



HOUSE OF COMMONS  
CHAMBRE DES COMMUNES  
CANADA

# House of Commons Debates

---

VOLUME 148 • NUMBER 204 • 1st SESSION • 42nd PARLIAMENT

---

OFFICIAL REPORT  
(HANSARD)

**Friday, September 22, 2017**

—

**Speaker: The Honourable Geoff Regan**

## **CONTENTS**

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

# HOUSE OF COMMONS

Friday, September 22, 2017

The House met at 10 a.m.

---

*Prayer*

---

## GOVERNMENT ORDERS

• (1005)

[*English*]

### ACCESS TO INFORMATION ACT

**Hon. Scott Brison (President of the Treasury Board, Lib.)** moved that Bill C-58, an act to amend the Access to Information Act and the Privacy Act and to make consequential amendments to other acts, be read the second time and referred to a committee.

He said: Mr. Speaker, I am proud today to discuss Bill C-58, an act to amend the Access to Information Act and the Privacy Act and to make consequential amendments to other acts.

This legislation, which I introduced on June 19, is built on a foundation of work by many people through consultations: parliamentarians, the Information Commissioner, the Privacy Commissioner, important stakeholders, and, of course, Canadian citizens. All have strong views, sometimes conflicting, as to what we ought to do to modernize this 34-year-old act.

[*Translation*]

I would like to thank each of them for their careful consideration of the issues involved in updating our access to information regime.

[*English*]

The Liberal Party has spent over a decade defending and strengthening the principles of openness and transparency, both in government and in opposition. In fact, I remember when I served in the Right Hon. Paul Martin's cabinet. That was the first time a prime minister required the proactive disclosure of ministers' expenses. In fact, Mr. Speaker, you were a colleague in that same cabinet.

Later, in opposition, under the leadership of the current Prime Minister, our Liberal caucus was the first to proactively disclose parliamentarians' expenses. Now we are bringing this ongoing effort toward openness and transparency to government.

On day one, our Prime Minister made the ministers' mandate letters public, for the first time ever. This week, when I was in New York at the UN General Assembly, the CEO of the global organization Open Government Partnership told me that making

public ministerial mandate letters is a real game changer that is going to raise the bar globally in terms of other countries.

Ministers are no longer just accountable to the Prime Minister for their mandates. Today, having our mandate letters public means that we are more accountable to Parliament, and of course, are more accountable to Canadian citizens.

That was just the beginning. Within our first two days of government we unmuzzled government scientists and restored the mandatory long-form census. All these measures are consistent with our drive toward openness and transparency and providing higher-quality information to Canadians.

Our actions are being recognized by global organizations. In March we were elected to the steering committee of the Open Government Partnership for the first time. This week we agreed to take on the role of co-chair of the OGP. This is the world's largest multilateral organization dedicated to open, transparent, and accountable government.

[*Translation*]

As we developed this first set of legislative reforms of the Access to Information Act, we have continued to be guided by the principle that government information belongs to the people it serves. If anything, it is truer today than ever before.

[*English*]

The Access to Information Act, in 1983, first enshrined in law the following principles: that citizens have a right to government information, that transparency makes government more accountable and responsive to the needs of citizens, and that access to information allows citizens to participate meaningfully in the democratic process and hold their government to account.

The amendments we are proposing to the act will strengthen its original purpose in a way that reflects today's technologies, policies, and legislation. Now more than ever, open government is good government. We want to work with parliamentarians, independent officers of Parliament, and stakeholders to ensure that this first major Access to Information Act reform in three decades reflects that intention.

*Government Orders*

A lot has changed since the ATI Act first came into force. Thirty-four years ago, government information was paper-based and stored in file cabinets.

[*Translation*]

Since then, information technology and our communications infrastructure have been revolutionized and personalized.

[*English*]

Over the same period, the volume of information collected and held by government has grown, and the Internet has made it easier for the government to make large amounts of information widely available.

[*Translation*]

The Access to Information Act played an important part in bringing about a change in public expectations. It was in fact ground-breaking.

[*English*]

Since the act became law, in fact, more than 750,000 information requests have been processed. That is 85 requests every working day for more than three decades. Since 1983, the number of requests has grown by an average of 13% annually. In fact, 2015-16 saw more than 75,000 requests. I would like us to consider that number: 75,000 information requests in one year. That represents almost 10% of the overall number of information requests processed since 1983, so demand for information is actually growing.

• (1010)

[*Translation*]

Clearly, there is a rising demand for government information and government transparency. That demand has strained government, and it has frustrated Canadians who are accessing information.

[*English*]

We have heard the complaints about government delays in responding to requests or about denied requests. We believe that the changes we are making will help address some of these issues. However, in 2015-16, for example, 64% of all completed information requests were answered within the initial statutory time limit of 30 days. That number jumps to 86% if we consider the requests closed within an extension period provided for within the act. More than nine million pages were processed in 2015-16, and more than 80% of the records were disclosed either in full or in part.

In some cases, exemptions were invoked for valid reasons, including the privacy of personal information, national security, and the ability of the public service to give full and frank advice to government.

[*Translation*]

Nonetheless, to say that reforming the 1983 act has been a long time coming would certainly be an understatement.

[*English*]

That is why we are modernizing the act today. This is not just a one-off exercise that might have to wait another 34 years for an update. We are making it law that there will be regular reviews of the act. We began these efforts just over a year ago. In May 2016, we

issued an interim directive that enshrined the principle of open by default. This refers to a culture shift across government in which data and information are increasingly released as a matter of course unless there are specific reasons not to do so.

[*Translation*]

This culture of openness helps Canadians engage with their government on policies, programs, and services.

[*English*]

We believe that good public policy comes out of conversations and consultations with Canadians and that it needs to be two-way communication. Even in the last few months since introducing this legislation, we have continued to engage the commissioners of information and privacy, along with many other experts on this subject. We paid close attention to the concerns raised, and I look forward to pursuing that conversation with this Parliament and with parliamentarians here today and in the coming weeks.

[*Translation*]

“Open by default” involves providing more information to the general public, engaging citizens in identifying issues and problems, and helping to develop solutions around them.

[*English*]

The interim directive we issued in May 2016 also eliminated all fees for access to information requests, apart from the standard \$5 fee, and directed the release of information in more user-friendly and shareable digital formats whenever possible. Now is the time to take more steps on this path of open government.

[*Translation*]

The legislative package we have introduced proposes amendments that would further improve Canadians’ access to government information.

[*English*]

To begin with, the amendments would create a new part of the act relating to proactive disclosure.

[*Translation*]

Proactive publication puts into practice the principle of “open by default”.

[*English*]

With modern technologies making it easier to share information in real time, we are looking at new ways to meet Canadians’ expectations by sharing government information more quickly and automatically while relieving some of the pressure from our demand-based system.

[*Translation*]

This approach would build on current best practices, and apply consistent requirements for the publication of information across the government.

*Government Orders*

[English]

It would apply to more than 240 government departments, agencies, and crown corporations. It would include the Prime Minister's Office and ministers' offices, senators and members of Parliament, institutions that support Parliament, administrative institutions that support the courts, and more than 1,100 judges of the superior courts.

We would be putting in law the proactive publication of the travel and hospitality expenses of ministers and their staff as well as of senior officials across government; contracts over \$10,000 and all contracts issued by members of Parliament and senators; grants and contributions over \$25,000; mandate letters and revised mandate letters; briefing packages for new ministers and deputy ministers; lists of briefing notes for ministers and deputy ministers, including the titles of the notes and their tracking numbers; and the parliamentary binder used for question period and committee appearances. We developed this list by examining some of the most sought after documents in access to information requests.

We expect, in fact, that this approach would guide us over time in terms of expanding proactive disclosure. In other words, if there are certain categories of information that are frequently being requested through the demand-based system, that would be a signal to our government and to future governments that we ought to consider proactively disclosing those categories as we move forward.

• (1015)

[Translation]

This will lead to better public understanding of government decision-making, fostering more participation and public trust in government. We also understand that proactive publication does not absolve us of our responsibility to strengthen the request-based system.

[English]

That is why we are also developing a new plain-language guide that will help provide requesters with clear explanations for any exemptions and exclusions. We will be investing in tools to make processing information requests more efficient. We will be allowing federal institutions that have the same minister to share request-processing services to achieve greater efficiency.

Because one of the most common complaints we have heard has been directed at the consistency of how the act is applied across government institutions, we will invest in better government training to get a common and consistent interpretation and application of ATI rules across the government.

We are also following the guidance of the House of Commons Standing Committee on Access to Information, Privacy and Ethics.

We are moving to help government institutions weed out what are genuinely bad-faith requests that put significant strain on the system, slowing responses for everyone else. Repetitive, vexatious requests can gum up access to information processes while providing little new information, and as such, can do a disservice to all Canadians.

Federal institutions spent more than \$64 million in 2015-16 to cover the direct cost of administering the act, and this government

wants those resources spent efficiently and effectively. Our intent is to ensure that no government, ours or any future government, can abuse this provision. Let me be clear. A large or broad request, or one that causes the government discomfort, does not of itself represent bad faith on the part of a requester.

We need to get this right. We recognize that while this tool is needed to significantly improve the system, everything from sound policy to proper oversight must be done to prevent its abuse. I have faith that this House and this Parliament and the work that will be done at the committee can help us achieve that objective.

[Translation]

We are not stopping there. The proposed amendments would also give the Information Commissioner new powers.

[English]

These include the ability to order the release of government records. This was a power long sought by successive Information Commissioners. We are also giving her office more financial resources to do its job.

[Translation]

This is a significant step forward.

[English]

We will change the commissioner's role from that of an ombudsperson to that of an authority, with the legislative power to order government institutions to release records. These are significant reforms to our ATI system, but there will always be more we can do to strengthen the trust between citizens and their government.

• (1020)

[Translation]

That is why the reforms being proposed are only the first phase of our modernization of access to information.

[English]

In fact, the amendments legislate a review of the act every five years so that the law never becomes as outdated as it is today. The first review would begin within one year of this bill's receiving royal assent. In addition, through policy, we will require that departments regularly review the information being requested under the act. This is important because the trend analysis that we conduct on an ongoing basis will help us understand and increase the kinds of information that should be made more easily available, including through proactive disclosure. This analysis would also inform the five-year reviews and future changes to strengthen the act.

*Government Orders*

After 34 years, we are the first government to significantly revitalize Canada's access to information law and system. It is the most comprehensive access to information reform in a generation. As I said, these reforms are only the first phase. It is a work in progress to strengthen access to information and openness and transparency in Canada, not just for our government but for future governments. With the support of the House, we can continue to work together to modernize our access to information law and system and to make governments today and in the future more open, transparent, and accountable to Canadians.

