statement in terms of constitutionality. The purpose of this legislation is to ensure that people are deterred from thinking they can consume any level of drug or alcohol and think it is reasonable to get behind the wheel of a car. The intention, in terms of the mandatory breath screening, is to change the thought processes of individuals who think they can get behind the wheel of a car and to ensure that police officers have the opportunity to increase their ability to catch people who are impaired by drugs. That would increase by 50%, according to the evidence we have.

[*Translation*]

**Mr. Luc Berthold (Mégantic—L'Érable, CPC):** Madam Speaker, I am pleased to talk about Bill C-46, which was introduced in the House on April 13.

I think a little context is in order. This bill is one component of the government's plan to legalize marijuana. Changes to the rules for drivers are called for because of concerns about more drug-impaired drivers getting behind the wheel once marijuana is legal.

Before I talk about the bill specifically, I would like to share my concerns and some general observations about the government's overarching plan to legalize marijuana.

I just want to point out that I am not a legal expert, so I did not look at Bill C-46 through that lens. I looked at it as a resident of the riding of Mégantic—L'Érable who is concerned about the negative repercussions of legal marijuana. Normalizing drug use is sure to have an impact on our roads.

The two arguments the government has given to justify legalizing marijuana and making it more accessible to Canadians consist in keeping it out of the hands of youth and keeping profits from the sale of marijuana out of the hands of criminals. Those are the two main arguments we kept hearing during the last election campaign. They were also reiterated when that bill was introduced, which was at the same time as this one was introduced. That was a big day, a day on which we had to respond to a whole series of measures. It seemed as though the government was in a hurry to introduce everything at the same time.

I cannot help but question not the government's intentions, but the statements it made when this legislation was announced. Is it any wonder that we on this side of the House are worried?

I spoke with some students at a high school in my riding about plans to legalize marijuana, and even they are worried. At least two-thirds of them are opposed to legalizing marijuana. It is important to remember that. One of my colleagues also had the opportunity to meet with some young people in his riding who oppose it too. What worries me is keeping our kids safe, of course, as well as keeping our roads and workplaces safe.

I believe this is all about normalizing marijuana and if we do that it will have an impact on society as a whole. The marijuana legalization bill and Bill C-46 have one thing in common: there is not a single word on how much it will cost the other levels of government or where their responsibilities lie in implementing these measures.

What will it cost the municipalities to increase monitoring or to train their police officers to be able to detect drug impaired driving? What will it cost the provinces in terms of the application of justice? How will these new laws and new rules be enforced? What will it cost the federal government? We have no answer. We are told that this will take money out of the hands of organized crime, but there is no word on government revenues or how those will be used.

These are legitimate questions that came to my mind when the marijuana legalization process was announced. This process was announced and launched even though the majority of public health stakeholders are opposed to normalizing and legalizing marijuana, including the Canadian Medical Association and the Canadian Psychiatric Association.

This bill does not have unanimous support in our ridings, and its intention has even less. When we ask people, those living in rural ridings like mine are firmly opposed to the government's plan to legalize marijuana.

Again, it would no longer be illegal for youth 12 and over to possess a small quantity of marijuana.

● (1035)

Youth 18 years of age and over would be able to legally possess a certain quantity of marijuana and to consume it. People will even be able to grow it in their homes. How is the government going to decide who will have access to it? It is not the same as buying cigarettes at a corner store. If there are cannabis plants all over the place, in every residence, will the parents, neighbours, uncles, or aunts have to oversee access to the drug? We do not know. These are grey areas.

This only makes us more concerned about who is going to have access to marijuana and then make the bad decision, after consuming it, to drive their car, motorcycle, or even their bicycle under the influence of drugs.

The other myth I want to dispel before addressing Bill C-46 is the argument that this will no longer be a revenue stream for organized crime because the government will be pocketing the profits instead. The term "organized crime" is made up of two words: "organized" and "crime". I can tell you right now that the criminal element has organized to profit even more. That is the most worrisome aspect, because if the criminal world is preparing to make even more profits and not with marijuana, then with what? Will it be with other things?

We have already taken alcohol out of the hands of organized crime. Did organized crime cease to exist? It is still there, and it gave up on alcohol to focus on drugs. What is next? That is what worries me the most, and we have no answer to that question.

Bill C-46 was introduced because the government realized that it had to take action. The government also realized, in light of its promise to legalize and normalize marijuana, that it had to find a way to ensure that this law does not cause even more deaths on our roads, whether it be from alcohol- or drug-impaired driving. The government also used Bill C-46 to add some amendments regarding drunk driving. The government had to act because it knew it would be causing an even bigger problem on our roads. That is what the government did with Bill C-46.

Bill C-46 has two parts. Part 1 amends the provisions of the Criminal Code that deal with offences and procedures relating to drug-impaired driving; enacts new criminal offences for driving with a blood drug concentration that is equal to or higher than the permitted concentration; authorizes the government to establish blood drug concentrations; and authorizes peace officers who suspect a driver has a drug in their body to demand that the driver provide a sample of a bodily substance for analysis by drug screening equipment that is approved by the Attorney General of Canada.

Part 2 is more general, but it also makes a number of amendments, which are likely designed to improve the current situation. We will surely have the opportunity to talk about this in committee. A very active committee that is familiar with legal issues will ask excellent questions. I am sure that, if the government is aware of the situation and is acting in good faith, the suggestions made by the official opposition have a good chance of being incorporated into the next iteration of the bill.

The way we see it, this bill is not quite perfect. We have some questions. Will all of this stand up to court challenges? A law with strict provisions is all well and good, but if it does not hold up in court, that could create even bigger problems. Once this bill is passed and brought into force, the other bill on marijuana legalization will be too.

What we really want to avoid is having these new measures and penalties end up in court and finding ourselves in an unfortunate legal void. Think of the Jordan decision, which is causing serious problems now. I will talk more about that a bit later.

● (1040)

Part 2 repeals the transportation-related offences and replaces them with a structure that is supposedly modern, simpler, and coherent. It authorizes mandatory roadside screening for alcohol once a police officer has stopped a driver. It increases certain minimum fines and certain maximum penalties. It also facilitates detection of blood alcohol concentration and the ensuing investigation. Lastly, it eliminates or limits defences that promote risky conduct and that frustrate the enforcement of drunk driving laws. There are also other measures.

At first glace, these measures are designed to discourage people from getting behind the wheel while drunk or high. I am sure all members on this side of the House agree that we must put an end to this scourge that causes hundreds of deaths every year in this country.

Unfortunately, as I mentioned earlier, the government's coming marijuana legislation will probably create more opportunities for people to drive while impaired not by alcohol but by marijuana.

Let me share some reactions from those in the know. The Canadian Automobile Association issued some comments on marijuana legalization and the impaired driving regulations:

> CAA believes three issues need to be addressed for an effective drugs driving regime: clear law, tools for law enforcement and public education. Today's announcement deals with the law but leaves questions around funding and public education.

The vice president of public affairs at CAA National said, "We're still waiting for the details on additional funding to make the legislation enforceable. This needs to happen sooner rather than later."

This article came out on April 13, 2017, and we still have no answers to CAA's very legitimate questions. The article goes on:

> The government also reiterated a Budget 2017 commitment to spend less than $2 million a year over five years on public education—a sum that is clearly inadequate, given the misconceptions about marijuana's effect on driving.

Here is another passage, for information:

> CAA polling has found almost two thirds of Canadians (63 per cent) are concerned that roads will become more dangerous with the legalization of marijuana, and that 26 per cent of Canadians between the ages of 18 and 34 believe a driver is either the same or better on the road under the influence of marijuana.

While 26% of young Canadians do not believe that marijuana negatively affects their driving, the government is saying that it will invest $2 million a year to educate them. There is a serious problem here. If the government really wants the opposition parties' support, it needs to present us with a clear plan to promote public awareness immediately, so that we will know what Canadians can expect on July 1, 2018, the deadline that has been set for legalizing marijuana. The government must not wait until then to announce prevention and awareness programs. We need to know this now, because Canadians are worried.

Here is one last quotation regarding CAA's concerns. According to Jeff Walker, "...law enforcement is not sufficiently equipped to enforce the law and the cost to train them is high."

The other reaction I would like to highlight comes from the Canadian Centre on Substance Use and Addiction, and it specifically concerns the screening devices mentioned in Bill C-46:

> At present, there is a limited number of drugs that can be accurately detected by oral fluid screening devices: cannabis, cocaine, methamphetamine and opioids.
>
> ...Although the accuracy of oral fluid screening devices has been improving, they are not perfect. Some drivers who have used drugs will test negative and there remains a small probability that some drug-free drivers will test positive. When a driver who has used drugs is missed by the screening procedure, it has implications for road safety [and for all Canadians].

● (1045)

Is the technology ready for the implementation of Bill C-46? That is a question from the Canadian Centre on Substance Use and Addiction.

I have other sources. On April 28, 2017, the Canadian Association of Chiefs of Police also commented on impaired driving: "A primary concern of policing in Canada is impaired driving. This is an issue today. It will become an even greater issue with legalization."

The Canadian Association of Chiefs of Police went on to say:

> Will adequate and ongoing funding be provided in advance of the stated goal of legalization ... [as I mentioned earlier] to train officers and drug recognition evaluators (DREs), purchase and maintain [oral fluid] devices, increase forensic laboratory capacity to process bodily fluids and sustain our ability to enforce this legislation?
>
> Are the per se limits supported by scientific evidence and will they stand up to potential challenges within our judicial system [so we do not find ourselves once more with a legal void that would allow criminals to take to the road, because henceforth they will be criminals]?
>
> Will the provinces/territories be introducing complimentary enforcement regimes to discourage drug impaired driving...

These are very legitimate questions. I believe that we should listen to these people. Some of these people enforce the law and some are automobile experts. In short, these are comments and questions that we will surely have an opportunity to address, and I hope that the government will have answers when we study this bill in committee.

However, Bill C-46 will not do any good if the courts cannot enforce the law. I am referring to the Jordan decision. Here are a few statistics. In nine months, no fewer than 134 accused whose cases have been taking too long to filter through the Quebec court system were released before being tried, not at their own request, but at the request of the crown. Another 59 accused were released after their defence filed a request with the crown. That means 193 people did not stand trial. According to Annick Murphy, the director of criminal and penal prosecutions in Quebec, the majority of the cases that were dropped had to do with impaired driving. We are talking about 100 out of 193 cases. These 100 people got behind the wheel and endangered their own lives and the lives of others. All that because the government is taking too long to appoint judges in Quebec and to stop the Jordan decision from unfairly favouring criminals.

The government could do something about this, but unfortunately it is not doing so. Instead, it is going to ask the Quebec justice system to deal with more cases. The government is going to ask the Quebec justice system to do even more, when it does not even have the resources to deal with the cases currently before its courts. That is worrisome.

The director of criminal and penal prosecutions for Quebec stated the following: "We are certainly prioritizing cases...involving crimes against persons, which we see as the most serious."

I understand that all crimes against the person are serious, but we need to talk to victims who have lost a loved one in a car accident because someone was driving while impaired, and not just once, but perhaps for the second or third time. We need to ask those victims whether impaired driving is a serious crime. Personally, I see it as a very serious crime, and we cannot pretend that being impaired is not a serious factor. We would be making the problem worse.

In closing, I still do not trust this government's process for legalizing marijuana. The measures presented might seem fine at first glance, but they do include any means or budget to promote prevention, to train police officers, or to support prevention among young people. We will support this bill so that it can be sent to committee for further study. I would hope that the government will find some way to properly enforce this legislation once it passes.

● (1050)

[*English*]

**Mr. Bill Blair (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.):** Madam Speaker, I listened very carefully to the member's speech. I remain mystified as to what the member's position is with respect to the bill. It appears the member does not like two things: the way things are and any change.

First, in the beginning of his speech, he implied that the issue of impaired by drug was an issue only created by the government's intent to remove the criminal prohibition and replace criminal penalties with a system of strict regulation for the production, distribution, and consumption of cannabis.

Is the member aware these statistics? Up to 40% of Canadians between the ages of 18 and 35 report they are occasional or frequent users of cannabis. Almost a third of our young people believe cannabis has no effect on their ability to drive, and that is clearly wrong. Even more bizarre is that 15% have suggested this makes them drive better. More than half of our young people have suggested they have driven with another individual who is high.

This has been problem for decades and nothing has been done. Given that this is clearly a serious problem in today's society, does the member suggest we should continue to do nothing to deal with this very serious problem with impaired by drugs on our roadways?

[*Translation*]

**Mr. Luc Berthold:** Madam Speaker, as I said at the very end of my speech, we will support this bill so it goes to committee. That is very clear. The bill is going to committee, and we can talk about it there. However, my colleague's arguments about marijuana legalization support what I have been saying since the beginning.

He is talking about a process to legalize marijuana. I am talking about a process to normalize it. The government has not announced any prevention or education measures. There is barely $2 million for the whole country. That is unbelievable. This budget does not even cover a television ad campaign. They think they can reach our youth with this pittance? I just want to point out that some young people are against marijuana legalization.

I am not sure who the Liberals are trying to please. I hope they are not just trying to fill government coffers. We know the Liberals need a lot of money now to pay the interest on the enormous deficit they are handing down to those same young people who disagree with legalizing marijuana.

● (1055)

[*English*]

**Mr. Alistair MacGregor (Cowichan—Malahat—Langford, NDP):** Madam Speaker, I am glad the member wants to see the bill come to the justice committee, because we need to delve into it.

He spent a lot of his time speaking about Bill C-45, and that is legitimate since both bills were introduced together. However, when we look at the war on drugs, by any measure, it has been a complete and abject failure. We have spent billions of dollars and we have ruined countless lives, all for something that a large segment of our society continues to do. It ties up our court resources. We could direct that money into better programs.

If someone is going to use the public health arguments against marijuana, then we should also be criminalizing alcohol and tobacco because they also cost our health care system billions of dollars every year.

I have heard a variety of messages from the Conservative Party. I would like to know the hon. member's position on marijuana. If he is very critical of what the Liberals have proposed, what would he like to see? Is he in favour of the status quo? Would he like to see decriminalization? I would like him to explain to the House what his view is on marijuana legalization.

[*Translation*]

**Mr. Luc Berthold:** Madam Speaker, that is an excellent question. First, we must not normalize marijuana. That is the first thing to understand. People need to be reminded that it is a drug, and a dangerous one at that.

Again, I met some high school kids who were 15 and 16. In Canada, it is illegal to consume alcohol before the age of 18. I asked those students whether any of them had consumed alcohol. Unfortunately, every one of them raised their hands. Alcohol is a legal and controlled substance and young people have access to it anyway. It is therefore not true to say that by legalizing marijuana, we are going to limit how much access young people have to drugs.

However, I completely agree with my colleague on decriminalization. Young people end up with a criminal record for possession of marijuana either because of bad experiences, bad influences, or simply because they were in the wrong place at the wrong time. I am in favour of decriminalizing marijuana. This would give police officers other options, like fines or what have you, when confronting young people in possession of marijuana. The onus is reversed when it comes to fines versus criminal charges.

[*English*]

**Mr. Todd Doherty (Cariboo—Prince George, CPC):** Madam Speaker, I can speak with some conviction as I lost my brother 20 years ago this year because of a drunk driver. My brother was a passenger in the vehicle. Therefore, I am all for strengthening the laws on impaired driving. The challenge we have today is that science has proved that roadside tests are imprecise. We are downloading the costs to our police departments, municipalities, and provincial governments.

I would like to see strengthened laws for impaired driving, but I would also like to see further investment to ensure we arm our men and women who protect our communities with all the resources necessary so they can prove beyond all doubt that the person is impaired. At this point, the science has shown these tests are imprecise.

[*Translation*]

**Mr. Luc Berthold:** Madam Speaker, in my speech I talked a bit about the fact that victims' loved ones have the right to be reassured.

I am very sorry that my colleague suffered such a loss in his family 20 years ago. Almost all of us have a loved one who has been affected by drunk driving. Sending this bill to committee will allow my colleague and all my other colleagues to study it and ensure that the right measures are adopted.

● (1100)

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** The hon. member for Mégantic—L'Érable will have two minutes and thirty seconds to answer questions after oral question period.

## STATEMENTS BY MEMBERS

[*English*]

### CANADIAN FEDERATION OF HUMANE SOCIETIES

**Mrs. Alexandra Mendès (Brossard—Saint-Lambert, Lib.):** Madam Speaker, I would like to take this opportunity to offer my heartfelt congratulations to the Canadian Federation of Humane Societies as it celebrates its 60th anniversary this year.

CFHS is the only national organization that represents humane societies and SPCAs in Canada. Canadians depend on these organizations to care for abused animals, to enforce laws, to educate, and to celebrate the human-animal bond.

[*Translation*]

The protection of animal welfare is one of our country's oldest social institutions. It was established just two years after Confederation. The first SPCA opened its doors in Montreal in 1869 and is still operating today.

Animal welfare is a cause that I am passionate about both personally and as an MP.

[*English*]

Institutions such as CFHS, with their dedicated volunteers, and their invaluable work over the decades, deserve our recognition and gratitude as they continue to care for and speak on behalf of those who do not have the voice to do so themselves.

[*Translation*]

Once again, I congratulate the CFSH.

* * *

[*English*]

## CANCER SOCIETY RELAY FOR LIFE

**Mr. Todd Doherty (Cariboo—Prince George, CPC):** Madam Speaker, once again I rise in the House to talk about an issue that has touched all of our lives, and that is cancer.

Last Saturday, I had the opportunity to participate in the 25th annual 24-hour Canadian Cancer Society Relay For Life, where over $535,000 was raised toward a goal of creating a world where no Canadian, no human ever has to live in fear of the word "cancer".

We are incredibly proud of our local Relay For Life. It is the number one Relay For Life in Canada and it is the only 24-hour Relay For Life in Canada. Over the last 25 years we have raised over $7 million toward cancer research.

My goal was to beat my fundraising total and to once again walk the entire 24 hours. I did both. While walking the full 24 hours and covering over 95 kilometres, I was joined for laps by those currently fighting for their lives and by friends and family walking in memory of those who lost their fight.

I want to thank you to my team, Team Pita Pit, thank you to the volunteers and organizers of the relay, and thank you to the friends and families, organizers, and communities who helped to make this event so successful.

* * *

## WORLD IRISH DANCING CHAMPIONSHIP

**Mr. Gagan Sikand (Mississauga—Streetsville, Lib.):** Madam Speaker, it is a pleasure to rise today to recognize a constituent of mine, Michaela Hinds. Just a few weeks ago Michaela won her seventh World Irish Dancing Championship in Dublin, adding to her already impressive resume.

In addition to her seven world championships, Michaela has been the eastern Canadian champion of Irish dancing 12 times, the North American champion 10 times, the British champion four times, and the Scottish and the all-Ireland champion four times.

After a career that has made her the most decorated North American in the history of the World Irish Dancing Championships, Michaela has decided to retire.

Through her success, Michaela has made her community and country proud. On behalf of all of Mississauga—Streetsville, I congratulate Michaela on her impressive dancing career and wish her nothing but the best in the future.

## CYCLING EVENTS

**Mr. Wayne Stetski (Kootenay—Columbia, NDP):** Madam Speaker, I love biking. It is good for the body, good for the soul, and good for the planet.

I want to highlight some great biking events coming up in my riding and here on the Hill.

From May 29 to June 4, people all across Kootenay—Columbia will be taking part in B.C.'s Bike to School and Work Week.

In Fernie, Revelstoke, Kimberley, Cranbrook, and Nelson, teams of riders will be competing for great prizes donated by amazing small businesses.

Bike Day here on the Hill is June 1, an exciting event that encourages all MPs and senators to come cycling by providing bicycles and support for both new and experienced riders.

This summer, I look forward to biking with my constituents on the Trans Canada Trail to celebrate Canada's 150th birthday, and in the Kootenay Rockies Gran Fondo on September 9.

Please come and join us. There are few things as spectacular as riding through the Rocky, Purcell, and Selkirk Mountains in one of the most beautiful ridings in Canada.

Together, let us make Canada a cycling nation.

* * *

## STATUS OF WOMEN

**Ms. Anita Vandenbeld (Ottawa West—Nepean, Lib.):** Madam Speaker, I was pleased to announce $5.3 million for Nelson House, a women's shelter in my riding that has served our community since 1992, providing a safe space to nearly 120 of our community's most vulnerable women and children each year.

The new facility will provide a private, supportive space for survivors of domestic violence that is twice the size of the existing facility. It will improve and expand on-site services and programs.

I met some of the courageous women who credit Nelson House with allowing them to rebuild their lives free from violence.

● (1105)

[*Translation*]

The budget provides for investments of $11.2 billion as part of a new national housing strategy. Affordable housing is more than just a place to live. It is the basis for more dynamic social and economic growth.

[*English*]

## MOTORCYCLING

**Mr. David Sweet (Flamborough—Glanbrook, CPC):** Madam Speaker, with the beautiful spring weather sweeping through Flamborough—Glanbrook and across the country, we can be sure that motorcyclists will hit the streets to enjoy the open roads.

There are close to one million motorcyclists in Canada today, including grandmothers, grandfathers, youth, and young adults. Riders come from every walk of life and every profession. Some ride alone, while some ride with family and friends.

Motorcyclists are among the most generous members of our communities. They raise and donate more than $13 million every year. I see this generosity first-hand every year, serving as the honorary chair for the JNF Correctional Officers Motorcycle Ride and the Liberty for Youth Eagle Ride, and taking part in the National Memorial Ride here in Ottawa.