**Mr. Tom Kmiec (Calgary Shepard, CPC):** Mr. Speaker, I listened attentively to the President of the Treasury Board's speech. It is interesting that he talked about openness and transparency in the House, but every time we submit an Order Paper question on the definition of the middle class, we do not get an answer. Every time we submit an access to information request, we do not get answer; it gets blacked out. None of that will change with this legislation. The government has refused to tell us the cost and impact on middle-class Canadians of the carbon tax.

How can the President of the Treasury Board claim this is an improvement to the laws when the government did not even touch any of the exemptions in the current ATIP law?

**Hon. Scott Brison:** Mr. Speaker, there are two points to that question I would like to address.

First, because the Information Commissioner will have order-making power, if in fact a requester of information believes that the government's decision to refuse to provide the information was inappropriate or wrong, there will be an appeal process. If the Office of the Information Commissioner agrees with the requester of the information, the commissioner can order that the information be provided, and the government would have 30 years—or rather, 30 days—to provide the information. If it did not provide the information in 30 days, it would be violating the law. It would have 30 days to provide the information and if it chose not to, then it would have to challenge the Information Commissioner in a court of law, the decision ultimately being made by a judge. Government departments will be reticent to challenge the Information Commissioner in a court of law. That is a game-changer in and of itself.

As for exemptions, there are legitimate exemptions around things like privacy and national security, as examples, and cabinet confidence. In fact, the Supreme Court has recognized cabinet confidentiality as essential to good government. In *Babcock v. Canada* in 2002, the court said, “The process of democratic governance works best when Cabinet members charged with government policy and decision-making are free to express themselves around the Cabinet table unreservedly”.

I would disagree with my hon. colleague in that this legislation actually helps strengthen the weaknesses that he was concerned about and raised.

**Mr. Murray Rankin (Victoria, NDP):** Mr. Speaker, I would like to thank the President of the Treasury Board for introducing legislation after 34 years that would modernize this essential right to know legislation, as well as for saying that this is only a work in progress and that he will welcome input at the committee stage, presumably including amendments to this bill.

The Centre for Law and Democracy, like so many other groups, has claimed:

...the bill is far more conspicuous for what it fails to do, putting in place only one or at best one and one-half of the reforms called for by Canadians...

It does nothing to address the broad regime of exceptions (if anything, expanding its scope slightly).

Of course, it does not fix the massive loopholes that currently exist. In fact, it introduces a new one, which I will talk about later.

What confidence can Canadians have that this will truly reflect this new openness by default that the minister spoke of?

• (1025)

**Hon. Scott Brison:** Mr. Speaker, first of all, the order-making power granted to the commissioner was called for initially by a parliamentary committee in 1987. That has been ignored by successive governments. However, when the commissioner now orders that information be provided by the government and, as such, agrees with the requester, the government will only have 30 days. If the government disagrees, the department would have to challenge the Information Commissioner in court, with the decision ultimately being made by a judge.

That is going to be a game-changer in terms of the application of this act and in addressing some of the concerns raised. In terms of the pre-existing exemptions, they are there whether for privacy, national security, or cabinet confidence. Those are legitimate.

I believe that the member was referring to the category of frivolous and vexatious complaints. That was actually a recommendation of the Standing Committee on Access to Information, Privacy and Ethics of the House of Commons. It is one that is designed to apply to bad faith requests that gum up the system. The system can get bogged down by bad faith requests—for example, if an ex-spouse ATIPs his or her former spouse's work hours on a daily basis or their emails. I am not just pulling that out of the air. This is an actual example of the kind of request that would be made in bad faith. There is—

**The Speaker:** I ask the President of the Treasury Board to hold that thought for perhaps the next answer.

The hon. member for Haldimand—Norfolk.

**Hon. Diane Finley (Haldimand—Norfolk, CPC):** Mr. Speaker, I am wondering if the minister could explain something based on my colleague's previous question. He said that if a satisfactory answer is not given to a question, then the questioner has the opportunity to appeal. If an appropriate answer is not given with 30 days, at that point it can go to court. The problem is that by this time there still is no appropriate answer, and if it goes to court there is no timeline.

Is that what the minister may have been thinking of when he said it could take 30 years to get a response?

*Government Orders*

**Hon. Scott Brison:** Mr. Speaker, I misspoke, and I meant 30 days. The reality is that this is the first time the act has been updated in a significant way in 34 years.

The order-making power provision was first sought by a parliamentary committee 30 years ago in 1987. We are the first government to actually provide it. Again, the way it would work is that the government would be given, by the Information Commissioner in her order, 30 days to respond. If the government disagreed with that order, it has the ability to challenge it in court. This would not be done frivolously.

My hon. colleague was part of a cabinet that, in fact, was the first government in the history of the British Commonwealth to be found in contempt of Parliament for not providing information to this Parliament. We do not really feel that we will be taking lessons from her on this issue today.

• (1030)

**Mr. Charlie Angus (Timmins—James Bay, NDP):** Mr. Speaker, I listened with great interest to the issue of order-making powers for the Information Commissioner. It is a relevant issue, because my office has spent three years trying to get the justice department to turn over that briefing notes on why it suppressed evidence going into the hearings of the survivors of the St. Anne's Residential School, suppressing evidence of serial pedophilia and torture against children in order to have the cases thrown out. The minister has ignored an order by the Information Commissioner to turn over these documents.

When we are talking about the justice department's role in suppressing evidence in legal hearings, is that vexatious or some kind of irritant to the government? Would that be under cabinet confidence? If the government decides to ignore orders from the Information Commissioner, what can we do to hold the justice department of Canada to account? We are talking about the abuse of the rights of survivors of Indian residential schools by the department blacking out of thousands of pages of documents, which then protects the perpetrators. Will the minister say this is an abuse of the fundamental principles of the Access to Information Act?

**Hon. Scott Brison:** Mr. Speaker, today the Information Commissioner does not have order-making powers. This is something that has been sought for over 30 years. This legislation would provide the commissioner with order-making powers for the first time.

I am not speaking specifically to the case presented by the hon. member. However, that case or any case could be reviewed by the commissioner. If a requester of information made a complaint to the Information Commissioner about a specific request, and if she sided or agreed with the requester and ordered the government to provide that information, it would have 30 days to do so. A department could challenge it in a court of law, but ultimately the decision would be made by a judge. I do not believe any department would challenge an order without reasonable belief that it could defend its position in a court of law.

**Mr. Tom Kmiec (Calgary Shepard, CPC):** Mr. Speaker, listening to the President of the Treasury Board speak, I think we should be breaking out the champagne for this once-in-a-lifetime change to the access to information law that will achieve everything. I heard him say that it is early in the day. I am sure he will make

some time in the lobby behind us for other government members. However, I have bad news for them. The supposed openness and transparency law that the Liberals have introduced, where they faked themselves into thinking they have accomplished something, falls far short of what they promised during the election campaign. Also, according to the experts, it falls far short of what should have been achieved over this 30-year gap between when the ATIP law was introduced and the amendments they are proposing to make.

What is interesting is that we rise in the House in question period to ask questions that we never get answers to. The Liberals could have provided full answers then. We have Order Paper questions asking for simple definitions that should be textbook, yet they fail to provide the answers for these Order Paper questions. These are privileges that each member of this House enjoys, and the government should be providing complete answers to those Order Paper questions. Therefore, it is no wonder that this access to information amendment it is proposing will fall far short of what should be achieved.

Many times I have heard the member for Carleton ask what the definition of "middle class" is and what the impact of the carbon tax would be. He has tried to get that information through the access to information laws. However, we never get that information from the government. What the Liberals are proposing today will never fix that. What is needed is a cultural change. I call this system that they are proposing the Potemkin ATIP system. It has all the window dressings, the image that is needed, but none of the changes they have promised to make will be in the guts of it.

I do have a Yiddish proverb, because I think it speaks volumes to what the government is proposing to do. It is, "The luck of an ignoramus is this: He doesn't know what he doesn't know." I am not speaking with respect to the President of the Treasury Board, I am speaking of the government in general.

I will quote from the access to information law experts from the Centre for Law and Democracy, which noted a couple of disturbing elements in this bill.

It stated that a large majority of the proactive publication obligations are already being implemented in practice by these bodies. While it is some progress to formalize these commitments, this is hardly groundbreaking. I agree.

It goes on to state, and this is an important point, that the bill "fails to address the serious problem of delays in responding to requests. It does nothing to address the broad regime of exceptions...." That was my first question for the President of the Treasury Board.

It goes on to note that the bill "would also remove the obligation on public authorities to publish about the classes of records it holds, which is designed to facilitate the making of requests for access to information" in the first place. Therefore, that will be removed.

*Government Orders*

When I came here as a rookie member of this House, one of the very first things I did was to learn and understand how each department worked and the areas in which it specialized. I wanted to understand how to better keep the minister accountable. To do so, I looked for the type of information and the type of records the department was keeping. That was so I could better understand what types of records I could request through an access to information request if I did not get an answer to an Order Paper question or an answer in question period.

The Centre for Law and Democracy notes that section will be removed, which takes me back to my Yiddish proverb. If we do not know that a document exists, then how could we ever ask for it? It is interesting that the government is removing that one section. It is not just me saying that, but so is the Centre for Law and Democracy, which is the expert on this. It does analyses of all access to information laws in every jurisdiction in Canada, and it rates them. It is those experts who are saying that it falls short.

Who else is saying that it falls short? Robert Marleau, the former information commissioner from 2007 to 2008, stated, "there's no one [in government departments] to review what they choose not to [publish]". This is contrary to the principles of the act. They put the commissioner out of the loop. If we requested briefing notes and parts of them had been blacked out, you had someone to appeal to. This is no longer the case. You cannot even ask the court. It is a step forward, two steps back.

Let us see what the Liberals say they have done. We have heard about mandate letters now being released to the public. It does not help if one does not follow the mandate letter and fulfill what is in it. It is just a letter, a piece of paper. It does not help us to understand anything. Also, I have news. The Alberta government has been releasing mandate letters for well over a decade. Therefore, it is not as if this is groundbreaking and setting some type of new frontier regarding access to information. Alberta has been doing it for years. I remember when the member for Calgary Confederation and the member for Calgary Signal Hill were in the provincial government, and they had mandate letters that were published. The difference is that they followed through with the contents of their mandate letters and were held accountable by the premier of Alberta for the contents. Here, they are not held accountable.

● (1035)

The other thing they say they will be doing is documentation on the training of new ministers, titles and reference numbers of briefing notes, development notes for question period, backgrounders for appearances before parliamentary committees, travel and hospitality expenditures, and contracts of more than \$10,000. Other governments have been doing some of these things for a long time now, through freedom of information laws that are provincially based. These are not new frontiers. These are very basic documents.

Some of them are here. However, if they remove from the law the very basis of what type of records the department has to keep, how am I supposed to know that a record exists in the first place? It is like chasing a needle in a haystack a lot of times.

I have experienced this first-hand when doing access to information requests to the health department where I have been stalled out for lengthy periods of time. Sometimes I stumble upon

new documents that I did not know even existed before. Then I do another access to information, and my staff and I continue in this manner. Many of the changes being proposed here will not end any of that.

It is hardly historic in terms of changes. There is an RTI rating, which is the methodology that assesses each access to information law to determine its score. The score is based on 150. On the RTI rating, according to the Centre for Law and Democracy, Canada will go from 90 to 92 points. That is a two-point increase. One would think after two years that the government could have cobbled together an amendment to the access to information law that would live up to the promises it made during the last election, because it has broken them here. It could do much better than a two-point increase in its score on access to information laws.

It is not as if Canada will be rising greatly. It is not as if the government did not know how to increase its score. It is not as if it did not have a comparator that it could look at, such as Serbia, which supposedly has a much better rate than we do.

Many experts in the field have said that there are issues, and I note in the law there are interesting oddities and amendments. One of them, and we have heard this before, is with regard to frivolous or vexatious claims for access to information requests. A department would be able to say that they cannot do that.

According to Policy Options, a well-respected think tank, the power to prevent such abuse is included in many ATI laws. However, that power should rest with the Information Commissioner, not the department that is subject to the request. If the department can determine what is frivolous and vexatious, then it can block any type of request it feels is frivolous and vexatious. It could up to the individual civil servant who receives the request.

Bill C-58 also includes a five-year review. The first five-year review would take place only a year after the legislation comes into force. Given the glacial pace of how legislation makes its way through the House and then to the Senate and then bounces back from the Senate, because the government does not really know what it is doing there, I do not think we would have a review of it before 2019, before the next election.

My other concern is that it does not have a sunset clause. Even the Bank Act has a sunset clause. It is set every five years. It forces the parliamentary committee to review the legislation through a mandatory review. It knows that it will sunset unless it provides feedback on its contents. I like the idea of mandatory reviews and sunset clauses in legislation, because it forces us, as parliamentarians, to review legislation on a consistent basis. When I worked as a staff member in the provincial legislature in Alberta, it was one of the things I kept pushing for in regulation and statutes with the minister I had the privilege of working for. I pushed that every single piece of legislation, regulation, should have that included, to mandatorily force members to review the legislation to make sure it still made sense, that the amendments that had been proposed in the last five years, and the improvements, were actually worth carrying on and being included in the final legislation.



*Government Orders*

I have a page from the Liberal policy platform from the last election. The Liberals promised many things on access to information, some of which they achieve here, and some which they absolutely do not. They said they would expand the powers and role of the Information Commissioner. They have done some of that. They also said that government data and information should be open by default, and that formats should be modern and easy to use. I have no problems with that. That is a great idea.

● (1040)

It is interesting to note that the previous President of the Treasury Board and the previous government started an open data, open government website, where people could download data on Excel spreadsheets. I know this, because we used them in the office that I worked in before. We downloaded bits of data, and used it to supplement Statistics Canada data that we were purchasing as well.

In this policy platform, the government talks about ensuring that the system continues to serve Canadians while it undertakes a full legislative review of the Access to Information Act every five years. I have been to many parliamentary committees where we get a cursory review.

In fact, on the small business tax change, the biggest tax change in a generation, the Liberals on the committee forced it through after we heard only six hours of testimony from witnesses. That was all the time allowed. The Carter commission took six years. If that is the standard the Liberals are going to go by, then I have worries about the mandatory five-year review. I have to wonder if in three or four years will we get six hours to review the legislation. Will the committee be stuffed with members from the Liberal side who will simply say that the committee will be given three hours every five years to figure it out and then they will be done with it? The Liberals have not lived up to the real change, the open and transparent government that they promised.

I will keep referring to the Centre for Law and Democracy, because it has produced a lot of information on the shortcomings and some of the improvements that it sees. There are a lot of shortcomings.

The centre also says that the bill fails to address the serious procedural problems, namely the highly discretionary power of public authorities to extend the initial 30-day limit for responses to requests. I have been the victim of this. I was told that I had asked for too many documents, or they were too difficult to get or too complicated. They tried to get me to pare down my request. That is when I knew I should keep pushing forward and get all of the documentation I was requesting.

With respect to the 30-day time limit for responding to requests, power has been applied with disturbing regularity they say, often to create very lengthy delays in responding to requests. On one access to information request, I was told it would take two years to respond. I reminded them that by then I may no longer be a member of the House and therefore the information they provide may be of limited use to me, which would be a shame.

There are a number of options for reducing official discretion in this area, for example, by requiring officials to obtain prior permission from the Information Commissioner for delays beyond

the set period of 60 days. In fact, many access to information laws say that the government must respond within the 60-day time limit. That would be a vast improvement. No courts would be involved, and there would be no need to go to another body to get a document that has been lawfully requested. The documents would simply be released within 60 days.

There are hundreds of thousands of public servants who work for the federal government. Why can they not do a request within 60 days when a reasonable request for documents is made? Why should I, as a member of Parliament, need to go to a court to obtain them? I am not going to get questions answered in the House in question period or through an Order Paper question. My only recourse is to get documentation through access to information.

The commissioner would acquire new order-making powers, but they would be largely crippled and counter-productive. Ken Rubin, the CFE senior fellow who provided a critique on Ryerson University's website on Bill C-58, said it is counter-productive and largely crippled "because no amendments were put forward to change the numerous broad exemptions in the Access to Information Act that cut off access to [these] government records."

If there are a bunch of exemptions and rules that can be used to not release documents for national security reasons, documents pertaining to cabinet confidences, which is perfectly legitimate, are things like third-party proprietary corporate information at all times really proprietary? It might be better to shed some light on the procurement process so that parliamentarians could better understand what is going on.

We have seen delay after delay, and huge costs associated with the government's failed procurement process. Maybe it is time to shine some light on the problem. The government did not do that in this legislation. It just did the trimmings on the edge, the Potemkin village that I talked about.

The exemptions still exist, and the exemptions are the core of the access to information law. The government has left them as they are so then it could always find an excuse not to release information, to black out information, and to not provide it under the exemptions.

● (1045)

I think the majority of Canadians interested in access to information were looking for the exemptions to be tweaked. The Liberals could have amended, diluted, or removed some of them to make it much easier to access this information.

Another point that Ken Rubin makes is that the Prime Minister has put forward other legislation that makes certain records off limits to the commissioner and the courts for review or their ability to order releases of information. One is the National Security and Intelligence Committee for Parliamentarians, again, on national security grounds. However, that can become overbroad and used as an excuse. We see this in some countries overseas, which use national security to limit access to all types of information, for all types of reasons. It is a blanket catch-all. I hope it does not become that way. However, for national security, I can see legitimate reasons for the government to deny access to information, such as because it would put Canadians at risk or it would put the national security of the country at risk.

*Government Orders*

The omnibus budget bill, Bill C-44, contains a section devoted to setting up the Canada infrastructure bank. This was a big point of contention in the last session. Section 28 gives the government the power to decide unilaterally what is privileged information, commercial, infrastructure, financial, and political transactions, with no independent review. It is an already controversial enough bill. With these provisions, we can see the government saying that this is a wonderful, new, once-in-a-generation, open and transparent access to information law. However, section 28 limits access to information on the Canada infrastructure bank.

The Liberals are putting exceptions in other bills, but not in the main bill, which should be of great concern to parliamentarians. If the exemptions are not put into the main ATI Act but are put into other legislation, then the government cannot claim to be open and transparent. I do not think anyone would claim that.

Another point Mr. Rubin makes is:

...one amendment in Bill C-58 also directly increases secrecy by expanding and broadening the legal definition of what is able to be exempt under solicitor-client relations.

The Liberals have put some wording around it so the Information Commissioner could have access to it, but they still broadened and expanded it, and Mr. Rubin details that.

Mr. Rubin also makes this point, overall, on Bill C-58, which supposedly would meet the government's promises made in the last election. He says:

It is a stopgap, government-controlled, limited administrative information system not subject to appeal to the information commissioner or the courts, containing a few sanitized offerings the government wants to provide.

I am a big believer in access to information laws. When I worked in the Alberta provincial government, the government there released information. Yes, it took a long time to meet every single requirement. Yes, there were administrative problems. Yes, not everybody was satisfied with the level of customer service they received from the FOIP office there. However, a lot of times it released information eventually and it embarrassed the government to no end. I was in a minister's office at the time, and sometimes it embarrassed our office. However, at least we knew people were getting the same information that we had. The briefing binders were perfectly available to people, and they could ask for the content of them. The only portions blacked out were portions that civil servants determined should not be released. We played absolutely no role in that.

I am sure members on the opposite side, and hopefully all members, will agree that access to information laws are part of our democratic process. People should have a right to get information. I totally agree with that. We cannot fight for the little guy, we cannot fight for the middle class, and then tell them they cannot know things that the government is doing or how it has come to a decision.

However, I will not be able to support the bill, because it does not meet with what the government said it would do during the last election. The Liberals fall far short of the majestic, historic promises they made. This is why I believe members on this side of the House should all oppose the bill. I look forward to continued debate on this.

● (1050)

**Hon. Scott Brison (President of the Treasury Board, Lib.):** Mr. Speaker, I listened intently to my colleague's arguments. I want to start with the frivolous and vexatious issue.

These are designed specifically for bad-faith requests. It is important to note that this recommendation actually came from House of Commons ETHI committee. Beyond that, eight provinces and three territorial governments have some variation of this, as does Australia, the U.K., and New Zealand.

It is also important to realize that people who have their requests denied on this basis will still be able to make a complaint to the Information Commissioner. The Information Commissioner now, with this legalisation, will have order-making power to have the government to provide that information.

First, with respect to the order-making power, the member sort of glossed over it and said that it was no big deal. If it were no big deal, why did the Harper Conservative government not do it in 10 years, even though it has been called for since 1987?

Second, with respect to mandate letters, the member said that making mandate letters public was no big deal. If it were no big deal to make mandate letters of cabinet ministers public, why did the Harper government never do it? In fact, making mandate letters public ensures that ministers are not only accountable for commitments to the Prime Minister but to Parliament and to government.

Third, the Conservative platform in 2006 pledged specifically to modernize the Access to Information Act and apply it to ministers' offices. Why did the Conservatives not make any of these changes, any of the strengthening to the Access to Information Act in almost 10 years in office?

**Mr. Tom Kmiec:** Mr. Speaker, obviously the member knows I have not been in office for 10 years, so I cannot answer to what happened 10 years ago when I was still a student. However, it is interesting to note that the member is an esteemed veteran member of the House. I would reverse the question and ask him this: when he was a member of the Martin government, why did he not champion these changes then? We can keep going back in history.