The Motorcyclists Confederation of Canada has launched a campaign that notes that motorcycle safety is everyone's responsibility. Motorcyclists, passengers, motorists, and friends and family members can go to motorcycling.ca and take the motorcycle safety pledge today.

Since May is motorcycle safety month, I ask all motorists to keep an eye out for motorcycles and I bid all motorcyclists a happy and safe riding season.

* * *

[*Translation*]

## VOLUNTEER WEST ISLAND

**Mr. Frank Baylis (Pierrefonds—Dollard, Lib.):** Madam Speaker, I recently had the pleasure of attending the 50th anniversary celebrations for the organization Volunteer West Island. Its mission is to facilitate volunteerism by recruiting, training and referring volunteers to meet our community's needs.

[*English*]

Volunteer West Island supports so many services, including Meals on Wheels, the Pair program, handyperson services, Caring Paws animal therapy, and much more.

On a more personal note, I know first-hand of the great work they have done in my riding by helping seniors and low-income constituents do their tax returns.

I say a great big thank you to Lynda Barrett and her entire team at Volunteer West Island as well as to all the wonderful volunteers themselves. Together they have made our community a better place to live over the last 50 years and more.

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## WEST VANCOUVER VOLUNTEER

**Ms. Pam Goldsmith-Jones (West Vancouver—Sunshine Coast—Sea to Sky Country, Lib.):** Madam Speaker, two weeks ago, Liz Byrd won the West Vancouver Chamber of Commerce Lifetime Achievement Award. Liz is the foundation of education, the arts, civic engagement, environmental conservation, and women in politics in West Vancouver.

She is a founder of Collingwood School and of the Kay Meek Arts Centre Trust. She fought the battle to save Eagleridge Bluffs to the point of being arrested, the penalty for which was community service hours, the ultimate irony. She has led and supported literally thousands of volunteers. Her dedication has created remarkable Canadian institutions and even more remarkable people as a result of having had the privilege of volunteering with Liz.

It is a privilege to rise in the House of Commons today and on behalf of an immensely grateful community recognize Liz Byrd as an exceptional citizen of Canada.

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## REBUILDING ACTIVITIES IN FORT MCMURRAY

**Mr. David Yurdiga (Fort McMurray—Cold Lake, CPC):** Madam Speaker, on May 3 the residents of Fort McMurray gathered at Snye Park to remember the wildfire that ravaged the city just one short year ago.

For some it was a day of mourning, of remembering life before the fire, and there were many moments of silence for Emily Ryan and Aaron Hodgson, who died fleeing the fire. For others it was a day to embrace the strength of our community.

While the community and city continue to rebuild and heal, support groups are still active on the ground. The local Red Cross continues to do an outstanding job of helping people put their lives back together, in some cases helping people rebuild their homes and in other cases offering assistance to families still struggling.

I would like to take this opportunity once again to thank everyone who offered assistance or donated to the cause, and I want to thank the Red Cross in particular for their dedication and life-changing efforts.

The people of Fort McMurray, above all, will be forever grateful.

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## OTTAWA SENATORS HOCKEY TEAM

**Mrs. Karen McCrimmon (Kanata—Carleton, Lib.):** Madam Speaker, as all Canadians know, there are not four seasons in Canada, but five. We are now well into playoff hockey season, and communities across Canada are watching and cheering.

A lifelong fan of the Habs, also known as the Montreal Canadiens, our own Prime Minister has told us he is now cheering for the Ottawa Senators.

I am sure all of my colleagues will join with the Prime Minister in pledging their support to the Ottawa Senators as they continue their remarkable playoff run. Of course, I am very proud that the Senators call my riding of Kanata—Carleton their home.

As we celebrate the great tradition of playoff hockey in Canada, I call upon all members, and indeed all Canadians, to join me in saying to the Senators that we are all in.

● (1110)

[*Translation*]

All together: Go, Sens, go!

**Some hon. members:** Go, Sens, go!

* * *

## ROBERTA DUGAS

**Mr. Serge Cormier (Acadie—Bathurst, Lib.):** Madam Speaker, I want to congratulate Roberta Dugas, who is a remarkable person.

She was named citizen of the year by Club Richelieu de Caraquet. Ms. Dugas, who was born in Sainte-Anne-du-Bocage in Caraquet, is still very active in her community. She never misses an opportunity to promote her town of Caraquet or her region, the Acadian Peninsula.

Ms. Dugas was named citizen of the year for her ongoing volunteer efforts in her community. She worked as a nurse for over 35 years and served as a city councillor before being elected mayor of Caraquet in 1992. However, the main reason she was named citizen of the year was the work she did as the chair of the organizing committee for the 37th annual Jeux de l'Acadie, held in 2016. She oversaw hundreds of volunteers, and the event was a resounding success.

It is thanks to people like Ms. Dugas that our region continues to prosper and make a name for itself.

Congratulations, Roberta. You are an inspiration for us all.

* * *

[*English*]

## SASKATCHEWAN CENTENARIANS

**Mrs. Cathay Wagantall (Yorkton—Melville, CPC):** Madam Speaker, Florence Tetreault is a wonderful 103-year-old woman who was born in the beautiful community of St. Brieux, Saskatchewan, located in my riding of Yorkton—Melville. Florence has been in the news a lot lately. As it turns out, at the age of 103 she is still regularly attending mass and playing bridge. She even offers her services as a seamstress to the other residents in her retirement community.

Florence is not alone in her youthful zeal for embracing life past 100. According to Statistics Canada data, the number of Saskatchewan residents who are celebrating their 100th birthday has almost doubled since 2001. Many of the seniors in my riding attribute this to their healthy lifestyle, their positive, forward-thinking attitude, and, of course, the wonderful carbon-free air in Saskatchewan. I guess we could just say that Saskatchewan is the fountain of youth, the Okinawa Island of Canada.



## MICHAEL BLISS

**Ms. Kate Young (London West, Lib.):** Madam Speaker, on May 4 the Canadian Medical Hall of Fame, located in London, Ontario, inducted six renowned medical pioneers from across Canada to its membership.

The contributions of hall of fame inductees have been extraordinary. As trailblazers in their respective fields, these experts underpin Canada's role as a world-class leader in medicine and health sciences. Their work may be a single outstanding contribution or a career of notable achievements.

It is with this and with a heavy heart that I note the passing of Professor Michael Bliss, a 2016 inductee and an individual who left an indelible mark on Canada. An Officer of the Order of Canada, a Fellow of the Royal Society of Canada, and a professor at the University of Toronto for nearly four decades, Professor Bliss touched the lives of many, mine among them, as I had the good fortune of interviewing him as a journalist. Noted as one of Canada's leading intellectuals and historians, he was commended for bringing a wealth of knowledge to Canada and—

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** The hon. member for Drummond.

* * *

[*Translation*]

## 2017 GALA FOR ENTREPRENEURS

**Mr. François Choquette (Drummond, NDP):** Madam Speaker, I would like to commend the entrepreneurs of the greater Drummond area for their leadership. The Drummond chamber of commerce and industry hosted a prestigious entrepreneurship awards gala, the Gala des Napoléon 2017, in their honour.

I want to take this opportunity to congratulate all of the winners. The business of the year award went to Cascades Emballage carton-caisse - Drummondville, while the award for trade went to Performance NC. Bijouterie Lampron took home the people's choice award, while the Village Québécois d'Antan took the honours in the events and tourism category for its haunted village. The agrifood award went to supplier and distributor Les cultures de chez nous, and Anhydra was the winner of this year's youth entrepreneurship award. Athlete Élisabeth Pellerin and Hugo Houle, a cyclist who participated in the most recent Olympic Games in Rio, were named woman and man of the year, respectively.

I congratulate all of the finalists and winners.

* * *

● (1115)

[*English*]

## ALBERTA ECONOMY

**Mr. John Barlow (Foothills, CPC):** Madam Speaker, I rise in the House today to speak about the dire situation facing my home province.

When I say Albertans are losing their homes and losing their jobs, I am not exaggerating. Over the past year in Alberta, almost 6,000 homes have been foreclosed, more than 2,000 of those in Calgary alone. Calgary's unemployment rate is still the highest of any major Canadian city, at 9.3%.

Many Albertans, including me, have given up any hope that the Liberals are interested in Alberta, Canada's economic engine. The Prime Minister said he was going to phase out the oil sands. He is certainly following through on that threat by dismantling the NEB and moving the regulator from Calgary to Ottawa, slashing the discovery well tax credit, and imposing a tanker moratorium and a job-killing federal carbon tax. The Liberals' disregard for Alberta is certainly clear.

The Liberals need to make Canada globally competitive. They can do it by following these simple lessons: reduce red tape, cut taxes, and get projects built. Doing these things will help our energy sector and will help Albertans get back to work.

* * *

### MAN IN MOTION WORLD TOUR

**Mr. Stéphane Lauzon (Argenteuil—La Petite-Nation, Lib.):** Madam Speaker, I rise today to recognize the 30th anniversary of the Rick Hansen Man in Motion tour. Rick Hansen and his team, over 26 months, crossed 40,0000 km through 34 cities to raise awareness for spinal cord research and quality-of-life initiatives.

[*Translation*]

Mr. Hansen completed his tour 30 years ago, but his work and his impact on Canada continue to this day. The Rick Hansen Foundation works to raise awareness and remove barriers for people with disabilities.

Canada is a leader in promoting the equality and inclusion of people with disabilities, but we still have a lot of work to do.

[*English*]

That is why the government is working on new accessibility legislation to promote equality of opportunity and increased inclusion for all Canadians with disabilities.

Our government congratulates Mr. Hansen on this anniversary, and for his continuing work.

## ORAL QUESTIONS

[*English*]

### GOVERNMENT APPOINTMENTS

**Hon. Candice Bergen (Portage—Lisgar, CPC):** Madam Speaker, Madeleine Meilleur is a well-connected Liberal partisan and politician who has donated numerous times to the Liberal Party and has even donated to the Prime Minister's leadership campaign. Let us be clear. The reason the Prime Minister wants her to be the next languages commissioner is so that he can thank her for all of her support, and he wants to assure himself that he has somebody friendly in the position. This is really shady, and it is certainly wrong, in every sense of the word.

Will the Prime Minister do the right thing and withdraw this patronage appointment?

**Hon. Mélanie Joly (Minister of Canadian Heritage, Lib.):** Madam Speaker, our government believes in the importance of the Office of the Commissioner of Official Languages and the protection and promotion of official languages. We are committed to finding the best candidate for this important position through a thorough, rigorous, and merit-based process. We conducted multiple rounds of interviews. I even had the chance to talk with my critics from the two opposition parties. They both acknowledged that she had the experience and expertise, and that is why we are convinced that Madeleine Meilleur is the best-suited candidate for this important position.

**Hon. Candice Bergen (Portage—Lisgar, CPC):** Madam Speaker, even the Liberal minister is hesitant to get up to try to defend that, and I do not blame her.

The Liberal appointment gravy train is shamefully extending to the judiciary. The latest round of judicial appointments is full of Liberal donors, including an Alberta appointment of a person who has donated to the Liberal Party over 25 times, including twice just this year.

When will the Prime Minister admit that he actually does not care about the appearance of conflict of interest and he would rather reward his friends for their generous support of his "I will scratch yours if you scratch mine" government?

**Mr. Marco Mendicino (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.):** Madam Speaker, every member on this side of the House is proud of the appointments we are making within the judiciary. Since being elected, we have appointed 67 judges, including additional appointments which are forthcoming. Under our open, merit-based appointments process, we have attracted top-tier judicial appointments. Budget 2017 provides for additional resources, and we will continue to make those appointments with great dispatch.

● (1120)

**Hon. Candice Bergen (Portage—Lisgar, CPC):** Madam Speaker, they are open to anyone who has given a donation to the Liberal Party. That is the only openness that we are seeing.

It is clear that with the Prime Minister's patronage appointment scheme, if one is not a Liberal and not giving a donation, there is no use applying. Liberal donors are clearly making their way to the very top of the appointment list. Merit has become secondary to donations to the Liberal Party.

How can the Prime Minister expect Canadians to believe it is just a coincidence that all of these Liberal donors are somehow getting these plum appointments?

**Mr. Marco Mendicino (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.):** Madam Speaker, I will reiterate what I have said before on many occasions. We are proud, on this side of the House, of the open, merit-based appointments process. Not only have we appointed 67 new judges since being elected, there are over 120 public appointments, which again are open, transparent, and merit-based. We will continue to make those appointments with great dispatch.

[*Translation*]

**Mr. Luc Berthold (Mégantic—L'Érable, CPC):** Madam Speaker, there is a new lottery in town, and for the past 18 months, select Canadians have been hitting jackpots of $500, $700, or even $1,000 per day of work for the luckiest winners.

Here are some of the Canadians who have made it to the winner's circle so far: Stéphane Dion, John McCallum, and Madeleine Meilleur. Since this lottery goes until 2019, there will be more.

Unfortunately, tickets are available only to the elite. Anyone who wants to enter has to make a hefty donation to the Liberal Party of Canada. The next grand prize is the position of Conflict of Interest and Ethics Commissioner.

Will the Prime Minister shut down this partisan lottery before the next draw conducted under the supervision of a firm by the name of leader of the government, Butts, and partners?

[*English*]

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Madam Speaker, it is important that we recognize that we have in fact put in place a new appointments process which supports an open, transparent, and merit-based selection process. Our aim is to identify high-quality candidates who will help to achieve gender parity and truly reflect Canada's diversity. It is important to note the 140 appointments, of which 63% are women, 13% are visible minorities, and 10% are indigenous. The Conservatives should be applauding the type of appointments we are making.

[*Translation*]

**Mr. Bernard Généreux (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, CPC):** Madam Speaker, the Liberals promised an open and transparent appointment process for the new official languages commissioner, but what they delivered was the most partisan appointment ever.

Madeleine Meilleur, who was angling for a Senate seat while at Queen's Park, told the committee quite plainly yesterday that she contacted her former colleagues, Gerald Butts and Katie Telford, the two people in the Prime Minister's Office with the most clout in the selection process. That is what you call coming up with a plan B.

Will the government finally admit that this appointment was nothing more than a $315,000 consolation prize to help a good friend—

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** The hon. Minister of Canadian Heritage.

**Hon. Mélanie Joly (Minister of Canadian Heritage, Lib.):** Madam Speaker, we believe that the Office of the Official Languages Commissioner has an important role to play in protecting and promoting our country's official languages.

We committed to finding the best candidate for that position, but only after a rigorous, open, and merit-based process. We conducted multiple interviews. I even had the opportunity to speak with the Canadian heritage critics of the official opposition and the second opposition party. They recognized that Ms. Meilleur possesses the necessary qualifications considering her experience and expertise.

**Ms. Brigitte Sansoucy (Saint-Hyacinthe—Bagot, NDP):** Madam Speaker, the Prime Minister decided to appoint Madeleine Meilleur, an individual who made financial contributions to the Prime Minister's leadership race, as commissioner of official languages.

As commissioner, Ms. Meilleur will be responsible for investigating the Prime Minister if he ever violates the Official Languages Act.

Yesterday Ms. Meilleur herself admitted that she cannot erase 13 years of partisan politics. How can we trust this Liberal to set aside her partisanship when she has to investigate the Prime Minister?

**Hon. Mélanie Joly (Minister of Canadian Heritage, Lib.):** Madam Speaker, we found the best candidate to serve as commissioner of official languages. Why? Because we know that Ms. Meilleur was behind the campaign to save the Montfort, Ottawa's French-language hospital. We also know that Ms. Meilleur played a key role in the creation of the office of the official languages commissioner in Ontario. Her CV clearly demonstrates that she has the expertise and experience needed to serve as Canada's official languages commissioner, and we hope to have the support of the opposition and the Senate in confirming this important appointment.

● (1125)

**Ms. Brigitte Sansoucy (Saint-Hyacinthe—Bagot, NDP):** Madam Speaker, no matter, Ms. Meilleur is too close to the Liberals. She spent 13 years in partisan politics with Ontario's Liberal Party. She has donated to not just the Liberal Party of Canada, but to the Prime Minister himself. She admitted having met with the Prime Minister's closest advisers to obtain this position.

How can the Minister of Canadian Heritage continue to defend this process, which has resulted in the selection of a long-standing Liberal?

**Hon. Mélanie Joly (Minister of Canadian Heritage, Lib.):** Madam Speaker, when searching for the best candidate for the position of Commissioner of Official Languages, we wanted to ensure that they were chosen on the basis of their expertise and experience. That is exactly what we did. We used a rigorous, open, merit-based process, which identified Madeleine Meilleur as the most qualified candidate because she has all the expertise to be an excellent Commissioner of Official Languages.

[*English*]

**Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP):** Madam Speaker, the lengths these Liberals will go to help out their friends: A lifelong Liberal and donor to the Prime Minister's own leadership campaign is their surprise choice for an independent commissioner.

This Prime Minister has been under more investigations than any other prime minister in Canadian history, including Harper, Chrétien, and even Brian Mulroney somehow.

Yesterday, Madam Meilleur admitted that she may have to recuse herself from investigating the Prime Minister because of these donations. Imagine, a commissioner who cannot investigate.

Was this the Liberal plan all along, or just some happy coincidence?

**Hon. Mélanie Joly (Minister of Canadian Heritage, Lib.):** Madam Speaker, when we started this process, we were looking for the right candidate, because that candidate had to have the qualifications, the expertise, the experience to be the Commissioner of Official Languages in this country.

It is not surprising that the two opposition parties are not contesting the qualifications of Madeleine Meilleur, not at all. Even the leader of the second opposition has clearly stated that she has the expertise and the experience for this important position.

**Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP):** Madam Speaker, we also learned yesterday that the Prime Minister's closest adviser and long-time friend, Gerry Butts, met with Meilleur before she was even nominated. She admitted that this was an unfair advantage. I guess it is still who you know in the PMO.

Officers of Parliament do not work for the Prime Minister, and they certainly do not work for the Prime Minister's Office. They work for all members of Parliament on behalf of Canadians. A watchdog cannot do their job with a cloud of patronage and partisanship hanging over their head.

Out of respect for this position, will the Liberals do the right thing and withdraw her name from consideration?

**Hon. Mélanie Joly (Minister of Canadian Heritage, Lib.):** Madam Speaker, Canadians are looking forward to this important position being filled. Canadians believe in the importance of official languages. They want somebody who has the expertise and experience to hold this important position.

I am really surprised to see how much my colleagues support the expertise and experience of Mrs. Meilleur. Therefore, I do not understand why they are not supportive of this important candidacy, because this important position must be fulfilled by an important—

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

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** I again want to remind members of the opposition to please ensure they respect the decorum that should be kept in the House.

The hon. member for Carleton.

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## TAXATION

**Hon. Pierre Poilievre (Carleton, CPC):** Madam Speaker, the Liberal carbon tax is a game of hide-and-go-seek. The cost of the carbon tax is hidden in the price of groceries transported by truck or gasoline that people put in their vehicles, or the cost of heating their homes to stay alive. All of those things are hidden. When we seek the real cost, we find it is again hidden under a mountain of black ink in finance department documents.

Yesterday the Liberals released a 26-page technical document on their new carbon tax, but, once again, hidden was the cost to Canadian families. Will they end their game of hide-and-go-seek today and tell average Canadian families what the carbon tax will cost them?

● (1130)

**Mr. Jonathan Wilkinson (Parliamentary Secretary to the Minister of Environment and Climate Change, Lib.):** Madam Speaker, Canadians know that polluting is not free. We see the costs of droughts, floods, extreme weather events, but also the effects on our health. Canadians expect polluters to pay, because it is the right thing to do for our children and grandchildren.

Ninety-seven per cent of Canadians already live in jurisdictions in Canada that either have a price on carbon pollution or are in the process of putting that into place. The federal plan announced yesterday applies only in jurisdictions that have not moved there themselves.

The pricing of carbon pollution will reduce pollution, it creates incentives for companies to innovate, to develop clean solutions, and create—

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** The hon. member for Carleton.

**Hon. Pierre Poilievre (Carleton, CPC):** Madam Speaker, the Liberals say that this is really a simple way to reduce pollution. Let me quote the document.

> If a Registered Fuel Importer imports fuel for delivery to a Registered Fuel Distributor, the levy will not become payable by the Registered Fuel Importer. The levy will become payable by the Registered Fuel Distributor when it uses the fuel or delivers it to another person in the backstop jurisdiction, unless that other person is also a Registered Fuel Distributor.

See, it is simple.

How much will it cost small businesses for the red tape of this new scheme and how much will it cost taxpayers for the new bureaucracy needed to implement it?

**Mr. Jonathan Wilkinson (Parliamentary Secretary to the Minister of Environment and Climate Change, Lib.):** Madam Speaker, addressing climate change is one of the critical issues of our time. This government is committed to creating a more innovative economy that reduces emissions, while creating good middle-class jobs. If the hon. member would actually take the time to read the backstop paper, he would see that those figures are in that document.

This government has been actively working with all provinces and territories, including the Government of Saskatchewan. I was there this week for conversations with large companies. We are working to build a plan that will allow us to move forward in a credible way to reduce carbon emissions and to grow a clean-growth economy.

[*Translation*]

**Mr. Gérard Deltell (Louis-Saint-Laurent, CPC):** That is precisely why I am wondering if the parliamentary secretary actually read all the documents himself. Every single document released yesterday by the Minister of Environment bears the title of Liberal carbon tax. There are a bunch of numbers and words in there no one can make heads or tails of. As the member for Carleton said so well, there is one number that is missing. How much will this cost Canadian workers?