[*Translation*]

**Mr. Pierre Nantel (Longueuil—Saint-Hubert, NDP):** Mr. Speaker, I appreciate the new member's enthusiasm, and I am delighted that a breath of fresh air seems to be blowing over the Conservative Party, but the truth is that his party was all about secrecy. The NDP introduced a whole bunch of bills based on the Information Commissioner's reports, and the Conservatives rejected them all.

Can we look forward to a change in tone over there?

*Statements by Members***STATEMENTS BY MEMBERS**

**Mr. Tom Kmiec:** Mr. Speaker, I thank the member for his question. As he pointed out, I am indeed a new member.

There should be more access to information. That is my personal opinion, and I came to that conclusion while I was working for federal and provincial ministers. If we say that we are working for Canadians and the middle class, we have to nurture their economic dreams and help them achieve the goal of getting good jobs, but we also have to ensure their access to information that belongs to the government that is working for them. Those two things go hand in hand.

• (1055)

[English]

**Ms. Joyce Murray (Parliamentary Secretary to the President of the Treasury Board, Lib.):** Mr. Speaker, I listened to the Conservative member's comments with great interest. A lot of drive-by allegations was not based in fact. I want to make a point about two of those.

One is that this legislation would do nothing to address the issue of delays. A number of measures would directly address delays so there could be a more timely provision of information, things like removing vexatious and frivolous requests that bog down the system and enabling ministers that have two different areas or departments to share the resources so there can be more effective provision of information to requesters.

However, the one that really struck me was the comment about the member receiving blacked-out information requests. As an opposition member, I received a response to a freedom of information request that was pretty benign. It was about the 2010 Winter Olympics. The entire document was black sheets.

I would like the member to acknowledge and respond to my point that for the very first time the commissioner will have order-making powers. If there is that kind of specious blacking out that I experienced as a member of Parliament, the commissioner could order the information to be provided.

**Mr. Tom Kmiec:** Mr. Speaker, the way I read the legislation and how it applies is that if an exemption is put due to Canada-provincial relationships, national security reasons, proprietary corporate information, the Information Commissioner cannot force it through. Those are blanket exemptions.

Is the member saying that the way this legislation is written, if I ask for documentation and it is cabinet confidence, the Information Commissioner could actually overturn that and provide me with a cabinet confidence? The legislation does not say that. The exemptions have been left intact.

As far as I read the legislation—and all the experts, including Ken Rubin, Centre for Law and Democracy, have said this—those documents will still be blanked out today. That is why we cannot support the legislation. It does not fulfill the promises of the Liberal platform.

**The Speaker:** The hon. member will have four minutes and 15 seconds remaining for questions and comments following question period.

[Translation]

**NAFTA AND QUEBEC**

**Mr. Gabriel Ste-Marie (Joliette, BQ):** Mr. Speaker, negotiators from Mexico and the United States will be here in Ottawa next week to renegotiate NAFTA.

A lot has changed since the agreement was first signed. No one anticipated all the problems that arose regarding the chapter on investments. That needs to be resolved. We thought the agreement would protect our cultural sovereignty, but the Internet really shook things up.

One thing has not changed: Quebec is a trade-oriented society that needs a large market to help cover the costs of developing its state-of-the-art products.

I want to reassure the workers in Quebec that the Bloc's top priority is maintaining market access to the United States for our leading industries. Workers in the textile, aerospace, forestry, and transportation equipment sectors, as well as all other workers, can count on us, and the same goes for supply-managed producers. The government can count on our support to resist pressure from the Americans, but if it tries to sacrifice our industries to save the auto and oil sectors, we will block its path all the way.

The Bloc Québécois will always have the backs of Quebec workers, without exception.

\* \* \*

[English]

**INTERNATIONAL DAY OF DEMOCRACY**

**Mr. Andy Fillmore (Halifax, Lib.):** Mr. Speaker, last week, nations around the globe observed the United Nations International Day of Democracy. Now in its 10th year, the International Day of Democracy has sparked important dialogue about strengthening our world's democracies since 2008.

Here in Canada, we are lucky to have one of the most vibrant and healthy democracies on earth. We enjoy the privilege of that as a result of years of hard work by parliamentarians, academics, the media, civil society, advocates, and everyday Canadians. Strong democracies take work. That is why our government is working hard to strengthen our democratic institutions by making political financing more transparent, breaking down the barriers to voting, and improving our cybersecurity. The theme of this year's International Day of Democracy is democracy and conflict prevention, which focuses on the need to strengthen democratic institutions to promote peace and stability.

With that in mind, I invite all members to take part in this initiative online using the hashtag “democracy day”.

*Statements by Members*

●(1100)

**ARMENIA**

**Mr. Harold Albrecht (Kitchener—Conestoga, CPC):** Mr. Speaker, my Armenian friends here in Canada joined with the Armenian diaspora around the world yesterday, September 21, to celebrate Armenian Independence Day. Over the past 11 years, I have had the honour of serving as vice-chair and chair of the Canada-Armenia Parliamentary Friendship Group. During that time, I have had the privilege of observing the incredible contributions that the Armenian community has made to Canadian life. Whether in the arts, medicine, politics, faith, technology, or any number of other sectors, Armenians have contributed much to the strength of our country.

Please join me in congratulating the people of the Republic of Armenia on establishing and building their country on democratic principles and the rule of law, promoting freedom and opportunity for all. Let me at the same time thank the former ambassador, His Excellency Armen Yeganian, and his wife Maria for six years of excellent representation of their country here in Canada. To newly the appointed ambassador, His Excellency Levon Martirosyan, welcome.

God bless Armenia. God bless Canada.

\* \* \*

**B.C. WILDFIRES**

**Ms. Joyce Murray (Vancouver Quadra, Lib.):** Mr. Speaker, as a woman whose first career was in the forest industry, I rise to recognize the many British Columbians who have been impacted by forest fires, like my niece's family, evacuated from their ranch north of Kamloops. The year 2017 is the most devastating year on record, and with over one million hectares of forest already burned, 124 wildfires are still burning today. In many areas, the forest harvest, sawmilling, and replanting operations were suspended and back-country tourism shut down, and local residents breathed smoke for weeks. Business owners, employees, ranchers, livestock, and individual health are all paying a hefty price.

I was proud that members of the cabinet committee on federal recovery efforts for 2017 B.C. wildfires toured Prince George and Kamloops to hear from community members directly and pledge increased federal help. I would ask that everyone listening to this today would please consider donating to the Canadian Red Cross to help B.C.'s many wildfire victims.

\* \* \*

**CONTRIBUTIONS OF MUSLIM COMMUNITY**

**Ms. Sheri Benson (Saskatoon West, NDP):** Mr. Speaker, today marks the beginning of the Islamic new year for Canada's Muslim community and for Muslims across the world. I am grateful for the many contributions the Muslim community has made in my riding, in my city, and across our country.

This year, in Saskatoon, the Prairie Muslim Association identified an important need and spearheaded a campaign to bring the first Muslim graveyard to our province. Once completed, it will represent a significant cultural space for Saskatoon's Muslim community. I believe that our country is made stronger when we embrace our

diversity and show respect for human rights. On September 9, the Islamic Association of Saskatchewan organized a rally in our city to draw attention to the horrific violations against the Rohingya people in Myanmar. Over 200 people gathered to advocate for peace and respect. Consistently, I am moved by the actions of those in my community.

I wish all Canadian Muslims a healthy, happy, and prosperous new year.

\* \* \*

[*Translation*]**PAULETTE LALANDE**

**Mr. Stéphane Lauzon (Argenteuil—La Petite-Nation, Lib.):** Mr. Speaker, today I rise in the House to pay tribute to an extraordinary individual.

Paulette Lalande truly left her mark on the Outaouais region. She was a teacher for 35 years and became involved in municipal politics in the Ville de Plaisance, in 1997. Over the course of her career she received a number of distinctions, including the Lieutenant Governor's Seniors Medal and a Queen Elizabeth II Diamond Jubilee Medal.

Dubbed, and commonly called, the premier of La Petite-Nation, she was the reeve of Papineau RCM for more than 15 years. Known for her strong presence and her frankness, she was never afraid to get to the bottom of things to defend the interests of our region.

Paulette, you are a role model for women in politics. You were guided by your heart in your political life. I wish you a happy retirement.

\* \* \*

[*English*]**TAXATION**

**Mr. Dan Albas (Central Okanagan—Similkameen—Nicola, CPC):** Mr. Speaker, I am certain many members in this place know full well that the "Ottawa knows best" attitude is one that many Canadians find offensive. Those within the Ottawa bubble should never forget that they earn wages in many cases well above the Canadian average, with fully funded pensions and benefit plans that many Canadians could only dream of, and yet average Canadians pay the bills for this Ottawa entitlement.

Let us never forget the private sector is what pays for the public sector. I mention this because on a recent Kelowna Chamber of Commerce survey, over 80% of small businesses said that the Liberal government's proposed tax grab will impact their small businesses, and all we hear in response from the Minister of Finance is that Ottawa knows better than these small business owners how a tax increase will impact them and their families and their small businesses.

*Statements by Members*

They are not the wealthy Bay Street tycoons, as the finance minister likes to claim they are. I would urge the finance minister stop using this inaccurate talking-point rhetoric, slow down, and extend the consultation period so he can actually hear what small business owners are telling him.

\* \* \*

● (1105)

[Translation]

**50TH ANNIVERSARY OF COLLÈGE LIONEL-GROULX**

**Mr. Ramez Ayoub (Thérèse-De Blainville, Lib.):** Mr. Speaker, today I rise to acknowledge the 50th anniversary of Collège Lionel-Groulx, a public institution dedicated to college-level and adult education in Sainte-Thérèse. Collège Lionel-Groulx stands out in the Lower Laurentian region for its special relationship with its partners and for its contribution to the economy. It is known throughout Quebec for the quality of its education programs, for instance in theatre. Some famous people graduated from there, including Sophie Desmarais, Simon Boulerice, and Julie Le Breton.

I am also pleased to acknowledge the excellent work of the leadership of the college and its director general, Michel Louis Beauchamp, and its chairman of the board, Samuel Bergeron, as well as the work done by the Fondation du Collège, led by Jocelyne Roch and backed by Paul Paré, chairman of the board.

This passionate team is working for the benefit of our young people and our future.

Happy 50th anniversary, Collège Lionel-Groulx.

\* \* \*

[English]

**PROSTATE CANCER**

**Mr. Darrell Samson (Sackville—Preston—Chezzetcook, Lib.):** Mr. Speaker, last week Peter Stoffer courageously shared his recent prostate cancer diagnosis. As the former member of Parliament for Sackville—Eastern Shore, Peter Stoffer is a leader in our community and continues to advocate for veterans across Canada. I want to thank him for his tireless work and also wish him well.

On average, 58 Canadians will be diagnosed with prostate cancer daily. Many of us have men in our lives who courageously fight this disease. This includes my colleague from Cumberland—Colchester, who did not let his 2008 diagnosis stop him in his determination to fight for his community. I am so proud to sit in the House with him today, because he is strong and healthy.

I hope that all members of the House will join me in wishing Peter Stoffer the absolute best and a speedy recovery. As Movember quickly approaches, let us all encourage the men in our lives to get checked early, because that is the key. They should contact their doctors as soon as possible.

\* \* \*

**WIARTON WILLIE**

**Mr. Larry Miller (Bruce—Grey—Owen Sound, CPC):** Mr. Speaker,

I rise this morning, sad and forlorn,  
As all of Wiarton continues to mourn.  
Sadly, good things do not forever last:  
Wiarton's finest citizen has passed.  
For 13 years, on a morning so chilly  
Out of his burrow came Wiarton Willie.  
The world waited for his prediction;  
He gave it with accuracy and conviction.  
Beyond a shadow of a doubt  
He did his job with zest and clout,  
He took his job seriously, he did not guess;  
That's why Willie stood out from the rest.  
Punxsutawney Phil, Shubenacadie Sam, and Balzac Billy—  
They are mere rookies compared to Willie.  
One of a kind, an albino from head to toe,  
His white fur glistened like fresh February snow.  
At 8 a.m. he'd whisper to the mayor  
Whether the day was snowy or fair.  
His life on earth was only 13 yrs long;  
He was always right and never wrong.  
Hearts will be heavy, eyes full of mist,  
Wiarton Willie will be Willie Willie missed.  
His time with us now has ceased;  
Wiarton Willie, rest in peace.

\* \* \*

**ARTISTS OF STONEBRIDGE**

**Mr. Chandra Arya (Nepean, Lib.):** Mr. Speaker, I rise today to recognize an organization in my riding that encourages creativity.

Artists of Stonebridge is a nonprofit organization dedicated to increased awareness, appreciation, and promotion of original art in the communities of Stonebridge, Barrhaven, and Nepean. It provides local artists with the opportunity to interact, learn, and form their own art exhibits.

Since I took office, Artists of Stonebridge have provided my constituency and parliamentary offices with fantastic pieces of art. I would like to thank Sylvia Langlois, Nicole Parent, Tony Mihok, and Richard Pell for their ongoing generosity.

I invite all residents of Nepean and Ottawa to attend the Artists of Stonebridge's eighth annual art show on November 4 and 5, at the Stonebridge Golf Club in Nepean.

\* \* \*

● (1110)

[Translation]

**FRANCO-ONTARIAN DAY**

**Mr. Serge Cormier (Acadie—Bathurst, Lib.):** Mr. Speaker, Ontario francophones will be celebrating Franco-Ontarian Day on September 25. This summer, I travelled around Ontario talking to community groups about the importance of francophone immigration. Francophone immigrants strengthen our communities and sustain the French language.

In Toronto, I met with many francophones who want to help support francophone immigrants and integrate them into the local economy. In Sudbury, the community came up with all kinds of great ideas for attracting and welcoming newcomers to our communities and encouraging them to stay. Ottawa francophones want the government to not only meet its francophone immigration target but exceed it. That is exactly what we are going to do.

*Statements by Members*

Acadie—Bathurst has a francophone majority, and as its representative, I appreciated the opportunity to meet with Ontario francophone communities. I wish all Ontario francophones a wonderful Franco-Ontarian Day.

\* \* \*

**DANIEL LAFONTAINE**

**Mr. Pierre Paul-Hus (Charlesbourg—Haute-Saint-Charles, CPC):** Mr. Speaker, I am pleased to rise in the House today to honour a man who has dedicated his life to helping his fellow veterans, a man who personally served his country on several overseas missions and who now has to live with the psychological scars caused by the horrors he witnessed on those missions.

Very soon, upon my recommendation, which I was proud to give, retired sergeant Daniel Lafontaine, known as “Fonfon” to his friends, will be receiving a Veterans Ombudsman Commendation. This well-deserved honour marks the culmination of his years of tireless work calling on governments to recognize the problems our veterans have to deal with. It is also a tribute to the effort Mr. Lafontaine has invested in establishing the annual ceremony honouring peacekeepers that is held in Quebec City every August 9.

Thank you, Fonfon, for your exceptional dedication and your tenacity in advocating for your brothers and sisters in arms. You are someone we can all look up to.

\* \* \*

**10TH ANNIVERSARY OF MOISSON OUTAOUAIS**

**Mr. Steven MacKinnon (Gatineau, Lib.):** Mr. Speaker, last week I attended the celebrations for the 10th anniversary of Moisson Outaouais, which is a vital organization in our region. The event included a draw held as part of Loto-Moisson, the organization's biggest fundraising campaign so far.

I just want to take a moment to thank everyone who is or has been working to make this organization a success, including its chair, Sylvie Turnbull, and its executive director, Sonia Latulippe, as well as the many volunteers and employees involved in its work every day.

In the midst of these celebrations, however, we must not lose sight of the mission of Moisson Outaouais, which is to combat food insecurity. I invite all of my colleagues and all Canadians to get involved, both individually and collectively, in the fight against poverty and hunger by meeting with local stakeholders to find out what they need and by participating in fundraising campaigns.

\* \* \*

[*English*]

**SUMMER ACTIVITIES IN REGINA—LEWVAN**

**Mr. Erin Weir (Regina—Lewvan, NDP):** Mr. Speaker, it is the last day of summer. Students are back in school reporting on what they did over the summer, and I would like to do the same.

I spent the summer knocking on more than 8,000 doors to meet and hear from my constituents, and often from their dogs as well.

As part of this canvassing, we invited residents to free community barbeques in Albert Park, Harbour Landing, Lakeview, Rosemont,

and Walsh Acres, where my staff served more than 3,000 hamburgers and hotdogs.

The people of Regina—Lewvan are also hungry for policy. On the doorsteps and at events, more than 4,000 residents eagerly signed our petition calling on the federal government to use its regulatory power over telecommunications to help keep SaskTel public.

I look forward to representing my constituents on that and other issues as Parliament resumes.

\* \* \*

**INVICTUS GAMES**

**Hon. Erin O'Toole (Durham, CPC):** Mr. Speaker, next week Canada welcomes military members and veterans from around the world for the third annual Invictus Games in Toronto. Invictus means “unconquerable”. The games allow injured veterans to use friendly competition and support from family, friends, and their country to help them on their journey back to wellness.

I want to welcome all competitors to Canada, and wish them luck.

● (1115)

[*Translation*]

Good luck to all the veterans competing in the games.

[*English*]

These games would not be possible without the support of loving families, sponsors, and volunteers. I want to thank them all for their passion.

I also want to thank my good friend Michael Burns, who has dedicated the last decade of his life to military families and veterans. From True Patriot Love to running the Invictus Games, Michael is making such a positive impact on the lives of military families. I am proud that our alma mater, Dalhousie University, is recognizing his work with an honorary degree. Congratulations to Dr. Burns.

I would like to thank the volunteers at the Invictus games. Go Canada go.

\* \* \*

**EMPLOYEE CONGRATULATIONS**

**Mr. Kevin Lamoureux (Winnipeg North, Lib.):** Mr. Speaker, today marks 20 years that Hugo Dompierre has been in the House leader's office. He has served eight House leaders with distinction and has survived 10 House leader shuffles. That is not only a testament to his talent as a proceduralist, but also his professionalism and easygoing manner.

Hugo honed his procedural skills under the tutelage of his mentor Jerry Yanover and is an indispensable member and a key procedural expert of the House leadership team. In addition to serving House leaders, Hugo is always ready to assist caucus members in navigating the somewhat Byzantine procedures of the House.

Hugo is a lover of film, music, and literature, never failing to impress with his movie references and his deep admiration for the French language and Franco-Ontarian culture. As an excellent drummer in his own right, he always has a handle on the beat of this place.

Keeping him grounded are his lovely wife Nancy, and his two beautiful sons Antoine and Justin. On behalf of the Liberal caucus, and I expect on behalf of the whole House, I wish Hugo a very happy 20th anniversary. We love Hugo.

---

## ORAL QUESTIONS

[English]

### TAXATION

**Hon. Candice Bergen (Portage—Lisgar, CPC):** Mr. Speaker, former Liberal finance minister John Manley is saying that the damage is already being done. Manley says business owners are moving assets outside of Canada to avoid these Liberal tax hikes. In his words:

You won't know about it because they're not going to buy ads or report it—they'll just go.

Since we know that the Minister of Finance is not listening or believing middle-class Canadians, will he at least believe John Manley and scrap these devastating tax increases?

[Translation]

**Mr. Joël Lightbound (Parliamentary Secretary to the Minister of Finance, Lib.):** Mr. Speaker, I thank the opposition member for her question. I was hoping that I would not be forgotten today and that I would be asked at least one question. This gives me the opportunity to rise for the first time as the Parliamentary Secretary to the Minister of Finance and remind the opposition that our government's objective is a fairer tax system.

The current system is inherently unfair and allows wealthy Canadians to incorporate so they pay a lower rate of tax than the middle class.

We think that we need to keep taxes low for the middle class and SMEs, while asking all Canadians to pay their fair share.

[English]

**Hon. Candice Bergen (Portage—Lisgar, CPC):** Mr. Speaker, these changes are not fair and they are hurting the middle class.

Serious concerns have been raised by experts, business leaders, and small business owners, not just by us but by experts in Canada. These are not frivolous complaints. They are legitimate questions.

However, the Minister of Finance and the Prime Minister just do not care. They are arrogantly ignoring these real worries and real questions.

When will they admit that this tax increase is a terrible idea? It is unfair and it needs to stop.

[Translation]

**Mr. Joël Lightbound (Parliamentary Secretary to the Minister of Finance, Lib.):** Mr. Speaker, we were elected on a very clear

### Oral Questions

promise to the middle class. That is why the first thing we did was to raise taxes for the wealthiest 1% and cut them for nine million Canadians. That is why we moved forward with the Canada child benefit, which will lift hundreds of thousands of children out of poverty.

That is also why we are proposing to make our tax system a little fairer so that a Canadian who earns \$300,000 a year and decides to incorporate to save \$48,000, the average income in Canada, does not have access to more benefits than the middle class. We want the tax system to be fairer.

[English]

**Hon. Candice Bergen (Portage—Lisgar, CPC):** Mr. Speaker, it is unbelievable how tone deaf they are to what is going on out there.

Throughout this week, we have heard countless stories of small business owners, entrepreneurs, farmers, and their employers who will be devastated by these Liberal tax increases. We know that these tax increases have been designed to specifically protect the family fortunes of the Prime Minister and the Minister of Finance.

Why are the Prime Minister and the Minister of Finance putting their own well-being and self-interest against middle-class Canadians?