Since the parliamentary secretary just chided us for not reading the document, can he tell us what is the most important number for Canadians in the document? How much is your Liberal carbon tax going to cost?

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** I would like to remind the member to address his questions through the Chair and not to the government or any individual member.

[*English*]

The hon. Parliamentary Secretary to the Minister of Environment and Climate Change.

**Mr. Jonathan Wilkinson (Parliamentary Secretary to the Minister of Environment and Climate Change, Lib.):** Madam Speaker, I would once again invite my hon. colleagues to read the document. All of the relevant information is contained in that document. I would be happy to actually show the hon. member after question period is over.

The net cost to Canadians obviously depends, in significant measure, on what provinces that have implemented these systems choose to do with the revenues. Alberta has returned those through rebates, British Columbia has a carbon-neutral tax and returns the funds through income tax reductions.

We have a thoughtful plan. Those of us on this side of the House believe climate change is a real issue. We are planning to address that in a thoughtful way.

**Mr. Gérard Deltell (Louis-Saint-Laurent, CPC):** Madam Speaker, again and again, the Liberals rise with no clear answer, no number, no money, always through a cost to the Canadian taxpayer.

[*Translation*]

There is another problem. We know that the government always takes pride in stating that the Liberals collaborate with the provinces. Is that so? Three provinces have implemented a carbon lottery, a system that has sadly not worked for Quebec since 2013. Yesterday, the Minister of Environment and Climate Change said that if it does not work, then the Liberals would impose the Liberal carbon tax on the provinces.

Can someone in this government tell us today whether or not the Liberals are going to impose the Liberal carbon tax on all Canadian provinces?

[*English*]

**Mr. Jonathan Wilkinson (Parliamentary Secretary to the Minister of Environment and Climate Change, Lib.):** Madam Speaker, the hon. member knows full well that 97% of Canadians live in jurisdictions that have either put into place a plan to price carbon pollution or are in the process of working to have that in place by the beginning of 2018. We have worked collaboratively with the provinces. This was a central part of the pan-Canadian framework on clean growth and climate change to which almost all of the provinces subscribed.

We are working to ensure this is done in a thoughtful way. We intend to ensure we are addressing climate change and carbon emissions, but doing so in a manner that will help us to grow an innovative and clean-growth economy for the future.

*Oral Questions*

## NATURAL RESOURCES

**Mr. John Barlow (Foothills, CPC):** Madam Speaker, let us talk about the impact of this thoughtful way. In Alberta, foreclosure rates are rising at alarming rates—in fact, more than 25% in the last two years alone. Dismantling the NEB, politicizing infrastructure decisions, and implementing the carbon tax are all Liberal policies that are stifling any ability for Alberta's economic recovery. Canada needs the Trans Mountain pipeline.

Will the Prime Minister go to B.C. and champion this vital pipeline project, or will he continue on his quest of eliminating the oil sands and killing jobs in Alberta and the rest of Canada?

● (1135)

**Ms. Kim Rudd (Parliamentary Secretary to the Minister of Natural Resources, Lib.):** Madam Speaker, I thank the member opposite for the opportunity for me to stand and provide a very clear statement. The assertion from the member opposite is categorically false. We took action to create good middle-class jobs for Alberta by approving two pipelines, getting done what the Conservatives could not get done in 10 years.

We will continue to support Alberta as an energy hub of Canada.

**Mrs. Stephanie Kusie (Calgary Midnapore, CPC):** Madam Speaker, Calgary has been the beating heart of the energy sector for decades. Professionals in Calgary have immense knowledge and experience in pipeline safety, oil and gas exploration, and environmental reclamation. Moving the NEB from Calgary to an ivory tower in Ottawa is not the answer.

Will the Liberals commit to keeping the NEB decision-making in Calgary, or will they finally admit they do not want the oil and gas energy industry to thrive?

**Ms. Kim Rudd (Parliamentary Secretary to the Minister of Natural Resources, Lib.):** Madam Speaker, first, I would like to thank the NEB expert panel for its hard work in drafting this report.

Our government is committed to developing our resources and getting them to market in a responsible way. This requires a regulatory process in which Canadians can have confidence. Modernizing the NEB is part of our government's process to build a better system that is fair, robust, respects the rights of indigenous peoples, is based on scientific evidence, and protects our environment for generations to come. We will review the report in depth, along with other environmental regulatory reviews, and determine next steps.

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## CANADA REVENUE AGENCY

**Mr. Wayne Stetski (Kootenay—Columbia, NDP):** Madam Speaker, when people who have been victims of domestic violence apply for the CRA child tax benefit, they are burdened with an onerous and impossible requirement. CRA expects the victims to return to the abusers to obtain a signature for the application. This is an outrageous and even dangerous requirement for domestic abuse survivors who are trying to build a better, safer life for their families.

Will the Liberals do the right thing, drop this unreasonable demand, and support survivors rather than empowering their abusers?

**Mr. Adam Vaughan (Parliamentary Secretary to the Minister of Families, Children and Social Development (Housing and Urban Affairs), Lib.):** Madam Speaker, our government's commitment on two fronts is unparalleled in this parliamentary history. One is on the child benefit and the other is on support for victims of violence fleeing and seeking better shelter and protection.

On the issue that has been raised, it is a significant issue and I assure the member we will get a specific answer to the specific issues around tax and point of return. That is an issue which has just been raised today and I am happy to sit with the member and get the proper results.

On the child benefit, we are raising kids out of poverty. On victims of violence, we are supporting them. We need to make sure those two programs work in concert.

**Ms. Marjolaine Boutin-Sweet (Hochelaga, NDP):** Madam Speaker, I thank the government for that, but it has to be done very quickly.

[*Translation*]

Under the current rules, the Canada Revenue Agency tells domestic abuse survivors that they have to contact their attacker to fill out a form if they want to get the child tax benefit. That is preposterous, not to mention dangerous. This CRA requirement needs to be removed.

Will the Minister of National Revenue resolve this matter immediately and apologize to victims of domestic abuse?

[*English*]

**Hon. Maryam Monsef (Minister of Status of Women, Lib.):** Madam Speaker, happy Friday to you and all my colleagues in the House.

I thank my hon. colleague for bringing this issue to our attention. I can assure members that all policies, programs, and legislation that come through cabinet and eventually to the House are put through a GBA+ lens. This issue is exactly why we need to put that lens on all policies. We will continue to do that.

In the meantime, we will make sure that our gender-based violence strategy is implemented, with $100.9 million, so women and girls in Canada can thrive.

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## IMMIGRATION, REFUGEES AND CITIZENSHIP

**Mrs. Shannon Stubbs (Lakeland, CPC):** Madam Speaker, yesterday the Minister of Public Safety wrongly claimed recruitment and expansion justified the closure of CPC Vegreville. Here is the truth. Since 2013, over 600 applications came in for the three hiring drives. Today, the union for the majority of workers said that having permanent positions there, most are not, would help with retention. However, what does it know. It was not even consulted. Nothing is stopping the Liberals from hiring in Edmonton right now.

Will the minister do the right thing and reverse this mistake?

● (1140)

[*Translation*]

**Mr. Serge Cormier (Parliamentary Secretary to the Minister of Immigration, Refugees and Citizenship, Lib.):** Madam Speaker, our government committed to making responsible choices that improve services for Canadians and create jobs.

We have always been upfront and transparent about the costs of the relocation. In fact, a letter was sent from our department to the union, dated March 1, 2017, containing the very numbers quoted by the member opposite.

The reality is that about 20% of available positions are currently vacant. This move will address long-standing staffing challenges, allow for an expansion of operations, and create more jobs for Albertans. I repeat that all employees will be able to keep their jobs.

[*English*]

**Mrs. Shannon Stubbs (Lakeland, CPC):** Madam Speaker, for months now the Liberals have been dodging questions and making up excuses. They claim it will save money, but it is tens of millions more. They claim it is to expand, but the reality is Vegreville has room for the 32 more staff planned.

The Liberals slag the employees, but the department itself says that they are high performers, exemplary workers who always exceed departmental targets. There was no consultation, no transparency, and no honesty.

Will the minister admit this is an attack on middle-class rural Canadians and stop it now?

**Mr. Serge Cormier (Parliamentary Secretary to the Minister of Immigration, Refugees and Citizenship, Lib.):** Madam Speaker, once again, our government is committed to making responsible decisions and services to Canadians and to creating jobs. Once again, we have always been upfront and transparent about the costs of the relocation. In fact, a letter was sent from our department to the union, dated March 1, outlining the costs requested by the member opposite.

The reality is that about 20% of available positions are currently vacant. This move will address the long-standing staffing challenges, allow for an expansion of immigration operations, and create more jobs for Albertans.

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## THE ENVIRONMENT

**Mrs. Kelly Block (Carlton Trail—Eagle Creek, CPC):** Madam Speaker, while the Minister of Environment is forcing her carbon tax onto the provinces, the Minister of Transport has introduced a tanker ban, which his own officials acknowledge targets just one industry.

This is not a ban on tanker traffic, as they will continue to move up and down the coast of British Columbia. It is a ban on Canada's resource development.

Why are the Liberals continuing their blatant attacks on western Canada's resource sector?

**Mrs. Karen McCrimmon (Parliamentary Secretary to the Minister of Transport, Lib.):** Madam Speaker, our government is delivering on our promise to formalize a crude oil tanker moratorium along the north coast of British Columbia. This will protect this incredible environment that coastal and indigenous communities call home, ensure clean water for our kids and grandkids.

Our proposed legislation would prohibit oil tankers carrying crude and persistent oils as cargo from stopping, loading, or unloading at ports, marinas and installations in northern British Columbia.

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## FISHERIES AND OCEANS

**Mr. Todd Doherty (Cariboo—Prince George, CPC):** Madam Speaker, if the tanker ban was not bad enough, now we are being told to expect fisheries closures off the coast of British Columbia. We have heard from academics, scientists, industry, and fishermen at the fisheries committee. They have all said the same thing. The Liberal consultations are a sham and fail to take into account the economic, social, and environmental impacts of identifying marine protected areas.

What does the minister have to say to the numerous witnesses who have all said that the Liberal plan on marine protected areas will be a disastrous failure?

**Mr. Terry Beech (Parliamentary Secretary to the Minister of Fisheries, Oceans and the Canadian Coast Guard, Lib.):** Madam Speaker, our government is committed to increasing the proportion of marine and coastal areas that are protected to 5% this year, and to 10% by 2020. We are going to achieve these targets with sound science and transparent decision-making. Indeed, we are consulting broadly.

**Mr. Todd Doherty:** There's no consultation.

**Mr. Terry Beech:** Madam Speaker, we are actively engaging with our partners in the provinces and territories, with indigenous people and people in industry.

Also, we can all be proud in British Columbia of the most recent marine protected area, the Hecate Strait and Queen Charlotte Sound glass sponge reefs MPA, that was designated just this year.

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** I just want to remind the member for Cariboo—Prince George, who had the opportunity to ask the question without being disturbed, that I would expect he would respect the person who is responding to him as well.

The hon. member for Essex.

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## THE ENVIRONMENT

**Ms. Tracey Ramsey (Essex, NDP):** Madam Speaker, Canada is refusing to even match the U.S. investments in protecting the Great Lakes. People in my riding of Essex are concerned about the complete silence from the Liberal government when it comes to the water quality of Lake Erie. Algae blooms are negatively impacting the health of the lake, which our communities rely on for commercial fishing, tourism, and drinking water. Lake Erie has been in crisis before and deserves urgent protection to protect it now.

The health of our communities is directly tied to the health of our lakes. Will the Liberals step up and take a leadership role in protecting our treasured freshwater Great Lakes?

● (1145)

**Mr. Jonathan Wilkinson (Parliamentary Secretary to the Minister of Environment and Climate Change, Lib.):** Madam Speaker, we on this side of the House agree very much with many of the comments that were made by the hon. member. The Great Lakes are an incredibly important resource for many, both in Canada and the United States. It is an important recreational area for many people in Canada and the United States.

Some of the environmental challenges that exist in the Great Lakes, which have existed for some time, are very significant. In budget 2017, we saw a significant expansion in funding going toward the Great Lakes to address issues such as phosphorus and nitrogen runoff which are causing some of the algae blooms that are particularly problematic in Lake Erie. We are committed to addressing the problems in the Great Lakes.

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## VETERANS AFFAIRS

**Mr. Randall Garrison (Esquimalt—Saanich—Sooke, NDP):** Madam Speaker, LGBTQ Canadians are getting tired of waiting for real action to follow the selfies. Nearly a year ago, the government received briefs from groups representing those who were dishonourably discharged from the military or fired from the public service, asking for an apology. Just before he marched in Toronto Pride last year, the Prime Minister promised a formal apology for the harm done.

Now, at the first anniversary of this promise, all we have is a re-promise, and those who have been waiting more than 25 years for justice have been told to wait again. Will the government finally keep this promise? Does the government intend to make the apology or not?

[*Translation*]

**Mr. Jean Rioux (Parliamentary Secretary to the Minister of National Defence, Lib.):** Madam Speaker, all men and women who serve their country deserve to be treated with dignity and respect, no matter their sex or background. We are pleased with the progress that is being made by the Canadian Armed Forces in eliminating sexual misconduct. Professional measures are taken to deal with offenders, robust training programs have been implemented, reports of sexual misconduct that were deemed unfounded in the past are currently being reviewed, and most importantly, victims are getting more support.

[*English*]

## CANADA-U.S. RELATIONS

**Mr. Dan Ruimy (Pitt Meadows—Maple Ridge, Lib.):** Madam Speaker, as chair of the innovation, science and technology committee, I was pleased to take our committee to Washington, D.C. earlier this month to meet with business and government. It is so exciting to know that many of our companies have a strong relationship with our neighbours to the south.

For most of the last three decades, trade has been an important part of that relationship. Only last year, U.S. goods and services trade with Canada totalled an estimated $627.8 billion U.S.

Could the Minister of Innovation, Science and Economic Development tell the House what he is doing to grow this mutually beneficial relationship on the ground?

**Hon. Navdeep Bains (Minister of Innovation, Science and Economic Development, Lib.):** Madam Speaker, I would like to thank my colleague from Pitt Meadows—Maple Ridge for his hard work and leadership as the chair of the innovation committee.

He is absolutely correct. Our trade is fair and balanced with our U. S. counterparts. Since NAFTA came into force, our economies have more than doubled, so it truly is a win-win situation. We have integrated economies, highly competitive, that allow us to compete globally. I have shared this viewpoint with my counterparts in Michigan, Colorado, California, and Nevada. We will continue to work together, build things together, and create jobs—

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** The hon. member for Richmond—Arthabaska.

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[*Translation*]

## INFRASTRUCTURE

**Mr. Alain Rayes (Richmond—Arthabaska, CPC):** Madam Speaker, yesterday, the chair of the Standing Committee on Transport, Infrastructure and Communities sent a letter to the Standing Committee on Finance to confirm that committee members agreed on the infrastructure bank, which is completely false.

It gets worse. The chair sent a letter on Wednesday; the committee sat on Thursday; the letter was dated today. If that is not arrogance or contempt, then I do not know what is.

When will this government start respecting our institution and give up on this ridiculous infrastructure bank idea?

[*English*]

**Hon. Amarjeet Sohi (Minister of Infrastructure and Communities, Lib.):** Madam Speaker, for almost a decade the municipal sector was neglected by the previous government. Our goal is to put forward an infrastructure plan that will help rebuild Canadian communities from coast to coast to coast.

The creation of the infrastructure bank would allow us to build more infrastructure by mobilizing private capital. That would help us to build and transform infrastructure that our communities need and deserve.

● (1150)

**Mr. Ron Liepert (Calgary Signal Hill, CPC):** Madam Speaker, the finance committee is currently studying the budget bill, Bill C-44, but this omnibus bill contains the Liberals' so-called infrastructure bank. We have had several witnesses appear before committee who have studied this scheme and are testifying that this bank is being set up to invest in high-risk projects.

My question is for the Minister of Finance. Why is he gambling with $35 billion of hard-earned taxpayer dollars?

**Hon. Amarjeet Sohi (Minister of Infrastructure and Communities, Lib.):** Madam Speaker, I can assure the hon. member and the House that we will do the proper due diligence before we undertake any project, by the bank, by the private sector, by the municipal sector, by the provincial sector, people who will be involved in building that infrastructure.

Our goal is to make sure that we protect the public interest, to make sure that public dollars are protected, while we build the infrastructure that is required by our Canadian communities.

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## CONSULAR AFFAIRS

**Hon. Gerry Ritz (Battlefords—Lloydminster, CPC):** Madam Speaker, for more than a year now Canadian citizens John Chang and his wife Allison Lu have been held in jail by China's general administration of customs. Their company, Lulu Island Winery in B.C., has successfully exported to China for some six years, so they know the system well. The arrest of Mr. Chang and Ms. Lu for a fabricated customs violation is an assault on their basic rights, a breach of China's international trade obligations and China's own customs laws. This is clearly a trade issue, not a consular issue.

Why will the Prime Minister not intervene in this new era of the Canada-China relationship?

**Mr. Omar Alghabra (Parliamentary Secretary to the Minister of Foreign Affairs (Consular Affairs), Lib.):** Madam Speaker, I want to assure the hon. member and all Canadians that we are following this case very closely. I had the chance to meet with their daughter and I spoke with their lawyer. Our government is highly engaged on this file. We are in constant contact with Chinese local authorities. We want to resolve this matter as quickly as possible.

As the hon. member knows, due to the Privacy Act, we cannot reveal further details about this matter.

**Hon. Gerry Ritz (Battlefords—Lloydminster, CPC):** Madam Speaker, privacy has been out the window for the last 13 months.

The family and the Changs deserve a lot better from the government. They have been making application after application. Talking about this is a trade issue not a consular issue. They constantly get this consular issue dribble that really gets no results.

This is now a matter of timing. One week from today, John Chang faces a closed court in Shanghai that will decide his fate. He has had three visits in the past 13 months from consular officials. That is just not good enough. Canadians deserve and expect a lot better than this from their government when they get in trouble—

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** The hon. Parliamentary Secretary to the Minister of Foreign Affairs.

**Mr. Omar Alghabra (Parliamentary Secretary to the Minister of Foreign Affairs (Consular Affairs), Lib.):** Madam Speaker, Canadians know very well the track record of this government and of our Prime Minister when defending Canadians abroad. We will never turn our backs on Canadians when they need our help abroad.

We are very active on this file and we will not stop until we resolve this matter.

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## PUBLIC SERVICES AND PROCUREMENT

**Ms. Sheri Benson (Saskatoon West, NDP):** Madam Speaker, the Phoenix fiasco at its core is a scandal about the government not paying its employees. If this were any other workplace, this would have been solved months ago, but instead, the Liberal government's main response is to blame the Conservatives. It was the Liberal government that authorized the implementation of Phoenix and it was the Liberal government that refuses to put in place a permanent solution.

While workers are not getting paid, I would ask the government, has the government been paying IBM on time?

**Mr. Steven MacKinnon (Parliamentary Secretary to the Minister of Public Services and Procurement, Lib.):** Madam Speaker, this government is deploying all of the resources it has at its disposal, both human and financial, in support of fixing these problems that were left to us by the Conservatives.

I can assure the hon. member that in Saskatoon, Saskatchewan, and right across this country, there are hundreds of public servants, hundreds of people working today at this very moment, on resolving these problems which we are all very eager to resolve.

[*Translation*]

**Mr. François Choquette (Drummond, NDP):** Madam Speaker, this week I found out that employees at Drummond Institution received a letter asking them to pay back the emergency pay advances they received during the Phoenix pay system crisis.

The employees do not take issue with having to pay back the advances, but the disappointing and shocking thing is the very tight deadline for repayment, not to mention the fact that most of them are still owed money because of the Phoenix fiasco.

Can the government take responsibility and show some empathy to its employees, who are victims in this scandal?

● (1155)

**Mr. Steven MacKinnon (Parliamentary Secretary to the Minister of Public Services and Procurement, Lib.):** Madam Speaker, I can tell you that this government takes very seriously the problems with the Phoenix pay system, which we inherited from the opposition party.



We are using every financial and human resource possible from one end of the country to the other and across Quebec, including my riding, Gatineau.

I thank the public servants working on the system for their work, and I can assure every one of Canada's public servants that, in the end, we will have a pay system that lives up to our expectations.

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[*English*]

## TAXATION

**Mr. Martin Shields (Bow River, CPC):** Madam Speaker, Canada has the third-highest beer tax in the world, yet the Liberals' budget contains an escalator tax on beer sales. Thanks to this poorly thought out scheme to fleece Canadians, every year on April 1 the cost of beer would automatically increase. This tax would hurt consumers, brewers, and many other spinoff industries in Canada.

Will the Liberals cancel this ill-thought-out permanently increasing tax hike on beer?

**Hon. Ginette Petitpas Taylor (Parliamentary Secretary to the Minister of Finance, Lib.):** Madam Speaker, our government believes that everyone in Canada should pay his or her fair share of taxes.

Budget 2017 proposes to increase taxes on alcohol products. It would be the first increase, I might add, in over 30 years. The 2% increase amounts to about 5¢ per 24 bottles of beer. The inflationary adjustment would provide alcohol producers with greater certainty in the future and follow similar steps taken by many of the provinces.