• (1120)

[Translation]

**Mr. Joël Lightbound (Parliamentary Secretary to the Minister of Finance, Lib.):** Mr. Speaker, we on this side of the House recognize that small and medium enterprises are crucial to the vitality of the Canadian economy. That is why the small business tax rate, the lowest in the G7, is not changing. We are on side with farmers. We are on side with small businesses. We have their backs. We want to make our tax system a little fairer.

That is why we put forward our proposals and why we are holding consultations about those proposals now. We are listening to Canadians because we want to make sure we are doing things properly. We are not trying to go after small businesses or the middle class. All we want is a fairer tax system.

**Mr. Luc Berthold (Mégantic—L'Érable, CPC):** Mr. Speaker, Canadians small business owners and their employees are worried because the Liberal government is calling them spoiled rich people who use their businesses to avoid paying taxes. All week, the Minister of Finance has been trying to demonize these men and women by suggesting that they are tax cheats.

This despite the fact that Canadian small businesses are the reason Canada was able to withstand the last economic crisis.

Why is the Minister of Finance punishing them for things that his own Prime Minister has done to shelter his family fortune without creating a single job? That is not fair.

*Oral Questions*

**Mr. Joël Lightbound (Parliamentary Secretary to the Minister of Finance, Lib.):** Mr. Speaker, the fact is, our current tax system has some inherent inequities that we want and need to address. That is why we have brought forward these proposals and why we are listening to Canadians. We want to do this right.

Yes, it is and was legal, but we do not think it is necessarily fair that someone who makes \$300,000 a year can save \$48,000 a year simply by creating a private company, especially when that is the average salary in Canada. We think we can do better and we can have a fairer, more equitable system for all Canadians.

**Mr. Luc Berthold (Mégantic—L'Érable, CPC):** Mr. Speaker, 95% of small businesses believe that the reform will have a negative impact on them. In Saskatoon yesterday, dozens of people hit the streets to protest a reform that is going to jeopardize their business, their farm, their practice, their retirement, or the transfer of their business to their children.

Here is what one of them had to say about the reform proposed by the Minister of Finance:

[English]

“This is take over, it almost feels like we're under attack.”

[Translation]

How is it fair to protect the private fortunes of the Minister of Finance and the Prime Minister, while raising taxes for small businesses and farms, forcing them to pay more?

**Mr. Joël Lightbound (Parliamentary Secretary to the Minister of Finance, Lib.):** Mr. Speaker, we will always stand behind our farmers and small business owners.

That is why we are maintaining the lowest tax rate in the G7. We recognize how important SMEs are to the Canadian economy. That is all we want, and that is why we have brought forward proposals to create a tax system that is fairer and more equitable, one that asks everyone to pay their fair share, while keeping tax rates low for small businesses and for the middle class. That is our goal, and we are continuing our consultations to make sure we get this right.

\* \* \*

**PUBLIC SERVICES AND PROCUREMENT**

**Mr. Matthew Dubé (Beloeil—Chambly, NDP):** Mr. Speaker, in addition to having to deal with the botched Phoenix pay system, public servants have now learned that their privacy was breached because of the glitches in this system.

Commissioner Therrien found at least 11 privacy breaches, including leaked names, employee numbers, and salaries. Enough is enough.

The Liberals have mismanaged this file from start to finish. When will the problems with the Phoenix pay system finally be fixed?

**Hon. Carla Qualtrough (Minister of Public Services and Procurement, Lib.):** Mr. Speaker, our government takes the protection and security of employees' personal information seriously.

Any time the department experiences an incident, we follow a systematic approach to immediately contain the breach and implement corrective measures, including notifying the Privacy

Commissioner and affected employees. This process was followed after privacy breaches related to Phoenix and we have implemented recommendations from the Privacy Commissioner to prevent similar incidents from occurring again.

[English]

**Ms. Tracey Ramsey (Essex, NDP):** Mr. Speaker, the Liberals seem to think that throwing money at the problem is going to fix it. Well, so far, it is not working. Not only has the Privacy Commissioner found 11 cases in which employees names and salaries have been leaked, but we also learned this week that the cost to fix Phoenix has now tripled and that has still not been fixed. The NDP has repeatedly demanded that the government fix the issue, but there is no end in sight.

Does the government actually have a plan or just a box of Band-Aids?

**Hon. Carla Qualtrough (Minister of Public Services and Procurement, Lib.):** Mr. Speaker, it is unacceptable that hard-working public servants are not being paid the money they are owed, and resolving this is definitely a priority for our government. We have taken a number of steps toward resolving this issue, including investing \$142 million to recruit, hire, and train more employees; initiating emergency pay advances; implementing technological solutions; improving business processes; and taking a whole-of-government approach by creating a working group of ministers.

Make no mistake, this will be fixed and we will leave no stone unturned.

\* \* \*

• (1125)

**INTERNATIONAL TRADE**

**Ms. Tracey Ramsey (Essex, NDP):** Mr. Speaker, tomorrow the third round of NAFTA renegotiations starts in Ottawa. Just this week, an Ekos poll found that 76% of Canadians said that we should not accept a bad deal if negotiations result in worse conditions for Canadians and our environment, and 80% said that NAFTA clauses that leave our water vulnerable to export and privatization should be removed. We agree. Bulk exports of our water resources do not serve the public interest.

Will the Liberals stand up for Canadians and protect our water?

**Hon. Andrew Leslie (Parliamentary Secretary to the Minister of Foreign Affairs (Canada-U.S. Relations), Lib.):** Mr. Speaker, in brief, yes we will.

We welcome the modernization of NAFTA in support of our middle class. Our overarching objectives are clear: to protect NAFTA's record of job creation and growth and, of course, to introduce contemporary progressive policies. By the way, the Americans and the Mexicans both support this idea vis-à-vis the water, absolutely.

We will uphold the elements of NAFTA that are key to our national interests, both now and in the future.



*Oral Questions*

[Translation]

**Mr. Matthew Dubé (Beloil—Chambly, NDP):** Mr. Speaker, we want to uphold NAFTA's track record, but that record shows that Canada is the most sued country under NAFTA's investor state dispute settlement mechanism.

Private corporations can sue Canada just because our environmental or health regulations do not suit them, for example. Everyone knows the Liberals tend to favour corporations over Canadians, so can they tell us how having this type of provision in a free trade agreement helps promote democracy, protect Canadians, and keep our environment safe?

**Hon. Andrew Leslie (Parliamentary Secretary to the Minister of Foreign Affairs (Canada-U.S. Relations), Lib.):** Mr. Speaker, NAFTA's track record is certainly one of economic growth and middle-class job creation.

The three countries are firmly committed to modernizing NAFTA. As part of that modernization, we are in the process of reviewing chapter 11, which is being negotiated as we speak. We have the opportunity to improve an agreement that is good for Canada, and that is what we are going to do.

\* \* \*

[English]

**TAXATION**

**Mr. Mark Strahl (Chilliwack—Hope, CPC):** Mr. Speaker, Chris Neal is a chartered accountant employing five people in Saint John. He fears the Liberals' proposed tax plans could hurt his small business and has called the Liberal rhetoric on this highly insulting.

Chris is not alone. Over 50 small businesses in New Brunswick have joined a coalition opposed to the Liberal tax plan. Supporters of the coalition include the Liberal MPs for Saint John—Rothesay and Acadie—Bathurst.

If the Prime Minister will not listen to small businesses in New Brunswick, will he at least listen to the members of his own caucus and stop this Liberal tax grab?

[Translation]

**Mr. Joël Lightbound (Parliamentary Secretary to the Minister of Finance, Lib.):** Mr. Speaker, as I said earlier, we will always support our small and medium-sized businesses. That is why our tax rate remains the lowest in the G7. We are fully aware of the importance of small businesses, and we want to encourage them to continue stimulating growth in Canada.

However, there are still some loopholes in the tax system that unfairly allow some of the wealthiest Canadians to incorporate so they can access tax benefits that are out of reach for the vast majority of middle-class Canadians. That is the problem we want to tackle. That is why we have launched a consultation and tabled proposals. We are listening to Canadians because we want to make sure we get this right.

[English]

**Mr. Mark Strahl (Chilliwack—Hope, CPC):** Mr. Speaker, when they stand behind those small businesses, they put a knife in their back.

In Newfoundland and Labrador, Dorothy Keating, chair of the St. John's Board of Trade, said that her members were extremely disappointed after meeting with the finance minister. She likened the Liberal tax plan to building a leaky boat and promising to fix it only after putting it in the water. Will it take a full mutiny of his own caucus for the Prime Minister to realize his plan to raise taxes on small business just will not float?

[Translation]

**Mr. Joël Lightbound (Parliamentary Secretary to the Minister of Finance, Lib.):** Mr. Speaker, what the hon. member just said is both false and fallacious.

We are not raising taxes for small businesses. Their tax rate remains unchanged and is the lowest in the G7. We support our SMEs. We are not attacking small businesses or farmers. Our only goal is tax fairness. That is what we are trying to accomplish, and that is why we are holding consultations on our proposals in order to make sure we are doing things right.

**Mr. Joël Godin (Portneuf—Jacques-Cartier, CPC):** Mr. Speaker, the minister keeps saying that his tax reform targets the wealthy. The Liberals believe that plumbers, restaurant owners, and florists are millionaires.

What planet is the Minister of Finance living on? Guy, an international industrialist from Portneuf—Jacques-Cartier, texted me and said that, when the Liberals' tax reform takes effect, he is going to transfer his company abroad, putting 24 middle-class families out of work. This reform will have major collateral damage for the middle class.

Will this government show some respect for these job creators, our SMEs?

● (1130)

**Mr. Joël Lightbound (Parliamentary Secretary to the Minister of Finance, Lib.):** Mr. Speaker, I invite my hon. colleague to very carefully read the proposals that have been put forward and to share his opinions, because we are in the midst of consultations.

However, the SME tax rate, which is the lowest in the G7, remains unchanged. Small businesses will still be able to reinvest in the growth of their companies, which we encourage because we know how important entrepreneurs and small businesses are. Our goal is to make the tax system fairer. That is why we presented the proposals to Canadians and are listening to what they have to say.

[English]

**Mr. Arnold Viersen (Peace River—Westlock, CPC):** Mr. Speaker, this consultation is happening during the harvest season.

Farmers feed Canada, and in my riding, Gerald Finster is one of these farmers. He and his family work hard, and their fortunes are tied up in their family farm. Now the Liberals want to tax these farm families even more. Farmers like Gerald are being put in a tight spot. While crushing our food producers with unbearable taxes, how is it fair that the finance minister's family fortune is sheltered from these new taxes? How is that fair?

*Oral Questions**[Translation]*

**Mr. Jean-Claude Poissant (Parliamentary Secretary to the Minister of Agriculture and Agri-Food, Lib.):** Mr. Speaker, we are engaged on this file, we have listened to farmers and we have met with agricultural representatives. I can assure my colleague that we will take their perspectives into account as we move forward and come up with our plan.