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## CANADIAN HERITAGE

**Hon. Peter Van Loan (York—Simcoe, CPC):** Madam Speaker, the Liberal war on history continues. Groups celebrating our history on the 150th anniversary of Confederation have been told they cannot. The Annapolis Valley project showcasing the region's contribution to Canada's founding has been told no by Ottawa. Instead, Canada 150 funds of half a million dollars went to former Liberal cabinet minister Ken Dryden for his project, a TV show modestly called "*We Are Canada*", described as "just tedious TV" by *The Globe and Mail*. It was helpfully broadcast on the taxpayer-funded CBC.

Why is the Liberal government taking money from community groups and giving it to former Liberal politicians?

**Hon. Mélanie Joly (Minister of Canadian Heritage, Lib.):** Madam Speaker, we are extremely proud of everything we are doing in line with Canada 150. We believe in the importance of our four themes: youth, environment, reconciliation with indigenous peoples, and diversity and inclusion. We want Canadians to be able to celebrate across the country. We want to make sure that all regions are adequately represented. Of course, we are making sure that this process is non-partisan. Ultimately, this is a year to celebrate, so let us celebrate Canada 150 all together.

**Hon. Peter Van Loan (York—Simcoe, CPC):** Madam Speaker, the Liberals always find a way to take care of their friends. As we have seen this week, no former Liberal cabinet minister is ever left behind. When I commented that it was inappropriate for the CBC to receive Canada 150 funding on top of its annual billion dollars from the taxpayers, the CBC's taxpayer-funded lobbyist corrected me. The Canada 150 money went to Ken Dryden, not the CBC. In fact, the CBC paid even more tax dollars to the former Liberal minister's project.

Why is it that the only history that can make it past the Liberal war on history is someone's past history as a Liberal minister?

**Hon. Mélanie Joly (Minister of Canadian Heritage, Lib.):** Madam Speaker, as I already mentioned, we have four important themes in the context of Canada 150, and one of them is engaging with young people. *We Are Canada* was reviewed by my department and recommended as it met the eligibility criteria as a Canada 150 community project.

I invite all members of this House to participate in Canada 150 projects, because this is a great year for Canada.

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## TOURISM INDUSTRY

**Ms. Anita Vandenbeld (Ottawa West—Nepean, Lib.):** Madam Speaker, this summer, as we celebrate Canada 150, the national capital region prides itself on welcoming tourists from across Canada and around the world. Be it the National Arts Centre, the National Gallery, restaurants, music festivals, or museums, there is so much to see and do.

The tourism industry supports over 13,000 jobs in our region. Will the Parliamentary Secretary for Small Business and Tourism please give the House an update on what our government is doing to support tourism in the national capital region and across the country?

● (1200)

[*Translation*]

**Ms. Gudie Hutchings (Parliamentary Secretary for Small Business and Tourism, Lib.):** Madam Speaker, I thank my colleague and friend, the member for Ottawa West—Nepean, for her passion and her excellent work in the tourism industry.

[*English*]

Canada's rural and urban communities have much to share with the world. Last week, the Minister of Small Business and Tourism announced Canada's new vision. This is our pan-Canadian approach to improving tourism marketing, making it easier to get here, and developing new experiences, such as indigenous tourism, LGBTQ tourism, culinary tourism, and so much more.

Canada's tourism industry is vital to our economy. It supports more than 1.7 million jobs and thousands of small businesses. I encourage everyone to explore not only—

[*Translation*]

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** Order. The hon. member for Charlesbourg—Haute-Saint-Charles.

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## NATIONAL DEFENCE

**Mr. Pierre Paul-Hus (Charlesbourg—Haute-Saint-Charles, CPC):** Madam Speaker, the Minister of National Defence would have us believe that the Royal Canadian Air Force does not have the resources to fulfill both its NATO and its NORAD commitments.

As it turns out, in 2017 six CF-18s were sent to Iceland for two months for a NATO mission. They were then sent to Romania for even longer.

If there really is a capability gap, how can Canada spare six jets for such a long time? Was the Minister of National Defence the architect of the capability gap?

**Mr. Jean Rioux (Parliamentary Secretary to the Minister of National Defence, Lib.):** Madam Speaker, that is why we are looking at the possibility of acquiring an interim fleet of 18 Super Hornet fighters to supplement the CF-18 fleet until the permanent replacements arrive.

With these measures, Canadians can rest assured that our short- and long-term defence needs will always be met.

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## JUSTICE

**Mrs. Alexandra Mendès (Brossard—Saint-Lambert, Lib.):** Madam Speaker, this week is National Safe Driving Week. As my colleagues probably already know, impaired driving is a serious crime that injures and kills thousands of Canadians every year. In 2015, the police reported 72,000 incidents of impaired driving, 3,000 of which were drug-related.

[*English*]

Could the parliamentary secretary to the Minister of Justice explain what our government is doing to address this serious issue of impaired driving and to make our roads safer for all Canadians?

[*Translation*]

**Mr. Bill Blair (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.):** Madam Speaker, I thank my colleague from Brossard—Saint-Lambert for her question and her efforts in supporting this cause.

[*English*]

We are proud to have introduced Bill C-46, which will make Canada a world leader in the fight against alcohol- and drug-impaired driving. The proposed legislation will reform the entire impaired-driving regime in the Criminal Code. It will strengthen existing drug- and alcohol-impaired driving laws by creating new offences and by making the law more efficient to enforce, simpler, and more coherent for all Canadians.

For this year's national safe driving week, I encourage all members of this House to work with our government—

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** The hon. member for Beauport—Limoilou.

* * *

[*Translation*]

## TAXATION

**Mr. Alupa Clarke (Beauport—Limoilou, CPC):** Madam Speaker, since the Liberal government took office, the people of Beauport—Limoilou have been plagued with tax hikes, the cancellation of tax credits for family activities, extra payroll taxes, and new taxes on various consumer goods.

Yesterday, the Liberal government confirmed that it will be imposing a carbon tax on all the provinces. By 2022, gas prices at the pump will increase by 12¢, which is really going to drive up the cost of groceries.

Will the Liberals put a stop to this situation before it escalates any further, or is this just the beginning?

**Hon. Ginette Petitpas Taylor (Parliamentary Secretary to the Minister of Finance, Lib.):** Madam Speaker, our government is committed to growing the economy and supporting the middle class and those working hard to join it.

The first thing that our government did was lower taxes for the middle class. We were surprised to see that the party opposite voted against that measure. We also raised taxes for the wealthy, and surprisingly the party opposite also voted against that. We implemented the Canada child benefit, which the party opposite once again voted against.

* * *

## CANADA REVENUE AGENCY

**Mr. Gabriel Ste-Marie (Joliette, BQ):** Madam Speaker, although the government keeps telling us that it is working very hard to combat tax avoidance, we learned that $231 billion was sheltered last year in the tax havens of Barbados, Luxembourg, and the Cayman Islands. Nothing is too good for profiteers.

Is the government satisfied with its strategy to crack down on tax havens, even though no tax was paid on $231 billion dollars?

[*English*]

**Ms. Kamal Khera (Parliamentary Secretary to the Minister of National Revenue, Lib.):** Madam Speaker, our government is fully committed to combatting tax evasion and aggressive tax avoidance. We know that we must work hard to ensure that our tax system is fair and responsive to all Canadians. That is why our government has made unprecedented investments in the Canada Revenue Agency. In our first budget, we invested $444 million, in addition to $524 million in budget 2017. This is to ensure that our actions are showing tangible results. Last year our offshore and domestic audit activities enabled us to recoup $13 billion.

We will continue to work for Canadians. That is what Canadians expect.

● (1205)

[*Translation*]

**Mr. Gabriel Ste-Marie (Joliette, BQ):** Madam Speaker, we see the results of the government's efforts.

A total of $231 billion, or almost two-thirds of Quebec's GDP, was hidden in tax havens. With regard to Ottawa's hard work, former Liberal candidate Marwah Rizqy told *Le Journal de Québec* that it is a “farce, hogwash” and that “Canada is asleep at the wheel”.

Why is the government only going after the little fish? In the meantime, it is letting the big financial sharks do what they want.

[*English*]

**Ms. Kamal Khera (Parliamentary Secretary to the Minister of National Revenue, Lib.):** Madam Speaker, CRA continues to take important steps and is making progress in cracking down on tax cheats and ensuring a tax system that is more responsive and fair to all Canadians.

In last year's budget, the agency took significant action on several fronts to identify and deal with tax cheats. Building on the previous investment of $444 million, budget 2017 invested an additional $524 million to crack down on tax evasion and improve compliance.

[*Translation*]

**Mr. Rhéal Fortin (Rivière-du-Nord, BQ):** Madam Speaker, the government has cut health transfers. Naturally, this has a direct effect on the sick. The government has abandoned our cheese producers and it refuses to provide loan guarantees for the forestry industry, which is facing a new softwood lumber crisis. It is not going to increase regular EI benefits.

Do this government and the Liberal Minister of National Revenue realize that the refusal to take action, this lax attitude, and complacency towards KPMG and tax havens have a direct effect on our sick, our workers, and our unemployed?

[*English*]

**Ms. Kamal Khera (Parliamentary Secretary to the Minister of National Revenue, Lib.):** As I said, Madam Speaker, our government is fully committed to combatting tax evasion and addressing tax avoidance.

We know that we must work hard to ensure that our tax system is fair and responsive to all Canadians. That is why our government has made unprecedented investments in the CRA. In our first budget, we invested $444 million in the CRA. In budget 2017, we added $524 million to better target high-risk taxpayers and to make sure we have the best tools available at our disposal to close in the tax cheats.

* * *

## INFRASTRUCTURE

**Hon. Hunter Tootoo (Nunavut, Ind.):** Madam Speaker, my question is for the Minister of Infrastructure and Communities. As highlighted in Mary Simon's recent report, there is a great need to develop criteria for Arctic infrastructure projects that reflect the uniqueness of the north. Improving water and waste-water management systems is an urgent infrastructure need that is important for the well-being and prosperity of Nunavut communities.

The minister recently visited Iqaluit and Pangnirtung, and I was very pleased to join him in Iqaluit for an important funding announcement. Can the minister inform the House of the government's infrastructure investments in Nunavut?

**Hon. Amarjeet Sohi (Minister of Infrastructure and Communities, Lib.):** Madam Speaker, as the hon. member mentioned, I was honoured to visit Nunavut and announce, alongside the territorial government and the hon. member, $230 million in joint funding for nine projects that will help 19 communities deal with waste management systems, improve waste-water quality, and make further investments to improve water quality in those communities.

We are very proud to be making investments in Nunavut, and we will continue to work with our partners to build stronger communities in the north.

[*Translation*]

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** The member for Hochelaga on a point of order.

**Ms. Marjolaine Boutin-Sweet:** Madam Speaker, I rise on a point of order.

During question period, I asked a question about women who are victims of domestic violence. The Minister of Status of Women began her response with "Happy Friday". I was asking a very serious question that required a very serious answer. Women who heard the minister are going to think that she does not take the problem—

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** Order. I appreciate the comments from the hon. member for Hochelaga, but that sounds like a point of debate, not necessarily a point of order.

The hon. member for Louis-Saint-Laurent.

● (1210)

**Mr. Gérard Deltell:** Madam Speaker, I rise on a point of order.

During question period, in the heat of the moment, I used an inappropriate word, and I would like to correct the record. I talked about the carbon lottery, but I meant to talk about a carbon exchange.

[*English*]

## POINTS OF ORDER

### QUESTIONS ON THE ORDER PAPER

**Hon. Pierre Poilievre (Carleton, CPC):** Madam Speaker, I regret that I am not having a happy Friday. As a result, I am rising on a point of order with respect to the answer to Question No. 954 that was tabled yesterday.

Question No. 954 was submitted on April 3, and sought information on how the "Guide for Parliamentary Secretaries", published by the Privy Council Office in December 2015, applied to trips made by two parliamentary secretaries. While this was a simple straightforward question, incorporated into the answer was a remark that was totally unrelated to the question. Further, I would argue that this unnecessary insertion had the effect of tarnishing the reputation of a former member of this House of Commons and constitutes an improper use by the government of the process of written questions.

In making the case for sponsored travel for parliamentary secretaries, the following appeared in the answer to Question No. 954, which states:

> Moreover...John Baird, while he was Minister of Foreign Affairs, travelled to Washington...a trip that was sponsored by the American Israel [Political Action] Committee.

I suppose the government was trying to make the point that what was good for the Conservative goose is good for Liberal ganders. However, according to the list of sponsored travel submitted to the Speaker himself on March 23, 2016 pursuant to 15(3) of the "Conflict of Interest Code for Members of the House of Commons", it indicated that Mr. Baird went on this trip on February 28, 2015.

On February 3, 2015, a full 25 days before the trip in question took place, Mr. Baird announced in this House his resignation from cabinet, effective immediately.

This is not just sloppy research. I contend it is an attempt by the government to use a parliamentary tool not to aid a member as it is intended, but in an unorthodox manner to distort the facts and smear the reputation of a former member of this House.

Chapter 3 of *Beauchesne's Parliamentary Rules and Forms*, sixth edition, states, "More tentative are such traditional features as respect for the rights of the minority, which precludes a Government from using to excess the extensive powers that it has to...proceed in what the public and the Opposition might interpret as unorthodox ways." That is exactly what has happened here.

Whether or not someone was a minister of the government at the time is not a debatable fact. Having factually wrong, damaging information about a former member in a response to an Order Paper question does not just happen. These responses are reviewed by top advisers to the Prime Minister, the Privy Council Office, and in particular the office for the coordination of parliamentary returns. Those parties are all meant to verify that a response is accurate. Normally they do an admirable job, with some notable exceptions that I have brought to your attention in the past. It is not believable that such an erroneous, vindictive, false statement about a former member of the House was drafted or prepared by Privy Council Office officials. They are far too professional in their work to ever have made such an egregious and obviously factual mistake. This was clearly the work of one of the Prime Minister's partisan advisers, who was trying to make a political statement at the expense of a former member, and of the truth.

I ask that you look into this serious matter and come back to the House with a ruling, Madam Speaker.

I would also ask that the Prime Minister, who is responsible for the answer, as it was signed by his own personal parliamentary secretary on his behalf, to correct the record, and to apologize to the Hon. John Baird.

In addition, I would like to reserve my right to raise this matter as a question of privilege in the event that the government insists on misleading the House on this matter.

● (1215)

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Madam Speaker, I will review the answer that was provided, but I can assure the member that we go through hundreds of questions and attempt to provide the best and fullest answers whenever possible. I will report back after I have had the opportunity to look at what the member put on the record today.

[*Translation*]

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** Is the hon. member for Hochelaga rising on the same point of order?

**Ms. Marjolaine Boutin-Sweet:** No, Madam Speaker, the previous one.

[*English*]

**Hon. Pierre Poilievre:** Madam Speaker, I note the member said that the government responds to hundreds of Order Paper questions, and that is true, which is precisely why it is inexplicable that they took the time to insert additional factual errors in this particular response. This was not a mistake of omission, it was a mistake of co-mission. They committed the error of deliberately inserting false information in an Order Paper response, all the more egregious by the fact that they have so many other questions they could be dedicating their time to respond to.

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** I appreciate the intervention from the member and the response from the parliamentary secretary. I will take the information under advisement.



[*Translation*]

Is the hon. member for Hochelaga rising on another point of order?



**Ms. Marjolaine Boutin-Sweet (Hochelaga, NDP):** Madam Speaker, yes, it is on the same subject as my point of order earlier. I am convinced that it is indeed a point of order. I had a conversation with the minister. I know she understands the problem, but I think she needs to apologize out of respect for the women who have been victims of abuse.

[*English*]

**Hon. Maryam Monsef (Minister of Status of Women, Lib.):** Madam Speaker, I thank my hon. colleague and ask for forgiveness. I understand that every six days in this country a woman is killed by the hands of an intimate partner. I understand that these issues affect three out of 10 women, and that if we work together, we can address these issues. I will definitely be more mindful of my language, absolutely, but, more importantly, I will continue to be a force with all of my colleagues to ensure that we see tangible change in our generation.

# ROUTINE PROCEEDINGS

[*English*]

## PETITIONS



**Mrs. Kelly Block (Carlton Trail—Eagle Creek, CPC):** Madam Speaker, I have an e-petition signed by 542 Canadians and a paper petition signed by over 100 more, calling on the Minister of Finance to reform the Canada pension plan to allow anyone diagnosed with a terminal illness who has contributed to CPP for 20 years or more to claim disability benefits, regardless of the date of their last contribution.

This issue was brought to my attention by my constituent, Les Mills, who retired early but was then sadly diagnosed with terminal cancer. Because of the current rules, Les is unlikely to ever benefit from CPP, even though he contributed for many years. Les and the petitioners would like the rules changed so that this situation is not repeated in the future.

* * *

● (1220)

## QUESTIONS ON THE ORDER PAPER

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Madam Speaker, the following questions will be answered today: Nos. 952, 953, and 957.

[*Text*]

Question No. 952— **Mr. Robert Aubin**:

With regard to developing a scientific standard for concrete aggregates: (*a*) on what date did the Department of Innovation, Science and Economic Development or any other department begin the process for developing a scientific standard; (*b*) has a timeline been set by the department to finalize the process for developing a scientific standard; (*c*) what section of the department is responsible for developing the scientific standard; (*d*) what amount is the department investing in the development process for the scientific standard; (*e*) what is the total number of employees assigned by the department to work on developing the scientific standard; (*f*) has the department hired external consultants to work on the scientific standard development process; (*g*) how many external consultants have been hired as part of this process; (*h*) who are the external consultants that have been hired as part of this process; (*i*) what amount has the department allocated to hire these external consultants; and (*j*) what are the documents, scientific standards and guidelines on which this process is based?

**Hon. Navdeep Bains (Minister of Innovation, Science and Economic Development, Lib.)**: Mr. Speaker, with regard to (a), the National Research Council of Canada, NRC, provides scientific, administrative, and financial support to the Canadian Commission on Building and Fire Codes, or CCBFC, an independent committee established by the NRC. This commission is responsible for developing and updating Canada's various national model codes, including the National Building Code, the National Fire Code, the Energy Code, and the Plumbing Code, in which over 600 standards are currently referenced, including the Canadian Standards Association A23.1 technical standard, "Concrete Materials and Methods of Concrete Construction". This standard was first developed in 1980, with an update schedule of every five years. This technical standard was developed by the CSA, which is an independent not-for-profit organization. The CSA is accredited by the Standards Council of Canada, or SCC, a crown corporation of Innovation, Science and Economic Development Canada that provides the requirements and guidance for all accredited standards organizations to develop standards for the Canada market.

With regard to (b), as noted above, the technical standard is not maintained by NRC or the Canadian Commission of Building and Fire Codes but rather by the CSA. The CSA continues to update their standards on a five-year cycle, with the next edition of this standard due out in 2019. The Standards Council of Canada provides the requirements and guidance for all accredited standards organizations, such as the CSA, for which a link is provided.

With regard to (c), the technical standard is developed by the CSA, which is an independent not-for-profit organization. The National Building Code, or NBC, which is developed by NRC, references this standard, and the NBC is maintained by the commission, which is made up of voluntary members. Their support is provided through Codes Canada under the construction portfolio at NRC.

With regard to (d), there has been no financial support from NRC committed, as the development is carried out at the CSA. The National Building Code section that references this standard falls under the mandate of one technical committee reporting to the commission, and is supported by one technical adviser at Codes Canada.

With regard to (e), no employees were assigned to work on developing the scientific standards.

With regard to (f), no external consultants were hired to work on the scientific standard development process.

With regard to (f) and (g), no external consultants have been hired as part of this process.

With regard to (h) and (i), these items are not applicable.

With regard to (j), the SCC provides the requirements and guidance that the SCC-accredited standards development organizations, or SDOs, follow to develop or adopt standards for the Canadian market. The requirements and guidance documents for accredited SDOs can be found at https://www.scc.ca/en/ news-events/news/2017/ scc-improves-canadian-standards- development-system.

Question No. 953— **Mr. Phil McColeman**:

With regard to at-risk and bonus payments to employees of the federal public service, broken down by year from 2013 to 2016 and by department or agency: (*a*) how many federal public servants received at-risk payments; (*b*) how many federal public servants received bonus payments; (*c*) what amount was allocated in each department's budget for at-risk payments; (*d*) what amount was allocated in each department's budget for bonus payments; (*e*) what was the cumulative amount of at-risk payments paid out in each department; (*f*) what was the cumulative amount of bonus payments paid out in each department; (*g*) how many public servants were eligible for at-risk pay but did not receive it; (*h*) what were the reasons given for each public servant who received an at-risk payment; (*i*) what were the reasons given for each public servant who received a bonus payment; and (*j*) what were the reasons given for each public servant who was eligible for an at-risk payment but did not receive it?

**Ms. Joyce Murray (Parliamentary Secretary to the President of the Treasury Board, Lib.)**: Mr. Speaker, with regard to (a), (b), (e), (f), and (g), data for the years 2013-2014 and 2014-2015 are available on the Treasury Board of Canada Secretariat's website at https://www.canada.ca/en/ treasury-board-secretariat/services/ per-formance-talent-management /performance-management-program-executives.html.

The data for 2015-2016 will be published once they are finalized.

With regard to (c) and (d), the Treasury Board of Canada Secretariat sets departmental spending limits for executive performance pay, calculated as a percentage of departmental executive payroll at March 31. Each department then has the flexibility to spend this budget, as long as individual payments do not exceed the following percentages established by the Treasury Board: up to 12% of base salary for at-risk pay and up to 3% of base salary for bonus pay for each eligible executive at the EX-01, EX-02, or EX-03 levels, and up to 20% of base salary for at-risk pay and up to 6% of base salary for bonus pay for each eligible executive at the EX-04 or EX-05 level.

With regard to (h), the directives on executive compensation and on the performance management program for executives set out the requirements related to eligibility for performance pay. All executives are assessed at the end of the performance management cycle on the extent to which they have achieved the objectives set out in their performance agreement and their demonstration of their key leadership competencies. Based on this assessment, each executive is given a rating on a 5-point scale, where 1 is "Did not meet" and 5 is "Surpassed". Executives who obtain a rating of 2 or higher are eligible for performance pay. Ratings recommended by the manager of each executive are reviewed by the departmental review committee and approved by the deputy head. All performance pay decisions must be approved by the deputy head.

With regard to (i), only individuals who get a rating of "Surpassed", meaning their performance was outstanding, and who receive the maximum percentage of at-risk pay are eligible for the bonus.

With regard to (j), executives whose performance rating is "Did not meet" are not eligible for performance pay.

Question No. 957— **Mr. Ben Lobb**:

> With regard to the government's approval of the takeover of ITF Technologies by O-Net Technology Group: (*a*) did the government impose any condition on the takeover aimed at preventing the Chinese government from having access to weapon technology; (*b*) if the answer to (*a*) is affirmative, what were the conditions; (*c*) if the answer to (*a*) is negative, what was the rationale for not imposing any condition; and (*d*) did the government receive any communication from the Chinese government encouraging the Canadian government to approve the takeover and, if so, what are the details including the (i) date, (ii) sender, (iii) recipient?

**Hon. Navdeep Bains (Minister of Innovation, Science and Economic Development, Lib.)**: Mr. Speaker, pursuant to an order from the Federal Court, a national security review of the takeover of ITF Technologies by O-Net Technology Group was conducted under the Investment Canada Act. Following this thorough review, an order containing measures to protect national security was issued. The government acted on the full record of the evidence and on the advice of Canada's security and intelligence experts.

The act contains strict confidentiality provisions in regard to information obtained through its administration. Section 36 of the act states that,

> …all information obtained in respect to a Canadian, a non-Canadian, a business or an entity referred to in paragraph 25.1(c) by the Minister or an officer or employee of Her Majesty in the course of the administration or enforcement of this Act is privileged and no one shall knowingly communicate or allow to be communicated any such information or allow anyone to inspect or to have access to any such information.

As a result of section 36, and given that this is a national security matter, we are unable to disclose any additional information.

* * *

[*English*]

## QUESTIONS PASSED AS ORDERS FOR RETURNS

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Madam Speaker, if the government's response to Questions Nos. 951 and 955 could be made orders for return, these returns would be tabled immediately.



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

**Some hon. members:** Agreed.

[*Text*]

Question No. 951—**Mr. James Bezan**:

> With regard to the $8.48 billion that was reallocated from 2015-16 to 2035-36: (*a*) has the government earmarked this money for specific projects, and, if so, to which projects will this funding reallocation be applied; (*b*) what are the details for each project referred to in (*a*), including (i) how much funding will be reallocated to the project, (ii) project description; (*c*) for each project that had its funding reallocated to 2035-36, what is the anticipated average annual inflation cost of each project for the next five years; (*d*) what is the description of each project referred to in (*c*); (*e*) based on calculations from (*c*), how does the government anticipate that inflation costs will impact the government's buying power; and (*f*) are additional funds being set aside in the fiscal framework to account for schedule slippage as a result of the reallocation of $8.48 billion?

(Return tabled)

Question No. 955—**Mr. Dave MacKenzie**:

> With regard to contracts signed by the government with the firm Data Sciences, since November 4, 2015, for each contract: (*a*) what is the (i) value, (ii) description of the service provided, (iii) date and duration of the contract, (iv) internal tracking or file number; and (*b*) was the contract sole sourced?

(Return tabled)

[*English*]

**Mr. Kevin Lamoureux:** Madam Speaker, I would ask that all remaining questions be allowed to stand.

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

**Some hon. members:** Agreed.

* * *

## PRIVILEGE

### RIGHTS OF NON-RECOGNIZED PARTIES

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Madam Speaker, I am rising to respond to a question of privilege raised by the member for Montcalm on May 4, 2017, on the rights of the non-recognized parties.

The member alleges that representatives from the non-recognized parties are unable to sit on committees or participate in the consideration of parliamentary reform, and that time allocation limits the participation of such members from debate. He alleges that this impinges these members from discharging their parliamentary functions.

Let me take the member's grievances in the order in which they were raised.

First, the member for Montcalm states that the members from the non-recognized parties are barred from committee, and in particular were barred from participating in the procedure and House affairs committee's deliberations on Standing Order changes.

This is simply not accurate. Standing Order 119 provides that "Any Member of the House who is not a member of a standing, special or legislative committee, may...take part in the public proceedings of the committee, but may not vote or move any motion, nor be part of any quorum."

I would also add that all committees have adopted a motion to allow members from non-recognized parties to participate in committees by moving amendments to bills and speaking to those amendments. There have also been instances where members from recognized parties have allowed members from non-recognized parties to use their speaking slots in committee, so they too can be heard.

The member stated that members from non-recognized parties were not able to participate in the deliberations at the procedure and House affairs committee on the motion put forward by the member for Coast of Bays—Central—Notre Dame. Perhaps the member for Montcalm is unaware that his colleague, the member for Pierre-Boucher—Les Patriotes—Verchères, participated in debate at that committee on the aforementioned motion.

Secondly, on the member's statement that making changes to the Standing Orders requires consensus and doing otherwise would not be in keeping with the practices or customs of the House, this is simply not the case. In 1991, the Conservative government unilaterally made significant changes to the Standing Orders without the support of any opposition parties. Changes were also made to the Standing Orders in 1913, 1968, and 2014 without consensus.

Third, the notion that the use of time allocation impedes the ability of members from non-recognized parties to speak has been the subject of Speakers' rulings. On November 26, 2014, the Speaker stated on this matter the following: "As early as 1993, Speaker Fraser spoke of limits of the Speaker's authority in relation to the use...[of time allocation]." "Speaker Fraser stated, I have to advise the House that the rule is clear. It is within the government's discretion to use it. I cannot find any lawful way that I can exercise a discretion which would unilaterally break a very specific rule."

There are natural limits to the ability of non-recognized members to participate in debate. Opposition days rarely afford the ability of such members to speak on the matter before the House. In some cases, private members' business also can have the same effect. Naturally, not every member of the House can speak to every debatable motion.

Page 648 of the second edition of *House of Commons Procedure and Practice* states:

> When asked to determine the acceptability of a motion to limit debate, the Speaker does not judge the importance of the issue in question or whether a reasonable time has been allowed for debate, but strictly addresses the acceptability of the procedure followed. Speakers have therefore ruled that a procedurally acceptable motion to limit the ability of Members to speak on a given motion before the House does not constitute prima facie a breach of...privilege.

Fourth, and finally, the member submits that the non-recognized parties were not informed of the government's intentions regarding the procedural amendments at the same time as recognized parties. The member alleges that this unequal treatment is a breach of privilege. I would note that the correspondence to which the member refers was a letter written to the government House leader from the opposition House leaders. Perhaps the member should raise with the opposition House leaders why the members from the Bloc, the member for Saanich—Gulf Islands, and the member for Nunavut were not included.

Our government has proposed sensible reforms to empower all members of the House to more effectively participate in the legislative process. The opposition parties and members from the Bloc and the member for Saanich—Gulf Islands rejected those proposals.

I submit that the issues raised by the member for Montcalm do not in any way meet the threshold of constituting prima facie a breach of privilege.

● (1225)

[*Translation*]

**Mr. Gabriel Ste-Marie (Joliette, BQ):** Madam Speaker, I listened closely to what the Parliamentary Secretary to the Leader of the Government in the House of Commons had to say, and I want to reiterate my colleague from Montcalm's calls to protect the rights of members of unrecognized parties.

Some of my colleague's arguments are true in theory, but things are different in reality. For example, when we want to say something in committee, they let us talk only if the subject is somewhat less interesting than usual. Whenever a juicy topic comes up, we are not allowed to speak.

Here is an example. Last year, during KPMG's testimony on tax havens before the Standing Committee on Finance, we had a number of questions to ask, but we were not allowed to say a word until the final 15 seconds, which was not long enough to get an answer.

I want to point out that we do not get to call witnesses to appear before a committee. In committee, we can propose amendments to bills, but only with the unanimous consent of committee members. If even one committee member says no, then forget it.

As my colleague from Montcalm was saying, the rules of the Board of Internal Economy do not allow us to properly defend our constituents. All members are equal, but some more so than others. That is why we are asking the Speaker to stand up for us. We are counting on you.

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** I appreciate the comments by the member for Joliette and also the information provided by the parliamentary secretary.

We will review all the information, and I am certain that the Speaker will rule at a future sitting.

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# GOVERNMENT ORDERS

[*English*]

## CRIMINAL CODE

The House resumed consideration of the motion that Bill C-46, An Act to amend the Criminal Code (offences relating to conveyances) and to make consequential amendments to other Acts, be read the second time and referred to a committee.

**Mr. Alistair MacGregor (Cowichan—Malahat—Langford, NDP):** Madam Speaker, I would like to thank the Minister of Justice for introducing this bill in conjunction with Bill C-45, the cannabis act.

It is good that this bill was brought forward for debate in the House before Bill C-45, as robust laws against drug-impaired driving should be well in place before legislation occurs. The last thing we need with the legalization of cannabis is for people to start using the drug, thinking it is safe to drive a motor vehicle. In conjunction with this bill, a clear message needs to be sent to Canadians on the dangers of impaired driving.

In 2015, police reported 72,039 impaired driving incidents, representing a rate of 201 incidents per 100,000 of population. This is the lowest rate since data was collected on impaired driving in 1986. It represents a 65% drop, and 4% lower than what was reported in 2014.

In the same year, police reported 122 incidents causing death and 596 incidents causing bodily harm. That compares to 1986, when there were 196 and 1,581 of these incidents respectively. When the size of the population in those years is taken into consideration, these figures correspond to rate decreases of 55% and 73% respectively.

Over the past 30 years, all provinces have seen substantial decreases in their impaired driving rates. This is a good thing. However, it should be known that impaired driving is still one of the leading causes of criminal death in Canada. With one of the worst impaired driving records in the OECD, we certainly need a public awareness campaign that is effective and well-funded.

When this bill receives royal assent, part 1 will come into force immediately. It makes amendments to the current sections of the Criminal Code, from section 253 through to section 259, mostly to update them for drug-impaired driving. Drug-impaired driving has been a criminal offence since 1925, but in the wake of big changes coming to our drug laws, we they are in sore need of an update.

We need to keep drivers off the roads if they are impaired by drug use. We need to ensure that the drivers being stopped are actually impaired. The proposed plans are to use roadside oral screeners that are approved by the drugs and driving committee. These screener purport to be able to check THC in the body, which may or may not be directly connected to impairment.

Police officers could only demand that someone be subjected to these tests if they had a reasonable suspicion to believe the driver was impaired. This could be due to the driver weaving or swerving on the road. The driver might exhibit symptoms such as red eyes or smell strongly of marijuana.

The test takes about 10 minutes to administer and will give a reading of whether THC, the active ingredient in marijuana, is in the body. The bill does not have clear limits on how much marijuana in saliva qualifies as impairment. It is very important we have a science-backed initiative that stops impaired drivers in their tracks.

The government has offered some recommendations for new penalties for the amounts of THC in the body. The first offence is a summary conviction for drivers with low levels of drugs in their body. The current proposed limit, which will be set by regulation, would be two nanograms of THC. The second offence for higher amounts would come in with a per se limit of five nanograms. The third offence would be for having high levels of drugs and alcohol in the body.

It is clear that drivers who test positive for both agents have greater odds of making an error than drivers positive for either alcohol or cannabis alone.

Part 2 of the bill will come into force 180 days after it receives royal assent, and it will completely rewrite the Criminal Code on impaired driving and include updates to drug-impaired driving that I just mentioned. Part 1, would amend the existing sections of the Code to provide for a transition period for provincial governments and police services. However, after 180 days, part 2 would effectively repeal everything from section 249 to section 261 and add an entirely new series of sections after section 320.1. Of note, there are significant changes to the penalties for impaired driving.

● (1230)

The penalty for dangerous driving causing death will be increased to life imprisonment, which is up from the current 14 year penalty. Strong penalties are imperative when it comes to impaired driving, because the taking of someone's life while driving impaired is the result of a conscious decision and it must be treated with the same severity as a homicide.

Our approach in the NDP has not just been about more penalties for this offence. We want to seek ways to educate and deter the behaviour in the first place. For that reason, we will be looking for the government to take the lead on a public awareness campaign that promotes deterrence before anyone gets behind the wheel. The statistics show that a decline has been occurring in alcohol-related incidents, so this has been working in previous efforts.

One of the major changes to this legislation comes from the removal of the need for reasonable suspicion to administer an approved screening device.

Currently, the police need reasonable grounds for suspicion to demand a breath sample, as per subsection 254(2). Police can develop a reasonable suspicion by seeing a car swerving, by the smell on a driver, or if a driver has admitted to having drink or has slurred speech. These allow the police to form a reasonable suspicion to demand a breath sample. It is currently a very important part of our laws. The section to be amended does have some constitutional considerations.

The government has stated that an estimated 50% of people who are stopped and are over the legal limit are able to pass through current detection methods. It is indeed one of the reasons it has given for removing the need to have reasonable suspicion to check for a breath sample.

Many civil liberties groups have raised concerns about this change. They are concerned that certain visible minority groups could be disproportionately targeted, and concerns about this are justified. We need look no further than the experience of police street checks in Toronto, known as carding. While black residents in Toronto made up just 8.3% of the population, they accounted for 25% of the cards the police wrote from 2008 to mid-2011.

What would happen if we applied these statistics to random breath tests? Say that visible minorities made up 8.3% of the driving population that was pulled over in a lawful traffic stop, but they accounted for 25% of the demanded breath samples by police. This underlines some of the dangers we can face when we allow police to have that discretionary power, and it is a point that needs to be examined in detail.

Random and mandatory breath tests for alcohol screening could be challenged under section 8 of the Charter of Rights and Freedoms, which provides the right to be secure against unreasonable search or seizure. It could also be challenged under section 9, which is the right not to be arbitrarily detained or imprisoned.

The government has assured the House that the invasion of privacy would be minimal in the case of a roadside test in which police officers already have the right to demand several types of information from drivers. The Department of Justice has said:

> The information revealed from a breath sample is, like the production of a drivers licence, simply information about whether a driver is complying with one of the conditions imposed in the highly regulated context of driving.

Warrantless roadside breathalyzer tests raise constitutional concerns. They can only be saved by section 1 of the charter by weighing the infringement against the public good served by fighting drunk driving and by the officer's assurance that he or she has reasonable grounds to suspect a crime has occurred. Many in the legal community have noted that if the law is changed to remove this constitutional safeguard, the reasonable grounds for suspicion, then it can no longer be saved by section 1.

Section 1 provides for reasonable limits to the rights in the charter only if they can be demonstrably justified in a free and democratic society.

For a section 1 analysis, the Oakes case of the Supreme Court provides a good backdrop. It states that the measures adopted must be carefully designed to achieve the objective in question. They must not be arbitrary, unfair or based on irrational considerations. In short, they must be rationally connected to the objective. The means, even if rationally connected to the objective in this first sense, should impair as little as possible the right or freedom in question.

● (1235)

In the Ladouceur decision, the Supreme Court wrestled with the issue of random stops of civilian vehicles by police. The minority opinion stated there were serious implications with such a power. It stated that the decision of a police officer may be based on any whim, that some may tend to stop younger drivers, older cars, and so on, and racial considerations could be a factor. It is indeed a thorny issue and it is not easily settled after a few hours of debate.

One of the great constitutional experts of Canada, Professor Peter Hogg, has mentioned in the past that random breath testing would infringe charter rights, but the benefit of public safety from reducing crashes and deaths would be so strong that it would be upheld in court. It would, in other words, be a reasonable limit on constitutional rights and freedoms. He wrote at the time, "The invasion of the driver's privacy is minor and transitory and not much different from existing obligations to provide evidence of licensing, ownership, and insurance."

It should be noted that Professor Hogg was referring to random stops, such as a checkpoint. This is a scenario where every driver passing through is subject to random breath testing, so there is no room for discriminatory practice. With the way Bill C-46 is written, it would allow for a police officer to have all of the control in deciding when to pull out an approved testing device that is on his or her person and make a demand for a breath sample.

The British Columbia Civil Liberties Association has said in the past about mandatory breath testing, "Giving police power to act on a whim is not something we want in an open democratic society."

A former Liberal health minister stated in the past, "We want to make sure that areas are not unnecessarily excessively focused on and that's why I think that we need to make sure that the legislation is properly drafted with appropriate constraints and guidelines for the police."

We need to bring civil liberties experts to the justice committee so that we can study this in-depth. Canadians have rights and freedoms that need to be protected, so to take them away must be met with the utmost scrutiny. I do look forward to getting this legislation to committee to do just that.

We also need Canadians to be aware that drug-impaired driving is a dangerous act and is illegal. This campaign must increase the knowledge that there is a range of health, social, and legal consequences. Drug-impaired drivers are a danger to themselves and to others on the road. The use of cannabis before driving can cause slower reaction times, which increase the risk of being involved in a crash that could result in injury or death. Attempts to compensate may be at the expense of vehicle control, including reaction time, reflecting deficits in the ability to allocate attention. Social strategies need to be developed, like designated driver programs when there may be alcohol or cannabis present.

The incidence of driving after cannabis use, particularly among young Canadians, may be attributable in part to the fact that they do not necessarily perceive their driving ability to be adversely affected. After alcohol, cannabis is one of the most commonly detected substances among drivers arrested for impaired driving. We have to create a culture that does not accept the use of cannabis and the operation of a motor vehicle.

Impaired driving is one of the most litigated sections of the Criminal Code. This stress on our justice system needs to be seen in the context of the Jordan decision. One of the benefits of removing the criminalization of cannabis eventually when we get to it is that judges and the justice system would have more time to deal with more serious offences.

It is unfortunate that the Liberals have refused to move on decriminalization of marijuana as an interim measure, because we believe the current laws unfairly target youth and racialize Canadians for simple possession.

There is a crisis in our justice system as we speak. The government is trying to move ahead, but we believe that this interim measure could have been a very effective one. We certainly need to see more crown prosecutors, judges, more courtrooms and support staff to run an effective justice system that Canadians can have confidence in.

I want to talk a bit about the difficulty in checking for impairment, because when it comes to checking for impairment from cannabis, it looks like there is still a lot of work to be done.

● (1240)

The detection and assessment of cannabis use among drivers is considerably more complex than for alcohol, and we do not want to be arresting people who are not actually impaired. There are drug recognition experts in Canada that undergo training to ensure they can see impairment. Unfortunately, we only have about 600 of these officers, and we will probably need at least 2,000 new trained officers to meet the demand to combat this problem. It is unclear how much THC it takes to impair a driver, according to the Canadian Centre on Substance Use and Addiction.

The Canadian Bar Association's official periodical, *CBA National*, published an article last month titled "Will the new roadside testing rules pass a Charter challenge?" The article noted that the science behind saliva tests for THC remains far from perfect and that Canadians may be subjected to questionable scientific schemes and subjective police arbiters on impairment, which will put their liberty at stake.

Peak levels of THC depend on how it enters the body. It is different for when a person ingests it or inhales it, so these can mean varying times on when a person is impaired and how long it lasts.

There is also the question of people who smoke marijuana maybe once a week or once a month versus habitual users who may have the THC stay in their body for far longer. In other words, regular users of marijuana are continually drug affected, so the regular users of marijuana must realize that THC is generally more detectable in their systems than in the bodies of periodic or episodic users of marijuana.

The Criminal Defence Lawyers Association of Manitoba has stated that the saliva test does not really tell us a lot, because the effects of marijuana can stay in the system for up to 30 days, which is far longer than alcohol.

This legislation measures marijuana by using nanograms in the blood, which is an imperfect measure because users metabolize the drug differently. One person may be substantially impaired after a relatively small amount of marijuana, while someone else may be only moderately impaired after the same dose. The Canadian Medical Association has states, "A clear and reliable process for identifying, testing and imposing consequences on individuals who use marijuana and drive absolutely needs to be in place nationally prior to legalization."

The national coordinator of the DRE program in the RCMP has stated that toxicology tests indicate that a drug has been consumed, but unlike a breathalyzer, they do not indicate how long ago the drug was consumed. The devices are also very expensive, so we want to ensure that they do what we need them to do. There is also the cost. It has been reported that the saliva tests can cost between $20 and $40, compared to the few cents a breathalyzer test costs. Obviously, in rolling out this legislation, the government is going to have to budget adequate resources not only for officers but also for sampling devices, to ensure we have confidence in the system and the law is being upheld.

As I move on to my conclusion, I want to note that there was a recent Nanos survey conducted between April 29 and May 5, which reached 1,000 Canadians and was considered accurate within 3.1% 19 times out of 20. It found that only 44% of respondents supported or somewhat supported the proposals contained in Bill C-46, while 55% were opposed or somewhat opposed. I only mention this to the government to highlight that it clearly has some work to do in convincing Canadians that these increased police powers are needed.