Our priority is to ensure tax fairness, while avoiding all unintended consequences for our farmers. I want to assure my colleague that our government will not change any tax benefits that support the growth of family-owned businesses.

*[English]*

**Mr. Len Webber (Calgary Confederation, CPC):** Mr. Speaker, my constituent Lana wrote:

As a young woman with a professional corporation...I know first hand how hard I have to work to earn every penny that I make.... No maternity leave, no sick days, no overtime, no bonuses, no paid vacation time, no pension, variable income between pay checks, and so on.... these...changes will make it even more difficult for us.

Why do the Liberals want Lana to pay significantly more in taxes, while the family fortunes of the Prime Minister and the Minister of Finance will not be touched? How is that fair to Lana?

*[Translation]*

**Mr. Joël Lightbound (Parliamentary Secretary to the Minister of Finance, Lib.):** Mr. Speaker, I want to assure my colleague that we are listening and that, on this side of the House, we would never, ever, adopt any measures that would put women at a disadvantage relative to men. That is why we are listening to all Canadians to get this right and make sure there are no unintended consequences. Our sole objective is to make our tax system fairer where it needs it.

*[English]*

**Mr. Jamie Schmale (Haliburton—Kawartha Lakes—Brock, CPC):** Mr. Speaker, Rick and Paul, from Woodville, Ontario, own a family farm, where margins are already tight and the financial risks are high. To make matters worse, the finance minister is planning a system where farmers like Rick and Paul will pay significantly higher taxes and might not be able to pass on their farm to the next generation.

Meanwhile, the Minister of Finance's system will protect his family fortune and that of the Prime Minister. How is that fair?

*[Translation]*

**Mr. Joël Lightbound (Parliamentary Secretary to the Minister of Finance, Lib.):** Mr. Speaker, we on this side of the House support family farms. We want them to succeed and prosper. I can assure my colleague that any family members who currently work for the business, for the family farm, will be able to continue doing so. Farmers and business owners will continue to benefit from the lowest tax rate in the G7 and will be able to continue investing and reinvesting in their businesses, in their farms. Our target is not SMEs, it is not farmers; our target is tax fairness.

*[English]***INDIGENOUS AFFAIRS**

**Ms. Georgina Jolibois (Desnethé—Missinippi—Churchill River, NDP):** Mr. Speaker, over the summer I met with families across Saskatchewan who raised concerns with how the inquiry into missing and murdered indigenous women is offloading some responsibility onto community-based organizations. With cuts to the STC, it is almost impossible for families to reach the inquiry's registration, community meetings, and hearings.

If a nation-to-nation relationship with indigenous people is the most important relationship to this Prime Minister, why is he not removing all barriers to ensure the inquiry's success?

**Ms. Yvonne Jones (Parliamentary Secretary to the Minister of Indigenous and Northern Affairs, Lib.):** Mr. Speaker, yesterday we had the opportunity to meet with the commissioners from the missing and murdered indigenous women inquiry in Canada and to hear first-hand from the commissioners about the work they are doing.

Our government has launched a truly national and independent inquiry. At the heart of that inquiry are the families that have been affected and those who have been victimized through the process. The inquiry has told us, the commissioners have told us, that they have a plan, that they are dedicated to learning and adapting as the inquiry progresses and to finding the solutions to address the families' needs.

● (1135)

*[Translation]*

**Mr. Romeo Saganash (Abitibi—Baie-James—Nunavik—Eeyou, NDP):** Mr. Speaker, there is a serious problem here.

Commissioner Buller said, "I'm happy to share those [ideas about eliminating obstacles to the process] with the government if and when they ever ask."

How can it be that the government has never asked how it might help eliminate obstacles to the success of the inquiry? That is what we all want.

When will the government stop paying lip service and actually do something to remove those obstacles in order to ensure the inquiry's success?

*[English]*

**Ms. Yvonne Jones (Parliamentary Secretary to the Minister of Indigenous and Northern Affairs, Lib.):** Mr. Speaker, in our discussions with the commissioners, they made the point that the process in which they are engaged is one that will require tremendous sensitivity.

They are progressing on a road that we have not progressed on before, and they find it very much a priority that they do this appropriately and in a culturally respectful way. That is what has been happening.

*Oral Questions*

As a government, we have been lending them the support they need. We have been there to support them in this process. I think it goes without saying that this is a priority for our government. It is a priority for us that we respond to the needs of families, and we intend to do that.

\* \* \*

**TAXATION**

**Mr. Martin Shields (Bow River, CPC):** Mr. Speaker, Rick, in my riding of Bow River, owns a three-generation farm. He works it with his children and his grandchildren.

The Minister of Finance has designed a system by which Rick will pay significantly higher taxes, putting his family's livelihood at risk. Meanwhile, the family fortune of the Prime Minister and the finance minister's family business will not be touched.

Is that really fair?

[*Translation*]

**Mr. Joël Lightbound (Parliamentary Secretary to the Minister of Finance, Lib.):** Mr. Speaker, I would like to reassure my colleague that the Liberals will always be on side with farmers. We are listening to them to ensure there will be no unintended consequences.

Farm family members can continue working. Farmers will continue to have the lowest tax rate in the G7. They can continue to invest and reinvest in their farms. We want to make sure that this does not affect intergenerational transfers. We are listening to Canadians, we hear what they have to say, and we want to do things properly. Our goal here is to create a fairer tax system for all Canadians.

**Mr. Jacques Gourde (Lévis—Lotbinière, CPC):** Mr. Speaker, Françoise and Gordon are the owners of a company that provides agricultural services. They have worked hard all their lives, 10 hours a day, every day, and employed some 30 people in that time. Why should they have to pay higher taxes once they reach their well-earned retirement?

Why has the Minister of Finance designed a system that will force Françoise and Gordon to pay a lot more taxes, while the Prime Minister's family fortune and the Minister of Finance's family business are left untouched? How is that fair?

**Mr. Joël Lightbound (Parliamentary Secretary to the Minister of Finance, Lib.):** Mr. Speaker, we recognize that agrifood is one of the most important sectors for Canada's economy. We are making investments in agricultural research, and we consistently stand up for the agrifood sector, both domestically and internationally.

What we are proposing today is a fairer tax system. That is why we have come up with proposals that will not affect small farms run by middle-class families. All we are trying to do is correct certain inequities in our current tax system.

[*English*]

**Mr. Larry Miller (Bruce—Grey—Owen Sound, CPC):** Mr. Speaker, the AgriInvest program has been used by Canadian farmers for years as a way to set money aside to manage income decline, support investments, and more. However, while AgriInvest encourages farmers to set this money aside, and it was previously taxed

at 15%, under the government's new tax plan, farmers are concerned that these funds could be taxed up to 53%.

Does the Minister of Agriculture really think it is fair to ask farmers to set aside money in an AgriInvest account and then turn around and tax these funds at a higher rate? How is that fair?

[*Translation*]

**Mr. Jean-Claude Poissant (Parliamentary Secretary to the Minister of Agriculture and Agri-Food, Lib.):** Mr. Speaker, our government is always focused on delivering results for Canadian farmers.

We tabled a budget that treats agriculture as one of Canada's key industries and that sets a target of \$75 billion in exports. We improved the grains legislation with Bill C-49, something the previous government never did. We signed the Comprehensive Economic and Trade Agreement, which will help boost agricultural exports to the tune of \$1.5 billion annually. That is what our government has done for agriculture.

• (1140)

[*English*]

**Mr. Larry Miller (Bruce—Grey—Owen Sound, CPC):** That is the CETA that was negotiated by the former government.

The objective of the AgriInvest program states that it encourages producers “to set money aside which can be used to recover from small income shortfalls, or to make investments to reduce on-farm risks.” For years it has allowed farmers to get by when times are tough or to make investments to save up for costly equipment.

Does the minister really think it is fair to encourage farmers to open these accounts, previously taxed at 15%, and to now tax these funds at almost 53%? How is that fair?

[*Translation*]

**Mr. Jean-Claude Poissant (Parliamentary Secretary to the Minister of Agriculture and Agri-Food, Lib.):** Mr. Speaker, as I said, we signed the economic agreement, which will help boost exports to the tune of \$1.5 billion. What is more, we have secured \$2 billion in canola exports to China and we also secured access to the beef market in China and Mexico.

We will continue to work on expanding markets. We are investing \$350 million in modernizing Canada's dairy industry, we invested \$100 million in agricultural science and innovation, and we invested \$27 million in programs to combat greenhouse gases in the agricultural sector. That is what our government has done.

*Oral Questions*

[English]

**POST-SECONDARY EDUCATION**

**Mr. Richard Cannings (South Okanagan—West Kootenay, NDP):** Mr. Speaker, education is a good equalizer, and today a good post-secondary education is essential to land a good job. However, recent data from Stats Canada shows that going to college or university is now more expensive than ever. Average tuition is now more than \$6,500 a year, and that does not include additional fees, books, food, or housing.

The Liberal government says it wants to lower the cost of post-secondary, but overall, government investment continues to go down. When will we see tuition fees decrease so that students can afford their education?

**Mr. Rodger Cuzner (Parliamentary Secretary to the Minister of Employment, Workforce Development and Labour, Lib.):** Mr. Speaker, I think most Canadians, and certainly Canadian students, know the actions undertaken by this government to help them get that very necessary education they need to provide them jobs of today for the future.

Last year, we increased the amount of support for Canadian students by 50% to help those in low- and middle-income families. We have helped persons with disabilities and indigenous Canadians by increasing the number of grants they receive.

This government is absolutely committed to helping students get that opportunity.

\* \* \*

**PUBLIC TRANSPORTATION**

**Ms. Sheri Benson (Saskatoon West, NDP):** Mr. Speaker, this summer, seven women's advocacy organizations wrote to the Minister of Justice, the Minister of Transport, and the Minister of Crown-Indigenous Relations and Northern Affairs about losing STC and leaving many people, especially women, vulnerable and stranded. We cannot let the history of B.C.'s Highway of Tears repeat itself in Saskatchewan. The government claimed Greyhound would run service to these communities, but this week Greyhound clearly stated it would not.

Without the safe service of the STC, what will the federal government do to protect vulnerable women and girls in Saskatchewan?

**Mrs. Karen McCrimmon (Parliamentary Secretary to the Minister of Transport, Lib.):** Mr. Speaker, under the federal Motor Vehicle Transport Act, the federal government has delegated the economic regulation of interprovincial bus carriers in federal jurisdiction to the provinces and territories, including establishing conditions of entry or exit and regulating rates and routes of interprovincial bus carriers.

Intercity bus services within Canada, such as Greyhound, operate on a commercial basis with no support from the federal government. Nonetheless, our government encourages Greyhound to continue consulting with indigenous groups, stakeholders, provinces, and territories.