We know that countries like Australia, New Zealand, and Ireland which have instituted measures such as mandatory alcohol testing and random breath testing have all seen a substantial reduction in alcohol-related accidents and deaths, so this is definitely something Parliament will need to consider with the bill.

The NDP supports any bill in principle that is aimed at stopping impaired driving, but we need to focus on smart deterrents to actually prevent these tragedies. We need a robust public awareness campaign before legalization comes into effect. With it being the leading cause of criminal death in Canada, and the fact that we have one of the worst impaired driving records in the OECD, these campaigns are very important.

● (1245)

I will want to know how this public campaign will be rolled out. I worry about the reliability of machines checking for impairment from THC. I am very interested in hearing from civil liberties groups and the legal community on removing the reasonable suspicion requirement for breath samples. There are still many questions that we have, and I look forward to getting this legislation to committee.

**Mr. Bill Blair (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.):** Madam Speaker, I would like to commend the member for Cowichan—Malahat—Langford for his very thoughtful review of Bill C-46 and the issues that need consideration as we move forward with this legislation, particularly in committee. I also want to say how much I look forward to working with the member opposite on those issues in committee, because the issues that he raises and that we are very well aware of are important for all Canadians.

In response to a number of the issues raised, the member quoted a recent public opinion poll. I would agree with the member that sometimes the responsibility of leaders within Parliament is to turn heads, not really to count heads. We do have a responsibility to make sure that Canadians understand the seriousness of this offence and how new legislation, as proposed, and the new authorities and requirements on drivers that would be imposed by this legislation can actually make a difference.

The member opposite referenced the Oakes decision, in which four steps were taken, including whether or not the changes that were proposed were a sufficiently important objective in order to justify minor infringements of the Charter of Rights and Freedoms. The member for Outremont, in 2012, said that random breath testing "will not only save provincial governments money, but will save at least 200 lives per year." Given that statement, which I agree with, does the member believe that this is a sufficiently important objective in order to meet the constitutional requirement under section 1 that this be a sufficiently important objective?

● (1250)

**Mr. Alistair MacGregor:** Madam Speaker, earlier this week I did have a conversation with the member for Outremont and I've had many conversations with members in the NDP caucus.

I will note that in previous Parliaments, members from all parties have, at some point, confirmed their support for random breath testing. That being said, I would not be doing my duty as a parliamentarian, as someone who upholds charter rights and who thinks they are very important, not to do my due diligence on this particular aspect of the bill. In response to the parliamentary secretary, that is why I am offering my support for this bill at second reading. I support the principles, the fact that we need to treat impaired driving with the seriousness that it deserves, that we need that robust public awareness campaign. That is why I support getting the bill to the justice committee, which I am fortunate to sit on as the vice-chair, so that we can conduct further examinations with the experts who will be testifying.

**Mr. John Brassard (Barrie—Innisfil, CPC):** Madam Speaker, the member's speech was well thought and well researched. Given the fact that he is the vice-chair of the justice committee, he spoke about the need for some substantive amendments to this bill. Clearly on the opposition side of the House, we feel there are some substantive amendments that are required to this bill.

How much confidence does the member have in the ability of any possible amendments moving through committee or further through this House going forward, given the circumstances that we have seen? The Liberals control the majority and do not necessarily listen to what, perhaps, some of those amendments should be and do not implement them. Certainly, they ram a lot of things through this House.

**Mr. Alistair MacGregor:** Madam Speaker, the justice committee has been one of the finest committees that I have had the pleasure of sitting on. We have a very good working relationship.

Yes, sometimes the Liberal members on committee will use their way to get their votes, but I have seen other instances, notably with Bill S-201, where Liberal members on the justice committee listened to the evidence and went against cabinet's recommendation. That was one of the finest moments I have ever seen in my short parliamentary career, because the evidence outweighed what the cabinet wanted, and eventually this House got that bill passed and it received royal assent.

I do not want to prejudge what the committee will hear. I intend to do my part on that committee and to work with my colleagues, both the Conservatives and the Liberals, to ensure that any bill that is reported back to the House is one that we can all have faith in.

**Mr. Ken Hardie (Fleetwood—Port Kells, Lib.):** Madam Speaker, as a resident of British Columbia, I am familiar with the measures the province has taken with administrative penalties, operating on the precautionary principle that if someone is in a dangerous situation due to possible impairment, the primary objective is to get that person off the road, at least for a short period of time. I am wondering if the member would care to comment on whether that kind of approach and structure might be something all jurisdictions in Canada would look at as this legislation comes forward.

● (1255)

**Mr. Alistair MacGregor:** Yes, Madam Speaker, I think British Columbia has seen some success with that measure. It is up to the various provincial governments, because using the criminal law sometimes can be a very onerous task. We all know how litigated this particular section of the Criminal Code is and that there are strains on our justice system in general. If provinces want to enact various statutes under the highway authority they have to put forward administrative policies or provisions, with the overall goal of getting someone off the road, be it for a 24-hour or 48-hour period, absolutely, all provincial jurisdictions should take the time to look at that measure and judge whether it is in the interests of their own regional populations.

**Ms. Rachel Blaney (North Island—Powell River, NDP):** Madam Speaker, I know that some provinces have asked for federal funding to make sure police officers know how to more effectively identify people who are under the influence of cannabis. However, my concern is about racialization. We know that again and again people who are identified easily by what they look like are often pulled over and looked at more vigorously by the police. As well as training police officers on how to identify people who are under the influence of cannabis, I am wondering if the government could make sure there is proper training, or some sort of measure, to ensure that when racialized young people are targeted, there is more accountability.

**Mr. Alistair MacGregor:** Madam Speaker, when we look at the way the section of the bill is written, which is causing a lot of consternation among civil liberties groups and members of the legal community, it allows police officers quite a lot of discretion. If they have approved testing devices on their persons, they can decide on a whim who they administer it to. If this provision somehow makes it through the House intact, it is incumbent upon the Liberal government and all provincial governments to make sure police have the necessary training so that visible minorities in Canada can have confidence that police are not acting arbitrarily, that there are reasons for them to administer the tests, and so on.

My colleague raises an important point, which is all the more reason I want the bill to go to committee so experts can weigh in on it and we can make an informed decision.

**Mr. Ken Hardie:** Madam Speaker, in my career at the Insurance Corporation of British Columbia, my first job was to promote the counterattack drinking and driving program. The issue was problem drinkers who drive. It may extend beyond the mandate, purview, or scope of this legislation, but I wonder if the member could comment on perhaps some complementary activities that need to be considered to get closer to a total resolution of this problem.

**Mr. Alistair MacGregor:** Madam Speaker, one that comes to mind immediately is that some pubs in some communities now have invested in shuttle buses so that they can get their customers home safely at night. In fact, those kinds of programs attract a loyal customer base, because people know they can have an enjoyable evening at the establishment and get home safely. I would point that out as a complementary program set up by the private sector, which has worked really well in communities like mine.

**Mr. Bill Blair (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.):** Madam Speaker, I am very pleased to have the opportunity to rise in the House to join in the second reading debate on Bill C-46, an act to amend the Criminal Code (offences relating to conveyances) and to make consequential amendments to other acts.

I am proud to speak in support of this proposed legislation. If passed, our government is convinced that Bill C-46 will reduce the number of deaths and injuries caused by impaired drivers. Our roads and highways will be safer for our efforts.

The bill proposes to address both alcohol- and drug-impaired driving, but I intend to focus my remarks primarily on the elements that address drug-impaired driving.

Before I outline the proposals in Bill C-46, I would like to emphasize that driving while impaired by a drug is currently a criminal offence in Canada, and has been since 1925. Members should rest assured that if someone drives while impaired by drugs today, he or she will be prosecuted to the fullest extent of the law. Bill C-46 seeks to build on the existing offence by authorizing new tools and by creating new offences to make Canada one of the world's leaders in the fight against impaired driving.

To enforce the existing offence of driving while impaired by drugs, the Criminal Code currently authorizes the police to conduct standardized field sobriety tests at the roadside. These tests can include asking a driver to walk a straight line, balance on one leg, and a number of other tests of physical and motor skills. The Criminal Code also authorizes more sophisticated drug recognition evaluations at the police station, by highly trained drug recognition evaluators, once the police officer has reasonable grounds to believe, based on roadside tests or otherwise, that the driver is impaired.

The drug recognition evaluation consists of a 12-step protocol to determine whether the driver is impaired by a drug. It includes testing such things as balance, pupil size, and blood pressure. These tools have been effective since their legislative introduction in 2008 and have led to an increase in the detection of drug-impaired drivers across our country, yet despite these measures, drug-impaired driving on our roads continues to increase. Clearly, more needs to be done in advance of our proposed legislation and the strict regulation of cannabis.

My colleagues have also mentioned the need for training more drug recognition experts. Our government has, on many occasions, re-emphasized its commitment to ensuring that a drug recognition training program is available and acceptable to all Canadian police services so that we can make sure there are adequately trained experts to conduct these tests.

I am pleased to outline the proposals in Bill C-46 that aim to address drug-impaired driving by building on the existing legal framework and by proposing new tools and offences to create a strong impaired-driving regime.

Bill C-46 proposes to provide law enforcement with the authority to demand that a driver provide an oral fluid sample at the roadside to be analyzed by a roadside oral fluid drug screener if an officer has a reasonable suspicion that a driver has drugs in his or her body. Reasonable suspicion is a well-understood standard in criminal law and can be developed through a number of observations, including such things as red eyes, muscle termors, abnormal speech patterns, and of course, the smell of cannabis.

These oral fluid drug screeners would detect the presence of a drug in a driver's oral fluid, and they would provide the officers with information that could be used to develop reasonable and probable grounds to believe that an impaired-driving offence had occurred. Once officers had reasonable and probable grounds to believe that the offence had occurred, they would then have the authority to demand a sample of blood from the driver, and as well, to bring them before a drug recognition expert for evaluation.

The oral fluid drug screener would detect THC, cocaine, and methamphetamine. In the future, more drugs will be able to be detected by these oral fluid drug screeners as the technology evolves.

Madam Speaker, I forgot to mentioned earlier that I will be splitting my time with the member for Oakville North—Burlington.

In addition to authorizing these additional tools for police, the bill proposes three new criminal offences for being over the prescribed legal drug limit within two hours of driving. These offences would be proven through a blood sample and would relieve the crown of the burden of proving that the driver was impaired. It would be enough to prove that the driver had an illegal level of drugs in his or her blood.

The first offence would be a straight summary conviction offence. The second and third offences would be hybrid offences: the second one would apply to drugs alone, while the third would apply to drugs when used in combination with alcohol.

Members may have noticed that although the proposed offences are in the bill, the actual prohibited drug levels are not. This is because the drug levels are to be set by regulation, which comes into force at the same time, or close to the same time, as the proposed offences.

● (1300)

Setting the prohibited levels in the regulations is the responsibility of the Minister of Justice, who has the ability to revise the regulations more quickly and efficiently in response to scientific developments. This is the approach currently taken in setting prohibited drug levels in the United Kingdom, and I believe it is the wisest course of action.

Other impairing drugs would be included in the regulations, but I would like to focus on the proposed levels for tetrahydrocannabinol, the primary impairing component of cannabis. For the straight summary conviction offence, the proposed level for THC would be between two and five nanograms of THC per millilitre of blood. The proposed penalty for this offence is a maximum fine of $1,000 and a discretionary prohibition on driving for up to one year.

The proposed level of THC for the drug-alone hybrid offence would be over five nanograms of THC per millilitre of blood, and for the hybrid offence addressing drugs when used in combination with alcohol, the proposed levels would be 2.5 nanograms of THC per millilitre of blood in combination with 50 milligrams of alcohol per 100 millilitres of blood.

The penalties for these two new hybrid offences would be the same as for alcohol-impaired driving, and they would include a mandatory minimum penalty of $1,000 on a first offence, 30 days' imprisonment on a second offence, and 120 days' imprisonment on a third or subsequent offence.

One final element of the proposed offences I would like to address concerns the time frame in which the proposed legal limit offence could be committed. Members may have noticed that the offence is worded to capture drivers with a prohibited level of drug in their blood within two hours of driving, and not at the time of driving.

This proposed formulation reflects a number of significant policy goals. First, unlike with alcohol, it is not possible to determine or back-calculate from a blood sample what a driver's blood drug concentration would have been at the time of driving. This is why the within-two-hours framework is necessary. It further addresses the concern of people trying to obstruct the testing process by consuming drugs after driving and then claiming that this post-driving consumption was responsible for the illegal drug level.

I would like to conclude my remarks by addressing a few of the more common questions I have heard over the past few weeks concerning this bill since its introduction.

People have been asking, “How much can I smoke before I can drive, and how long after I smoke do I need to wait before it is safe to drive?” I understand these questions, because for years, we have been able to provide general guidance to drivers with respect to alcohol consumption.

There is a significant scientific consensus that consuming cannabis impairs the ability to drive. The proposed prescribed THC levels are based on the advice of the Drugs and Driving Committee of the Canadian Society of Forensic Science. This committee provides scientific advice to the Minister of Justice on issues related to drug-impaired driving.

Let me be perfectly clear. The safest approach for people who choose to consume cannabis is to not mix their consumption with driving. Driving is a privilege, not a right. If Canadians choose to consume cannabis, they must do so in a socially responsible way by not risking the lives of their fellow Canadians, to say nothing of their own.

I would also take this opportunity to point out what was already referenced by the member in his speech regarding the remarks of eminently respected constitutional scholar Prof. Peter Hogg, in which he articulates his belief that the measures proposed in this legislation are constitutionally valid, constitutional validity being determined under section 1 of the charter as a reasonable suspicion and passing the elements of the Oakes test.

Finally, I wish to strongly support the proposals in Bill C-46. I would like to encourage all members to support this bill and work towards the common goal of reducing deaths and injuries on our roads and highways as quickly as possible.

I spent more than four decades of my adult life dealing with this critical issue. I have seen far too many people lose their lives, far too injuries, and far too much trauma and tragedy in our communities for this to continue to persist. We have a responsibility to act, and I believe that the provisions of Bill C-46 are the right steps forward.

I encourage all members of this House to support this bill.

● (1305)

**Mr. John Brassard (Barrie—Innisfil, CPC):** Madam Speaker, I want to thank the member for his speech today and for his years of service in policing our communities in Toronto.

I will give the hon. member credit. He did come to Barrie. I know he did a cross-Canada tour on this.

I subsequently met with the stakeholders the member met with in Barrie. There were significant concerns about this bill. Everyone I spoke to after that meeting felt that the parliamentary secretary was hearing but was not listening to those concerns. There were obviously social concerns with respect to the legalization of marijuana, but more specifically, there was a concern about the cost and the downloading of costs to municipalities with respect to policing, enforcement, zoning, etc. Those were some of the issues people were left confused by. Any time there is confusion, there is doubt.

I want to ask the parliamentary secretary about the downloading of costs and how his government plans to deal with them.

● (1310)

**Mr. Bill Blair:** Madam Speaker, as the member for Barrie—Innisfil has suggested, I did travel across the country. I have had the opportunity to meet with municipal officials, public health officials, and police chiefs across the country. I have spoken very extensively to the drugs and driving committee, for example, of the Canadian Association of Chiefs of Police and the Ontario Association of Chiefs of Police. I have heard their concerns with respect to the impact that supporting this important legislation will have on their resources.

I must also say that they overwhelmingly support the provisions and the clarification that Bill C-46 offers with respect to impaired driving, which is, as we all know, one of the most litigated pieces of law within the Criminal Code and in creating jurisprudence.

Many questions they asked were about the impact this will have on their resources. One of those impacts is that they will need to have sufficient training and have access to the technology that will now be required. My government has assured them, and I have assured them, from coast to coast, that we are committed to ensuring that all police services have the legislation, the training, the technology, and the resources that they will require to keep our roadways safe.

**Ms. Tracey Ramsey (Essex, NDP):** Madam Speaker, the NDP has long stood for measures to stop impaired driving. We need to focus on smarter deterrents to actually prevent these tragedies. We need a robust public awareness campaign before this legislation comes into effect. I note that the bill does not have any clear limits on how much marijuana in saliva qualifies as impairment, and we need a science-backed initiative to stop impaired drivers in their tracks.

As the parliamentary secretary told us, he is a former law enforcement member, so he knows that the exercise of police authority can and does disproportionately affect visible minorities. The experience of carding or street-checking and the disproportionate arrests and charging of visible minorities for marijuana offences make that very clear.

What reason would an officer have to give under this legislation to ensure that racialized Canadians are not targeted for mandatory breath testing?

**Mr. Bill Blair:** Madam Speaker, first of all, having been involved in the delivery of front-line policing services for over four decades, I can tell her that the disproportionality in contact that police across this country have with minority and racialized communities is a reality, but there are very many social, economic, and cultural reasons, including the possibility of institutional police misconduct, that can lead to that disproportionality.

I want to assure the member, as is contained in the response of the Minister of Justice in her constitutional opinion, that the provision of mandatory testing only applies if a person is otherwise lawfully stopped and provides a lawful authority to interfere with their privacy in a breath sample for the important objective of enhancing road safety. If that stop is determined by our courts to be unlawful—a stop that was based not on legitimate legal reasons but rather a stop based on anything inappropriate, such as the race or ethnicity of the driver—it would render the stop unlawful, and it therefore would not be acceptable and constitutional under this legislation.

**Ms. Pam Damoff (Oakville North—Burlington, Lib.):** Madam Speaker, I am pleased to rise today to speak to Bill C-46, legislation that I know is important to the residents and law enforcement officers in Oakville North—Burlington and across Canada.

Impaired driving is a serious crime that kills and injures thousands of Canadians every year. In 2015, there were more than 72,000 impaired-driving incidents reported by the police, including almost 3,000 drug-impaired driving incidents. Impaired driving is the leading criminal cause of death and injury in Canada, and drug-impaired driving is increasing in frequency. Bill C-46 aims to address this serious issue and proposes to create new and stronger laws to punish more severely those who drive while impaired by drugs or alcohol. When I met with Halton police chief Stephen Tanner, we discussed the need for law enforcement to have more tools to better deal with impaired driving.

Today I would like to focus my remarks on the penalties proposed in Bill C-46. The bill would overhaul the penalty provisions to ensure there is coherence and rationality. The proposals include some higher maximum penalties, hybridization of bodily harm offences, and some new mandatory minimum fines. No new or higher mandatory minimum penalties of imprisonment are being proposed.

Bill C-46 would raise the maximum penalties for impaired driving where there is no death or injury. In cases in which the prosecution proceeds by the less serious summary conviction procedure, the maximum period of imprisonment would be increased from the current 18 months to two years less a day. When the prosecution chooses to proceed by the more serious indictable procedure, the maximum period of imprisonment would increase from the current five years to 10 years. This new 10-year maximum would permit the prosecution, in appropriate circumstances, to make a dangerous a offender application. These changes send a clear message concerning the seriousness of impaired driving.

The dangerous driving causing death offence currently has a 14-year maximum period of imprisonment. Bill C-46 would raise this to a maximum of life imprisonment, which is currently the maximum penalty for all other similar offences resulting in death. With the increase of the dangerous driving causing death maximum penalty, there would no longer be a need for the prosecution to pursue separate offences in order to allow for a maximum penalty of life imprisonment.

Bill C-46 proposes changes that would merge the offence of impaired driving causing bodily harm with the offence of dangerous driving causing bodily harm.

Currently, the offence is a straight indictable offence, which means that the prosecution must treat all cases the same, even those involving less serious bodily harm, such as a broken arm.

Bill C-46 proposes a maximum penalty on a summary conviction procedure of two years less a day, and on indictment it would increase from 10 years of imprisonment to 14 years. This is important, given that the vast majority of alcohol-impaired driving sentences are in cases that involve no death or injury. This change would therefore give the prosecution greater flexibility, and this additional discretion may promote efficiencies in our criminal justice system by reducing the time to process cases involving minor or no injuries.

Under Bill C-46, the existing mandatory minimum fine of $1,000 for alcohol- and drug-impaired driving offences would apply to a number of hybrid offences, including driving while impaired by alcohol or a drug, driving while over a drug's legal limit, and driving with a drug-plus-alcohol blood concentration in excess of the legal limits.

Bill C-46 would also create a new mandatory minimum fine of $1,500 for a first offence of driving with a blood alcohol concentration over 120 milligrams. In addition, it would create a new mandatory minimum fine of $2,000 for driving with a blood alcohol concentration over 160 milligrams. The higher mandatory minimum fine penalties for a first offence will reflect the increased crash risk that is associated with higher blood alcohol concentrations.

Bill C-46 would also create a new mandatory minimum fine of $2,000 for a first offence of refusing a valid police demand for a breath sample, a blood sample, a urine sample, an oral fluid sample, a standard field sobriety test, or testing in a drug evaluation. This is important to ensure compliance with demands. Otherwise, first-offence drivers with a higher blood alcohol concentration could simply refuse to give a sample in order to evade the higher mandatory minimum fines.

● (1315)

For repeat offenders, having a high blood alcohol concentration would be an aggravating factor to be considered upon sentencing. The mandatory minimum penalty for a second offence would remain as it currently stands in the Criminal Code at 30 days' imprisonment, and for each subsequent offence it would remain at 120 days' imprisonment.

Bill C-46 does not propose any new or higher mandatory minimum penalties of imprisonment for the Criminal Code's transportation offences, including drug-impaired driving and alcohol-impaired driving. With respect to impaired driving causing death cases, I understand that provincial courts already typically impose or uphold penalties that are well above the existing mandatory minimum penalties and are in the range of at least three to four years, if not higher.

Bill C-46 does not propose a mandatory minimum penalty that exceeds the current sentencing range, because this is not necessary to ensure appropriate sentences and does not work as a deterrent. Indeed, the organization Mothers Against Drunk Driving Canada, which is based in my community of Oakville, is opposed to mandatory minimum penalties for these offences, citing charter concerns in certain circumstances, but also pointing out that mandatory minimums can have a downward pull on sentences. The organization explained that they become an inappropriate cap where longer sentences might be appropriate. The better route is to leave sentencing discretion to the trial and appellate courts.

I had the pleasure of meeting with MADD Canada's CEO, Andrew Murie, recently in my riding. In addition to his comments on mandatory minimums, he expressed his organization's confidence in our justice department and commented that he was pleased with the consultations that had taken place with his organization on this subject. He also expressed his thanks to our government, noting that we have such a deep understanding of the issue and are prepared to take a comprehensive approach to addressing it.

I will now turn to the subject of prohibitions and ignition interlock devices. Currently, where there is no injury or death on a first offence, the sentencing court must impose a mandatory minimum prohibition against driving anywhere in Canada for a period of one year. On a second offence, the penalty is a period of two years, and for a subsequent offence, the minimum driving prohibition is for a period of three years.

Bill C-46 also reduces the current waiting period before which the offender may drive when using an ignition interlock device. On a first offence, the waiting period to use an ignition interlock device would be reduced from the current three months to no waiting time. On a second offence, the waiting period to use an ignition interlock device would be reduced from the current six months to three months, and on a subsequent offence, the waiting period to use an ignition interlock device would be reduced from the current 12 months to six months. These amendments would reflect the fact that ignition interlock device programs help to prevent recidivism.

Currently, the Criminal Code has a provision by which an impaired driving offender may be given a conditional discharge on the condition that he or she attend a program of curative treatment. This curative treatment discharge provision has not yet been proclaimed into force in Ontario, Quebec, British Columbia, and Newfoundland and Labrador. Bill C-46 would replace this provision with one that allows the defence to apply, with the consent of the prosecution, for a delay of the sentencing hearing in order for the offender to attend a provincially approved treatment program. If the offender successfully completes the program, the sentencing court would not be obliged to impose the mandatory minimum penalty or the mandatory period of prohibition against driving anywhere in Canada.

I am pleased to support Bill C-46. I respectfully ask my colleagues on all sides of the House to support this important piece of legislation that would make our communities safer for everyone

● (1320)

[*Translation*]

**Ms. Marjolaine Boutin-Sweet (Hochelaga, NDP):** Sadly, Madam Speaker, visible minorities are often targeted for arrest and subjected to accusations.

What measures will the government implement to ensure that Canadians who are victims of racial profiling will not be disproportionately targeted for mandatory alcohol screening?

[*English*]

**Ms. Pam Damoff:** Madam Speaker, in drafting this new legislative power, the government did consider the potential for racial profiling. We strongly oppose such behaviour in any circumstance.

Mandatory alcohol screening is being proposed to keep all Canadians safe. It would not give police any additional powers that the police do not already have under common and provincial law to stop drivers at random to determine their sobriety. Mandatory screening would not alter the responsibility of local forces toward training and oversight of their own officers to ensure that they are appropriately applying Canadian law and upholding the Canadian Charter of Rights and Freedoms.

**Mr. Pat Kelly (Calgary Rocky Ridge, CPC):** Madam Speaker, the implications of this bill include significant changes to policing at the local level. Municipalities have concerns about resources and about adapting to new requirements, particularly with the prospect of having to screen drivers for impairment due to cannabis. I would like the member to comment on the implications of the bill on both provinces and especially municipalities.

● (1325)

**Ms. Pam Damoff:** Madam Speaker, as a former municipal councillor, I recognize there are limited costs within a municipality, especially when it comes to policing, fire, and EMS. With regard to the legislation, I know law enforcement agencies have been asking for additional tools and are looking for ways to better keep their communities safe. This legislation has been rolled out to give law enforcement services the tools they have asked for to keep communities safe when it comes to alcohol and drug-impaired driving.

Police forces already have options available to them to deal with drug-impaired driving. Mandatory breath screening gives them an additional tool they can use to keep our communities safer. I think we can all agree that we would like to see this.

[*Translation*]

**Mr. Joël Lightbound (Parliamentary Secretary to the Minister of Health, Lib.):** Madam Speaker, I thank the member for her excellent speech.

Just as alcohol impaired driving is illegal, so is drug impaired driving. However, over the past few years, there has been greater awareness regarding drunk driving. When Canadians go out and plan to have a drink, they know they need to have a designated driver or take a taxi to get home. There is not the same level of awareness when it comes to drugs.

Bill C-46 gives police officers the tools to test drivers. It also sends a very clear message that we have a zero tolerance policy when it comes to drug impaired driving.

In the member's opinion, just how much would public awareness be raised as a result of giving police officers additional tools and setting penalties that would enable prosecutors to properly prosecute drug-impaired drivers?

[*English*]

**Ms. Pam Damoff:** Madam Speaker, even having this discussion has allowed the public to become far more aware about the dangers, particularly with drug-impaired driving. A number of people knew there were dangers with alcohol-impaired driving, but they did not recognize they also should not drive a vehicle when they were under the influence of drugs.

Therefore, the legislation is helping to raise awareness already. In addition, I know the Department of Health, under the proposed legalization of cannabis, is also embarking on an education campaign.

**Mr. Earl Dreeshen (Red Deer—Mountain View, CPC):** Madam Speaker, it is certainly a pleasure for me to rise today to contribute to this important debate on Bill C-46.

I think everyone recognizes this is companion legislation, with the attempt to give cover for the Liberals' legislation regarding government-sponsored cannabis distributions and sales.

I was proud of our previous government's record on reducing crime and standing up for the right of victims. So many of us have presented petitions on behalf of families whose lives have been devastated by the actions of those people who choose to drink and drive. Now we are adding people to that, those who feel we have normalized the use of marijuana. When I come back to my discussion, I will talk about that.

As someone who has taught school for 34 years, I have seen the carnage and the issues young people have to deal with when it comes to drugs and alcohol. I feel like we should be able to contribute to that and talk about it.

As we move forward with the legislation at committee, we will try to ensure that there is some clarity for law enforcement officers and municipal and provincial governments and that the legal system has the manpower and the resources to deal with it.

There have been talks about whether there is clarity when it comes to charter compliance. Sometimes governments depend a lot on departments to say that something is charter compliant, only to find out later that maybe they did not quite have it right. We can think about yesterday when the Alberta Court of Appeal struck down a portion of its provincial impaired driving laws, which deal with the immediate suspension of a driver's licence. It ruled in favour of a constitutional challenge to strike down the law.

These are the sorts of things taking place and we have to consider the,.

I want to thank our fantastic interim leader, the member for Sturgeon River—Parkland, since it is my last opportunity to say this.

● (1330)

[*Translation*]

**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.

[*English*]

The hon. member will have 17 and a half minutes remaining when this issue is before the House again.

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# PRIVATE MEMBERS' BUSINESS

[*English*]

## JUSTICE FOR VICTIMS OF CORRUPT FOREIGN OFFICIALS ACT

**Mr. James Bezan (Selkirk—Interlake—Eastman, CPC)** moved that Bill S-226, An Act to provide for the taking of restrictive measures in respect of foreign nationals responsible for gross violations of internationally recognized human rights and to make related amendments to the Special Economic Measures Act and the Immigration and Refugee Protection Act, be read the second time and referred to a committee.

He said: Madam Speaker, it is indeed an honour to rise today, on my birthday, to bring forward a private member's bill from the Senate, from my colleague, friend, and mentor, Senator Raynell Andreychuk. The short title of the bill is justice for victims of corrupt foreign officials act, Sergei Magnitsky law.

In the last Parliament, before we rose and had the election in 2015, we unanimously passed a motion that was brought forward by our colleague who has since retired, Irwin Cotler. It called on the House to set up a Sergei Magnitsky style of law that would hold corrupt foreign officials and human rights abusers to account for their actions. It would prevent Canada from being used as a safe haven from where corrupt officials could launder their money, buy assets, and hide their families, essentially bringing them here to go to school, to live, and call Canada home, while back home taking advantage of their citizens and pillaging their economies.

The story of Sergei Magnitsky goes back to an individual by the name of Bill Browder. Bill Browder owned a corporation called Hermitage Capital Management. It was one of the first western funds to set up in Moscow and do business in Russia after the fall of the wall. Bill Browder, who was an American, now lives in the United Kingdom. He was able to go to Russia to do business and create a lot of assets and wealth for his clients.

After Vladimir Putin came to power, there was a crackdown on a lot of the western investors. Hermitage Capital Management, and in particular Bill Browder, was targeted for a fraudulent trumped-up charge of tax evasion. He had to flee the country. He was put on red notice on Interpol by Russia. Luckily, it was never acted upon by the international community, because they saw it as nothing more than a way to intimidate Mr. Browder. He hired a lawyer by the name of Sergei Magnitsky.

Sergei Magnitsky had risen up as a lawyer and was well recognized for his continued work on anti-corruption. He was able to uncover the biggest tax fraud in Russian history at that time. He was able to prove that corrupt government officials in Moscow were using this trumped-up charge of tax evasion against Bill Browder to pocket money themselves. It was $230 million that they were able to put into their own pockets. Sergei exposed that. He was arrested in 2008, held on trumped-up charges, tortured, beaten, and left to die on November 16, 2009, at the age of only 37. He is survived by his mother Nataliya, his wife Natasha, and his two young sons.

While in prison for 358 days, Sergei Magnitsky filed 450 criminal complaints against his abusers, and not one of those individuals was ever brought to justice. In the very bizarre world that occurs in Russia today, the Russian state posthumously tried and convicted Sergei in a Russian court on July 11, 2013. That is unheard of and unbelievable.

We have to make it clear that Sergei was fighting corruption in Russia and exposing a huge tax fraud being committed by police, judges, and tax collectors in the Russian state.

● (1335)

The kleptocracy around the Kremlin has crept into all departments across Russia. Bill Browder has written a book on this. He has been active on human rights around the world in trying to get Sergei Magnitsky-style legislation passed. The first country to come onside with that was the United States. The United Kingdom just got it done last month. The European Union's Parliament passed Sergei Magnitsky legislation last year. It is great that today we are debating Bill S-226 by Senator Raynell Andreychuk.

We need to first acknowledge the fact that the other night, while we were in committee of the whole, the Minister of Foreign Affairs indicated that the government will be supporting this legislation, with amendments. I thank her very much for putting her support behind this bill. It is a good piece of legislation. I understand that the government wants to improve upon it, bring in some fairness, as she explained it to me, and make a few technical changes. I, as the sponsor of the bill in the House, and Senator Andreychuk, as the sponsor of this bill in the Senate, will look at those changes. The best place for amendments to be considered is at the foreign affairs committee.

This work has been done for a long time. We have been talking about this in this place since 2013. There have been motions passed supporting Magnitsky-style legislation. Hearings were held at the Standing Committee on Foreign Affairs and at the Standing Senate Committee on Foreign Affairs and International Trade, which heard from expert witnesses from around the world about stronger sanctioning and bans for those committing human rights abuses and illegal, corrupt activities in governments in other countries. When we think about all of the work that has already taken place, there is no reason we cannot fast-track this legislation. I encourage the government to put forward those amendments as quickly as it can so that the committee can get its work done.

The committee has already produced a great report and I congratulate the committee on that report. I know all members on that committee, under the tutelage of the chair, were able to put together 13 strong recommendations on how to properly implement and resource this type of legislation. I understand and appreciate that we need to especially look at recommendation 8 on providing an appeal mechanism for those placed on the sanctions list by the Government of Canada.

If we recall, in its first form, this bill was brought forward by our friend and former colleague Irwin Cotler. I tabled similar legislation in this Parliament, Bill C-267, and felt I had improved upon it, because I provided a role for parliamentarians to play in both the Senate and the House, allowing committees to look at that sanction list every year to see if people should be added or removed based upon their actions and how situations evolve. Senator Andreychuk, in her version, took it even one step further. She has really opened it up to make sure that it has a strong global focus and concentrates on going after those who are committing human rights violations around the world.

The penultimate paragraph in her preamble sums it up better. It states, "And whereas all violators of internationally recognized human rights should be treated and sanctioned equally throughout the world". I know there are some who criticize the bill, saying this legislation is just part of Russophobia. We heard from the Russian embassy yesterday, which said that Canada will face push-back if we pass Bill S-226, but we have to remember that this is not just about the corruption in Russia. This has application to other places around the world.

● (1340)

The bill is supported strongly by a lot of different diasporas in Canada. People keep saying that it is just another Ukrainian issue that we are rallying around. However, I have met with the Vietnamese community. It wants human rights abusers in the Communist government of Vietnam held to account for what it has done to its citizens.

I have heard from the Russian community. It wants democracy and human rights protected in Russia.

I have been meeting with organizations like Falun Gong. They want to see those individuals in China who have used the political system to arrest Falun Gong practitioners and then harvest organs and tissues from them after they have had them executed. It has turned into a cash cow for those individuals who are involved in that atrocity.

We need to ensure that these sanctions are enforceable. We need to ensure that the organizations in Canada have the ability to go out there and stop these individuals from using Canada to launder money and hide their families. That includes resources for the RCMP, the CBSA, and CSIS. Our financial institutions are there.

When we talk about the situation today, some of the human rights situations and some of the corrupt officials, we need look no further than the assassination of Boris Nemtsov, the opposition leader in Russian. He was shot down on the bridge right in front of the Kremlin. His deputy, Vladimir Kara-Murza, who has been here and has met with the foreign affairs committee, in both the House and the Senate, runs the organization, the Open Russia Movement. He has now survived two assassination attempts on his life.

When he was here last year, what he said to *The Globe and Mail* in March summed it up best on what was happening in Russia today. He said that for all the similarities between the Soviet era and present-day Russia, there was one major difference. While members of the Soviet Politburo were silencing dissent and persecuting opponents, they did not store their money, educate their children, or buy real estate in the west. Many of the current officials and Kremlin-connected oligarchs do. We we need to sanction those individuals.

The way it works today, and a good example is what is happening in the Ukraine, is that Canada, as a member of NATO, a member of the United Nations, a member of the OSCE, acts upon resolutions that are passed at those different organizations. Then we can implement the Special Economic Measures Act and sanction individuals who are tied to aggression, corruption and human rights abuses. They are targeted through those types of resolutions. Then we can also use the Immigration and Refugee Protection Act to go after the travel bans that we need to implement to ensure those individuals and their families do not come to Canada and travel throughout the west.

What we are trying to do with Bill S-226, and something all parties support, is providing the tools to the government. We love to talk the talk on human rights and about cutting down on corruption. This bill would allow us a to walk that talk. We can, independently as a country, now sanction and ban those corrupt foreign officials who are enriching themselves through illicit means, through embellishing stories and embezzling money from the governments within which they operate, and committing atrocities, abuses and aggression in places around the world, whether it is in Iran, Saudi Arabia, or in China.

I ask that we move this in an expedited manner so we can get it to committee, where it can do the good work that it has done already on making the amendments the government has requested, and we can get it back to this place as quickly as possible and passed.

● (1345)

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Madam Speaker, Irwin Cotler, someone we all know, has one of the most able minds in Canada in dealing with issues of human rights. I have had the opportunity to work with him in a different capacity while we were in opposition, and one of the things he was fantastic at doing was ensuring that the Liberal caucus captured the essence of why it was important to do what the Senate has provided us the opportunity to do.

This crosses all party lines. Whether it is Liberals, Conservatives, New Democrats, or Greens, we want to see some tangible action on this issue, so it is with great pride that we are here today having this debate. It has been a long time in coming, and I am wondering if my colleague could provide a perspective of how long we have been waiting to make sure that we get it right.

**Mr. James Bezan:** Madam Speaker, I thank the member for his praise for Irwin Cotler. Irwin has been a human rights activist from before he entered politics and today is still fighting against human rights abusers around the world. He someone I consider a mentor, as I think all of us here do, for the incredible work he has done over his career.

This is an issue that should be beyond partisanship. I am glad that the government is moving on this issue with the NDP and the Conservatives. We need to make sure that we overcome some of the hurdles that our government and departmental officials have concerns about, but I am confident in the ability of the Minister of Foreign Affairs to lead the charge in putting together the amendments that they want without watering down this legislation, so that the spirit of what we want to do here, which was started by Bill Browder in memorializing Sergei Magnitsky and was championed by people like Irwin Cotler and Senator Raynell Andreychuk, comes to fruition once and for all.

**Ms. Anita Vandenbeld (Ottawa West—Nepean, Lib.):** Madam Speaker, I would like to thank my colleague from Selkirk—Interlake—Eastman for bringing this extremely important legislation to the House. I know that the impetus for this legislation came out of Russia, but I have worked in parts of Africa, such as the Democratic Republic of Congo. I did an anti-corruption campaign in Bosnia and I worked in parts of Asia where these kinds of human rights abuses are perpetrated by people who are in power.

I was wondering if the hon. member could explain to the House how this piece of legislation would give our country the tools to be able to prevent and stop some of these terrible human rights abuses all over the world.

● (1350)

**Mr. James Bezan:** Madam Speaker, this is something I think all of us are very passionate about.

Venezuela right now is in a civil war, but under the leadership of President Nicolás Maduro, they are using food as a weapon, and we have been there before. We have seen this happen in Ukraine on three different occasions. That is why we have the Holodomor Memorial Day, which was a bill I sponsored in the House in 2008 that had all-party support.

Those types of atrocities, such as denying food to their people so that they can win a civil war, are beyond the pale, and the individuals who are creating those atrocities need to be held to account.

**Mr. David Anderson (Cypress Hills—Grasslands, CPC):** Madam Speaker, the Russian government has reacted to the news that our government will be supporting this legislation. I would like to have my colleague comment on that. I think they refer to it as an unfriendly act and suggest it might impact our diplomatic relations. I am wondering if he thinks it is worth doing the right thing here, rather than listening to their advice to us.

**Mr. James Bezan:** Madam Speaker, I believe we need to take a principled position, and with this legislation, we are. Russians need to realize that this is beyond just them. This is going to have global application. Are some oligarchs and some people in the Kremlin going to be caught up in the sanction list? Probably. All we have to do is look at all the human rights abuses that we have already documented and how many oligarchs are using shell companies to move money through Canada. Bill Browder was able to uncover 30 Russian shell companies that moved $20 million through banks here in Canada, and we cannot allow Canada to be used as a safe haven to launder money.

[*Translation*]

**Mr. Matt DeCourcey (Parliamentary Secretary to the Minister of Foreign Affairs, Lib.):** Madam Speaker, I am very proud to rise today to speak to Bill S-226, Justice for Victims of Corrupt Foreign Officials Act, or the Sergei Magnitsky Law.

I want to thank Senator Andreychuk for her work on this file. Over the course of its work, the Standing Committee on Foreign Affairs and International Development heard witnesses on a wide range of issues related to Canadian sanctions, including the circumstances surrounding the detention and death of Mr. Magnitsky. The report presented to the House in April is informing our current review of policies and programs, including those related to our Canadian sanctions regime and promoting our human rights priorities.

As we look at the merits of Bill S-226, we must spare a thought for its namesake, Sergei Magnitsky. Mr. Magnitsky was a Russian lawyer and accountant who fought against the rampant fraud and corruption within the Russian government. Held without trial in 2008, he was denied medical treatment and tortured. He died in prison in 2009. After his death, the Russian authorities found him guilty of the tax fraud he himself had uncovered.

As an ardent defender of human rights around the world, Canada has firmly and repeatedly spoken out against human right violations and abuses in Russia, including in the Magnitski case. We will continue to insist that those involved be held accountable for their actions.

The government supports Bill S-226 because it is committed to doing more to promote and protect human rights and to fight corruption on a global scale. There is no one-size-fits-all solution to all of these issues. That is why Canada's comprehensive approach includes a broad range of tools and involves multilateral and bilateral action.

If Bill S-226 passes, it will create a legal mechanism that will allow Canada to impose sanctions for gross violations of human rights and acts of significant corruption in foreign states. The bill proposes to amend and reshape our legislative tools for imposing sanctions in order to improve the wide range of instruments Canada has for determining the most effective measures to be taken in such cases.

The United Nations Act and the Special Economic Measures Act are the main laws under which Canada imposes sanctions on other countries. These laws give the Government of Canada the legal authority to impose measures and bans in order to limit activities that would otherwise be legitimate. Right now, 18 countries are subject to sanctions under these two laws. The individuals and entities targeted by these sanctions are generally determined in coordination with like-minded countries.

Canada has the authority to impose other types of restrictions under other laws. For example, restrictions can be imposed on travel under the Immigration and Refugee Protection Act and on trade under the Export and Import Permits Act, and criminal penalties can be imposed on terrorist entities under the Criminal Code.

● (1355)

[*English*]

Canada is currently able to freeze the assets of specific individuals and entities, among other sanctions measures, where one of two situations exists under the Special Economic Measures Act, or SEMA. The first is when Canada is called upon to implement a decision or recommendation of an international organization or association of states of which it is a member. The other is where the Governor in Council determines that a grave breach of international peace and security has occurred that has resulted or is likely to result in a serious international crisis.

Canada typically imposes sanctions under SEMA to complement existing UN-mandated sanctions, or when the UN Security Council is unable to reach a consensus, such as in the case of sanctions against Russia for its violation of the sovereignty and territorial integrity of Ukraine. While Canada has previously used SEMA to address human rights situations rising to the threshold of grave breaches of international peace and international crises, the current legislation has limitations. Canada also works closely with its international partners through multilateral anti-corruption treaties, and informs to combat corruption and money laundering.

The government's framework is based on our international legal obligations as set out in the United Nations Convention against Corruption, the OECD anti-bribery convention, and other multilateral treaties to which Canada is a party.

The government also fights corruption through criminal provisions in Canada's Corruption of Foreign Public Officials Act and the Criminal Code. Additionally, the Freezing Assets of Corrupt Foreign Officials Act allows Canada to freeze assets of foreign government officials or politicians when requested by a country in turmoil. This complements the Mutual Legal Assistance in Criminal Matters Act.

It is also worth noting the existence of the Proceeds of Crime (Money Laundering) and Terrorist Financing Act, which assists law enforcement and national security agencies in combatting money laundering, terrorist financing, and threats to the security of Canada.

Bill S-226 will complement the reach of current legislation by creating an additional mechanism that Canada could use to respond to gross human rights violations and abuses or significant corruption in a foreign state. It will also modify the inadmissibility framework of the Immigration and Refugee Protection Act to create a legal mechanism for those sanctioned under SEMA, or the Sergei Magnitsky law, to be refused entry into Canada.

This legislation is similar to what has been enacted by some of our international partners. It follows on the steps taken by the U.S. to expand the reach of the 2012 Magnitsky act into a broader approach in the recently passed global Magnitsky act. This new act enables the U.S. to withhold visas and freeze financial assets of those individuals thought to have been involved in human rights violations or acts of corruption. Last April, the U.K. Parliament passed the Criminal Finances Act, which expands the powers of the government and courts to freeze the assets of human rights violators.

The government applauds the hard work of Senator Andreychuk in raising important questions on how best to respond to acts of foreign corruption, and human rights violations and abuses.

We will work with parliamentarians to seek amendments that are necessary to ensure that Bill S-226 will be an effective addition to our foreign policy tool kit.

Let me reiterate that our government is a strong defender of human rights in Canada and around the world. We know that the issue of human rights sanctions and the Sergei Magnitsky case have drawn strong interest, and rightly so. As we said, there is currently no Canadian law that authorizes the imposition of sanctions specifically for violations of international human rights obligations in a foreign state, or for acts of corruption, including those in Russia, as highlighted in the case of Magnitsky. Bill S-226, currently before the House of Commons, which we are debating today, aims to address this gap. Our government is pleased to announce its support for this important legislation.

Let me also say that the Standing Committee on Foreign Affairs and International Development did tremendous work in its review of SEMA. We applaud the work that was led by the chair of that committee, the hon. member for Kenora, as well as the unanimous recommendations that provide us with some grounding with which to enter this debate.

It is a pleasure to rise today. I look forward to continued debate and the strengthening of this legislation.

● (1400)

**Mr. Randall Garrison (Esquimalt—Saanich—Sooke, NDP):** Madam Speaker, I am going to start by tipping my hat both to Fridays and the Senate today.

For those who think that nothing important ever happens here on Fridays, this bill will show that in fact we do important work here on Fridays, things that might otherwise get swept aside in the daily business of the House of Commons. People know that I am sometimes a very strong critic of the Senate, but I have always said that there are some senators who work very hard and some senators who bring forward important measures, for example, Senator Andreychuk and this bill. I am, again, saluting both Fridays and, for once, the Senate.

I talked earlier with people about how, if I actually read the full title of the bill, the 42-word title, twice, I would not have any time to actually speak to the bill, so I am glad to refer to it either as Bill S-226 or the justice for victims of corrupt foreign officials act, which is the short version of the title.

New Democrats are very proud to be supporting this bill. We have been calling for this legislation for a very long time. It gives Canada a chance to join world leaders in the defence of human rights. We are coming a bit late to the table, but better slow than not arriving.

Since I have been in the House, I think the first time we talked about this was in 2013. In fact, in the last Parliament, we unanimously approved a motion that called for adopting legislation like Bill S-226. All parties supported that. That was more than two years ago. Now I am going to praise a Liberal. It was through the hard work of the former Liberal member of Parliament Irwin Cotler, who was the Liberal human rights critic at that time. I believe he made a very persuasive case that this is what we really need to do in response to the proliferation of the use of torture around the world; that is, when sanctions against governments do not work, and they often do not, we apply these sanctions to the individuals responsible for these acts and who profit personally from these acts. That is really what we are talking about in this bill.

It is something that came about in response to a very specific case. We are calling it the Sergei Magnitsky act. Why? He was the lawyer for a man who was investigating corruption in Russia, a Russian lawyer who ended up imprisoned and tortured for nearly a year, who was denied medical treatment, and eventually died in prison in 2009. Why was he in prison? He was in prison because he was the lawyer for a man who had uncovered massive fraud in Russia. This attempt to fight corruption resulted in his imprisonment.

Mr. Cotler had served as the chair of a group called Justice for Sergei Magnitsky, an interparliamentary group that had 21 parliamentarians from 13 countries. Each of them committed to try to get their countries to take some effective action. So far, I believe we would be only the third country, if we do adopt this bill, to take the action that those 21 parliamentarians were working toward.

The United States did in fact pass a narrow version of the Magnitsky act in 2012, which provided financial and travel sanctions specifically on those Russians involved in the Magnitsky case. This was the first version of the act. However, that U.S. legislation was broadened in 2016 to apply to any foreign nationals involved in gross human rights abuses and profiting from those abuses.

The 2015 motion that we passed in this House called for that broader version of legislation, and that is what we see in Bill S-226 today. However, we are still calling it the Magnitsky act to honour Sergei Magnitsky and the sacrifice he made in the fight against corruption and human rights abuses in Russia.

On April 6, the House of Commons Standing Committee on Foreign Affairs and International Development issued a unanimous report, which was entitled, “A Coherent and Effective Approach to Canada's Sanctions Regimes: Sergei Magnitsky and Beyond”. It had the specific recommendations, again, that are included in Bill S-226, to amend the Special Economic Measures Act to add situations where sanctions can be enacted to include individuals involved in cases of gross violations of human rights.

● (1405)

What does that mean in practical terms? It means that Canada would be able to freeze and perhaps seize assets of those corrupt foreign officials who are bringing the benefits of that corruption and the benefits of those human rights violations here to Canada by stashing assets here or by sending members of their family to live here on what one might call the avails of crime, the avails of human rights violations. They seek out safe countries like Canada as places to take advantage of the gains they have made through human rights violations.

It would also allow us to attack money laundering here in Canada and to deny entrance to Canada of those individuals who have been involved in gross human rights violations.

This is important for Russia, because what we all recognize now is that Russia is well on its way to becoming the greatest kleptocracy in modern history. Those around President Putin have enriched themselves to unbelievable levels through the corruption in the Russian system and through violating the rights of any who dare to oppose the system and oppose that corruption.

Those listening might ask what this has to do with Canada. We can go back to the original investigations by Bill Browder, the person who did the investigations for which Sergei Magnitsky has paid the price. He found more than $20 million being laundered by Russian banks in Canada.

We can point to others close to Putin, such as Oleg Deripaska, one of the closest associates of Putin. He formerly owned a controlling interest in Magna International, a car parts firm here in Canada, and recently tried to purchase a controlling interest in a major Quebec aluminum smelter. We could look at another Putin-friendly oligarch, Roman Abramovich, whose steel company, Evraz, owns several subsidiary steel companies here in Canada. We could look to companies like Uranium One, one of Canada's largest uranium mining firms, which is owned by Russian interests associated with Putin.

This is a real thing. It is not just a theory that they are trying to use Canada as a way of benefiting from their corruption and their human rights violations. This is taking place now, so it is important for us to advance this legislation, even if, as I said, we are a bit late to the table.

It is not just the lawyer Magnitsky who has suffered human rights violations. We could talk about others. Opposition leader Boris Nemtsov appeared here before the foreign affairs committee in 2012, asking us to adopt legislation like this. He did this just a little over two years before he was murdered in the streets of Russia.

We could talk about other Russian opposition leaders who have testified here, such as opposition leader Vladimir Kara-Murza. I forget the year he appeared here, but I think it was also in 2012, a bit after Mr. Nemtsov. He was mysteriously poisoned in 2015. While one could accept maybe one mysterious poisoning, a year later he was poisoned again. He survived two attempts on his life through poisoning after speaking here at this institution in favour of legislation like this. The importance of our proceeding is easy to see.

There are other areas in which we could use legislation like this. I have one that I would like to talk about briefly, and that is Chechnya. The President of the Chechen Republic, Ramzan Kadyrov, has been in office since the assassination of his father under various titles because he was too young to assume the presidency at the beginning. He has been in power in Chechnya since 2006. Earlier this year he began a campaign against gay men in Chechnya. Human rights organizations have now documented that this campaign has resulted in the arrests of over 200 gay men in Chechnya, with three confirmed deaths as a result. As I have said before in the House, probably the most pernicious aspect is that the leader of Chechnya has called on families in Chechnya to murder the gay members of their families to protect their honour.

We would be able to use legislation like this to place sanctions on him and those around him so they could not freely travel around the world, so they could not come to Canada, so he could not invest the profits he has made out of the corruption in Chechnya here in Canada.

Right now there are more than 40 Chechen gay men in hiding. They are seeking emergency visas to get out of Russia, which is also not friendly to gay men, and the United States has just refused those visas.

Canada could act very urgently in this case, but once we pass this legislation, we will have an important tool to act against human rights violators like this one.

● (1410)

**Mr. David Anderson (Cypress Hills—Grasslands, CPC):** Madam Speaker, I appreciate the opportunity today to speak on this important issue. It is one, as my friend from Manitoba pointed out, that some of us have been involved in for quite some time. Those of us who were here in the last Parliament who were interested in human rights and religious freedom issues worked on this previously, and, as was mentioned, Mr. Cotler took the lead on that. Many of us feel that this legislation could have been passed, and maybe should have been passed, prior to this point. I am glad to see that the Senate and the House are treating this seriously and are moving it forward.

I would like to talk a bit about what the bill would do, as the senator who introduced it in the Senate said. She talked about the purpose of the bill being to provide for taking restrictive measures in respect of foreign nationals responsible for gross violations of internationally recognized human rights. It would enable the Governor General to make orders or regulations allowing the assets and property of foreign nationals to be seized, frozen, or sequestered if those foreign nationals were deemed responsible or complicit in gross violations of internationally recognized human rights. This would apply not only to business transactions and corrupt activity but also to violations of human rights. We have heard some discussion this afternoon about what those might be extended to.

The bill also proposes related amendments to the Special Economic Measures Act and the Immigration and Refugee Protection Act. It would amend section 4 of SEMA to include responsibility for complicity in extrajudicial killings, torture, or other gross violations of internationally recognized human rights committed against any individual in any foreign country.

I guess the surprising thing is that legislatures around the world have been so slow to apply measures like this, but I think the time has come for us to recognize that this is an important development in international relations and that we can begin to hold people responsible who are violating human rights around the world.

This bill would make these amendments. It would impose stricter regulations on all foreign violators of human rights and give national governments, and our government, an opportunity to hold people responsible for their activities.

We need these sanctions. We cannot continue to allow our banks, our financial institutions, to be used as safe havens, in any manner, for corrupt foreign officials and human rights abusers. This legislation would enable the Government of Canada to much more quickly sanction individuals. We have seen sanctions against nations, but we have been very slow to sanction individuals. This would make it easier to do that and allow it to happen much more quickly, and it could be applied around the world.

We see so many human rights violations. We see so much corruption. We see officials moving money offshore to protect their own accounts and their families' accounts. We see torture of political activists, journalists, and human rights activists around the world. We need some tools to hold officials and leaders accountable for that kind of activity.

Unfortunately, illegal detention, torture, and death are used far too often to silence dissidents around the globe. It was just about 10 days ago that we had hearings at the Subcommittee on Human Rights on Iran, and actually, Mr. Cotler was part of the discussion that day and was one of our witnesses. I talked about the threat posed by the Iranian government, not only outside Iran but also toward its own people. It has the highest rate of execution of any nation in the world. There is a recognized, constant violation of domestic and international law. The president himself has nine departments under his strict control, and each of those departments has been recognized as violating Iranian domestic law. They continue to torture, they continue to export terror around the world, and they seem to be doing this with impunity.

We would love to see this bill in place so we can begin to hold people like that accountable for their treatment of their own citizens and for the impact of the expanded terror network they seem to be putting in place around the globe.

An example would be, within Iran, the Baha'i community. It is a minority religious community that has been basically slated for complete destruction by the Iranian government. Human rights defenders around the world have been trying to protect them and get some of their leaders released from prison. We now see some of that same activity taking place in Yemen, in the very small Baha'i community in Yemen. Interestingly, Iran's revolutionary guard seems to be involved in exporting the attitude and activity from Iran to Yemen, so another small minority community in another part of the globe is paying the price simply for what they believe in, not for what they are doing.

● (1415)

They want to contribute to their society, and they have been a good part of that society. However, we see a regime that is bound and determined to export its human rights violations around the world. A bill like this would go a long way to holding them to account. We believe that this would build on Canada's strong record of standing up for victims of human rights abuses.

Specific to Magnitsky and Russia, this legislation is strongly supported in the Ukrainian community in particular, and it is supported among pro-democracy Russian activists and human rights advocates. They believe that we desperately need this.

I should talk a bit about the genesis of this bill. Sergei Magnitsky was a Russian lawyer who uncovered a tax fraud, the largest tax fraud in Russian history, and was subsequently arrested and detained. He was tortured and killed in custody in a Moscow prison. Too many of these deaths go unnoticed and unrecorded, but in this case there was attention given to it. Since then, there has been an international focus on trying to bring legislation into place to remember the sacrifice he made, and to make sure that the people who were responsible, not only for his death but for the fraud and corruption that took place around it, could be held responsible.

In 2012, the Russian opposition leader, Boris Nemtsov, travelled to Canada to call on us to adopt sanctions to try to protect human rights activists and pro-democracy standards. Here we are, almost five years later, and we are finally working on this. In 2012, the United States adopted a form of Magnitsky legislation. The European Parliament has moved on this legislation, as has Estonia in 2016, and the United Kingdom in 2017.

Our history, as I mentioned, starts in the last Parliament. There was a resolution brought before the House of Commons, and it was passed unanimously. It was going to go ahead, but we had an election campaign that interfered with getting that bill through. Interesting, all three major parties committed to this legislation during that time, so we look forward to it coming into play.

I mentioned earlier about the Russian reaction to this. I guess we are disappointed by it, though we are maybe not surprised. It is unfortunate that again the Russian government seems to be unwilling to accept that it needs to make some changes if the rest of us are going to accept the way they do business in their country. When they call establishing an act that would hold human rights abusers to account an unfriendly act, and seem to be threatening that it is going to affect relations between our two countries, that is going over the top. It might be better if the Russians took a look at their system and said they could improve some things, and perhaps moved into a situation where other countries are not concerned about the way they do business. For them to try to threaten us is a waste of their time.

There are some other countries, as well, that we might be able to impact on an issue like this. My colleague mentioned the Falun Gong in China and the organ harvesting that takes place there, and the fact that officials are not being held responsible for that. We had a young lady on the Hill for the 6th Parliamentary Forum on Religious Freedom, Anastasia Lin, who was Miss World Canada. Her father is a Falun Gong practitioner and he has been under pressure in China. She won a competition to go to the Miss World competition, and they would not let her into China because of her activism on the issue. Again, it would help them if they thought we took violations of human rights seriously.

It is important that the Canadian government, for our own sake and for the sake of people around the world, adopt this legislation and put it in place as quickly as possible. I am glad to hear that the government is going to be working with us on this. If they are going to make amendments, I would encourage the Liberals to make amendments that strengthen the legislation, so that it can be even more effective than it is right now. It is good to see that the House seems to be of one mind in getting this legislation passed as quickly as possible.

● (1420)

**Hon. Robert Nault (Kenora, Lib.):** Madam Speaker, I will not reiterate everything that has been said today, but I am very encouraged that on a Friday afternoon, we are debating something that is extremely important to Canadians and our relationship with the rest of the world.

I want to thank Senator Andreychuk and the other place for their fine work on this legislation, as well as my colleague from Selkirk—Interlake—Eastman for presenting this to the House.

As members may know, I am the chair of the foreign affairs committee and I am very pleased to speak on behalf of the committee and talk about, to some extent, the unanimous report from the committee. It has helped stimulate the conversation, both within the government and through Parliament as a whole. The report entitled "A Coherent and Effective Approach to Canada's Sanction Regimes: Sergei Magnitsky and Beyond" is a very good read for those who may not have followed this initiative of members of Parliament in the past and want to catch up on the history of the work and some of the issues surrounding what we call the sanctions regime, even though it is not the formal name the United Nations and others call this process.

It is my honour to speak to Bill S-226, the justice for victims of corrupt foreign officials act and the Sergei Magnitsky law.

First, I would like to pay tribute to Mr. Magnitsky, who lost his life in a very brave campaign to expose corruption in Russia. The circumstances surrounding Mr. Magnitsky's death have made it abundantly clear why we should not look away when we see human rights violations and abuses, wherever they occur. Like Mr. Magnitsky, countless people across the world have suffered repeated violations of human rights. Like Mr. Magnitsky, many have been victimized by the same institutions and individuals who are entrusted with protecting them. Like Mr. Magnitsky, many have not seen the perpetrators brought to justice.

Today, as part of the human and integral rights of Canada's international engagement, we stand up for our values and we are not afraid to speak up against human rights violations and abuses in Russia or anywhere else. That is the key to this legislation. Yes, it is in honour of Mr. Magnitsky, but it is really in honour of Canada's values and beliefs about the fact that human rights violations should not go unnoticed and that there should be a way of reacting legally to this process.

In the short time that I have, I want to say a few words about the work of the House of Commons Standing Committee on Foreign Affairs and International Development on the issue of Canada's sanctions regime.

As has been mentioned, in April, the committee adopted a unanimous report entitled, "A Coherent and Effective Approach to Canada's Sanction Regimes: Sergei Magnitsky and Beyond". In this report, the committee made 13 recommendations to the government, aimed at strengthening Canada's sanctions regime as a critical tool of our foreign policy.

There was a very large debate in committee, with many professional witnesses who were experts in the field. As part of that study, the committee heard compelling testimony from human rights advocates, including the Hon. Irwin Cotler, to whom everyone talked, Garry Kasparov, Bill Browder, Zhanna Nemtsova, and Vladimir Kara-Murza, regarding the powerful impact that sanctions targeting human rights violators and corrupt officials could have in advancing respect for human rights and good governance.

We know the legislation is going back to committee, and we are very interested in it going back as soon as possible, only because the committee would like to conclude the work that has been going on for what seems like a decade.

These witnesses highlighted the practical use of these sanctions, for example, how imposing real costs on human rights violators could help to end the culture of impunity that too often prevailed in some countries. They also underlined the important symbolic value of sanctions, namely, how passing a Magnitsky act would demonstrate Canada's resolve to stand up to human rights violators around the world and encourage other states to follow.

● (1425)

This testimony inspired our committee to dedicate its report to Mr. Magnitksy and his tragic death. Bill S-226 addresses one of the most important recommendations in our report, that the Special Economic Measures Act, known as SEMA, should be amended to allow for sanctions in cases of gross human rights violations. I believe the bill offers Canada the opportunity to join the efforts of our international partners.

The bill also touches on another of our report's recommendations. It calls for greater consistency between Canada's sanctions measures and our immigration policy, which is extremely important to the implementation and process of this legislation. I welcome the amendments to the Immigration and Refugee Protection Act included in the bill that make those targeted by human rights sanctions inadmissible to Canada. I also believe, as our report recommends, that this inadmissibility should be extended to all those targeted by sanctions under the Special Economic Measures Act.

I am happy to see from the minister's comments on Wednesday that the government shares our committee's concerns regarding the procedural rights of those targeted by sanctions. I agree with the minister that this bill can be improved by providing a right of appeal to those targeted. Sanctions inflict real costs on the persons they target, which is their purpose. Canada should therefore provide these individuals an opportunity to state their case as to why they do not deserve to be the target of such measures.

In addition, I would like to reiterate another of our committee's key findings regarding Canada's sanctions regime. The administration and the enforcement of sanctions measures is as important as the regulations and legislation that creates them. In order for Canadian sanctions to have their full effect, including the proposed sanctions against human rights violators, they must be fully enforced and effectively administered. We must also provide Canada's private sector with the information and services it needs to comply with sanctions measures.

Finally, let me reiterate what the hon. Minister of Foreign Affairs said in the House of Commons on Wednesday evening. Human rights are a non-partisan issue. I look forward to receiving the bill in the committee so we can do the fine work that Parliament expects of us.

**The Assistant Deputy Speaker (Mrs. Carol Hughes):** The next time the bill is before the House, the member will have two minutes and 10 seconds left.

I want to wish the member for Selkirk—Interlake—Eastman a very happy birthday.

● (1430)

[*Translation*]

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.

[*English*]

It being 2:30 p.m., the House stands adjourned until Monday, May 29, 2017, at 11 a.m., pursuant to Standing Orders 28(2) and 28(4).

(The House adjourned at 2:30 p.m.)

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**Friday, May 19, 2017**

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