[Translation]

**ACCESS TO INFORMATION**

**Ms. Anita Vandenberg (Ottawa West—Nepean, Lib.):** Mr. Speaker, Canadians understand that a healthy democracy depends on knowledgeable citizens who have a relationship of trust with an open and transparent government.

Next week is Canada's Right to Know Week. Some 40 countries and 60 non-governmental organizations around the world will celebrate Right to Know Day on September 28.

Can the President of the Treasury Board tell us what he is doing to promote government openness and transparency?

**Hon. Scott Brison (President of the Treasury Board, Lib.):** Mr. Speaker, I thank my colleague from Ottawa West—Nepean for her question.

As we head into Canada's Right to Know Week, today we are debating Bill C-58, the first major reform of the Access to Information Act in 30 years. Recently, our leadership was internationally recognized when I accepted the role of co-chair of the Open Government Partnership on behalf of Canada.

\* \* \*

● (1145)

[English]

**NATURAL RESOURCES**

**Mrs. Shannon Stubbs (Lakeland, CPC):** Mr. Speaker, energy east is a \$15.7-billion project that would create thousands of jobs for all of Canada, but it is at risk, all because the Liberals keep changing the rules.

In January 2016, the Liberals said that they might require emissions testing for energy approvals with no details, yet last month, TransCanada was blindsided by the NEB's sudden direction to do so a year and a half into the new review for energy east. Obviously, we are two years into reviews of reviews, with no clarity, no confidence, and no end in sight.

When will the Liberals be clear to investors and finally champion Canadian energy?

**Ms. Kim Rudd (Parliamentary Secretary to the Minister of Natural Resources, Lib.):** Mr. Speaker, we believe in a competitive and sustainable energy sector, and the good projects must go ahead with the full confidence of Canadians. That is why we have approved pipelines in energy infrastructure projects that create tens of thousands of jobs while, at the same time, protecting our oceans, pricing carbon pollution, and working in partnership with our indigenous peoples.

TransCanada's request is a business decision. The proponent develops its project application in a business environment where factors like the price of oil do change. We are committed to ensuring that economic prosperity and environmental protection go hand in hand.

*Oral Questions*

**Mrs. Shannon Stubbs (Lakeland, CPC):** Mr. Speaker, energy is Canada's second-biggest export. With global oil demand increasing to 121 million barrels a day by 2040, new energy infrastructure is crucial for Canada, but the Liberal chaos, not prices, is putting projects like energy east at risk. Meanwhile, the U.S. is removing red tape, ramping up exports, and rapidly pursuing its energy independence. The Liberal delays, uncertainty, and anti-energy agenda are threatening Canada's position as a global leader.

When will the Liberals reduce red tape, kill barriers, and finally show the world that Canada is open for business?

**Ms. Kim Rudd (Parliamentary Secretary to the Minister of Natural Resources, Lib.):** Mr. Speaker, I am pleased to once again remind the House that we have been able to do what the Harper Conservatives could not get done in a decade. We have approved infrastructure projects that will create tens of thousands of jobs for Canadians, and many of them indeed in Alberta.

Projects include Nova Gas Transmission pipeline, 3,000 jobs; Line 3 replacement projects, 7,000 jobs; Trans Mountain expansion pipeline, 15,440 jobs; Keystone XL pipeline, 6,440; Arnaud apatite mine, 910; Woodfibre LNG, 700 jobs; and I could go on and on. These projects—

**The Speaker:** I am afraid not. The hon. member for Charlesbourg—Haute-Saint-Charles.

\* \* \*

[Translation]

**MARIJUANA**

**Mr. Pierre Paul-Hus (Charlesbourg—Haute-Saint-Charles, CPC):** Mr. Speaker, yesterday, the minister said that we have been debating the marijuana issue for two years, but the bill was only introduced in the spring.

The police are telling us that they cannot enforce the law when it comes to plants grown at home, and that they do not have the specialists required for roadside tests. Even worse, the provinces are complaining every day that they cannot be ready for July 1, 2018.

Can the Prime Minister explain why legalizing marijuana is his government's top priority and why he continues to ignore all the experts?

[English]

**Mr. Bill Blair (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, let us be very clear. What police forces actually said was that they needed access to the resources and the training in order to do the job. Our government has responded. We have committed \$274 million to ensure they have what they need to do the job.

The cost of delay is continued jeopardy to our children who are using cannabis at the highest rate of any country in the world and billions of dollars more to organized crime. That is unacceptable to us; we believe it is unacceptable to all Canadians.

\* \* \*

**JUSTICE**

**Mr. Dan Albas (Central Okanagan—Similkameen—Nicola, CPC):** Mr. Speaker, for the first time in 35 years, the B.C. Supreme

Court in Vancouver was forced to close family and civil chambers for a whole day. Real families are facing issues of access, child support, spousal support, and are being hurt by the Liberal government and its inaction.

The Conservatives have been calling for action on judicial appointments and with this closure, the Liberals have failed. If the minister cannot get the job done in her own backyard, will the Prime Minister finally take some action and find a minister who will get it done for B.C.?

• (1150)

**Hon. Jody Wilson-Raybould (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, I am pleased with the open and transparent judicial appointment process with which our government is continuing to proceed. With respect to judicial appointments, I have had the opportunity to appoint 109 superior court justices across the country, including 22 deputy judges in the north.

I am going to continue to appoint judges to fill the vacancies across the country, vacancies that are filled by a diversity of Canadians who reflect the best we have to offer. I am going to continue to fill the vacancies in British Columbia and in other jurisdictions.

\* \* \*

[Translation]

**DAIRY INDUSTRY**

**Ms. Anne Minh-Thu Quach (Salaberry—Suroît, NDP):** Mr. Speaker, the Union des producteurs agricoles, the Producteurs de lait du Québec, and Quebec's minister of agriculture all criticized the funding shortfall in the Minister of International Trade's plan to help dairy producers, yet he had the nerve to say that the reason the program ended after just one week was that it worked so well.

To farmers in my riding and all across Quebec, that is outrageous. The program ended because there was not enough money.

Does the minister even listen when dairy producers tell him that the program is not good enough?

**Mr. Jean-Claude Poissant (Parliamentary Secretary to the Minister of Agriculture and Agri-Food, Lib.):** Mr. Speaker, our government fully supports the supply management system, dairy producers and their families, and Canada's entire dairy industry.

*Oral Questions*

We are the party that fought to bring in supply management, and we will continue to defend it. The economic agreement will drive growth and opportunity for Canadian farmers and boost our agricultural exports by over \$1.5 billion per year. I am proud of the \$350 million we invested to help dairy producers and processors modernize their facilities and give them a competitive edge.

\* \* \*

**AIR TRANSPORTATION**

**Mr. Pierre Nantel (Longueuil—Saint-Hubert, NDP):** Mr. Speaker, this weekend, most people will be having fun in the sun, but not the people living along the water near the flight schools in Saint-Hubert because of the incessant noise of the planes constantly flying overhead.

Despite desperate pleas from those affected and my repeated interventions with the minister, Transport Canada refuses to enforce the flight restrictions that all parties had duly agreed upon. Transport Canada is completely absent on this issue, and worse yet, the department has the nerve to tell us, after three months of hemming and hawing, that it has never received an official request on the matter of limiting flying hours.

Does the minister find that acceptable?

Can he finally commit to providing his support to ensure at the very least that this does not happen again next year?

**Mrs. Karen McCrimmon (Parliamentary Secretary to the Minister of Transport, Lib.):** Mr. Speaker, our government is working with Canadians to make sure that federally regulated aerodrome building projects take the public's safety and interest into account.

Thanks to the regulatory changes made by the minister, which are already in place, Canadians can now voice their concerns before the decision to build or modify an aerodrome is made.

\* \* \*

*[English]***VETERANS AFFAIRS**

**Hon. Steven Blaney (Bellechasse—Les Etchemins—Lévis, CPC):** Mr. Speaker, “Clearly you are...just the kind of person we need to help move our yardsticks.” This is what our Canadian Forces first wrote to retired Master Warrant Officer Barry Westholm for a position to assist the troubled Joint Personnel Support Unit. However, this was the response before that veteran wrote to the Prime Minister himself to expose the failure to our most wounded soldiers. He was then turned down.

Will the minister confirm that veteran Westholm was canned because he was critical of the Liberal government inaction?

**Mrs. Sherry Romanado (Parliamentary Secretary to the Minister of Veterans Affairs and Associate Minister of National Defence, Lib.):** Mr. Speaker, as the member opposite knows, due to federal privacy laws, I cannot speak to this specific individual employment process, but I can advise that the Canadian Armed Forces seeks to recruit, hire, and retain the very best candidates for available positions.

The Canadian Armed Forces recognizes the importance of actively looking to recruit candidates with different views, experiences, and skill sets needed to meet the needs of our members. The process for hiring is designed in the best interest of the organization and in order to make our military strong and resilient.

*[Translation]*

**Hon. Steven Blaney (Bellechasse—Les Etchemins—Lévis, CPC):** Mr. Speaker, retired Master Warrant Officer Barry Westholm used to volunteer to help his fellow soldiers who were dealing with operational injuries. At first, the door was wide open to him at the Canadian Forces. However, when he wrote to the Prime Minister to complain about how our flawed system is failing our most seriously injured vets, the Canadian Forces slammed the door in this face.

Whether on mefloquine or our seriously injured soldiers, the Liberals turn a blind eye and ignore the facts. Why the cover-up? Why shoot the messenger? Veterans do not want selfies, they want action.

● (1155)

*[English]*

**Mrs. Sherry Romanado (Parliamentary Secretary to the Minister of Veterans Affairs and Associate Minister of National Defence, Lib.):** Mr. Speaker, as I said, I cannot comment on an individual employment process case, but I can advise that the Canadian Armed Forces seeks to recruit, hire, and retain the very best candidates possible.

The Canadian Armed Forces recognizes the importance of actively looking to recruit candidates with different views, experiences, and skill sets needed to meet the needs of our members. The process for hiring is designed in the best interest of the organization and in order to make our military strong and resilient.

\* \* \*

**FOREIGN AFFAIRS**

**Hon. Erin O'Toole (Durham, CPC):** Mr. Speaker, recently released documents showed that Global Affairs, diplomats, and our allies were confused by the decision to appoint the Hon. Stéphane Dion as Canada's ambassador to the EU and Canada's ambassador to Germany, a country within the EU. Confusion, hundreds of documents, and months of that have shown that the decision was ill-conceived, and Canada has been looked on poorly by our allies.

Canadians know that it is not easy for Mr. Dion to set priorities. Will the minister inform the House whether his priority will be the ambassador to the EU or ambassador to Germany? Which is it?

*Oral Questions*

**Mr. Matt DeCoursey (Parliamentary Secretary to the Minister of Foreign Affairs, Lib.):** Mr. Speaker, Canadians know that Stéphane Dion has fought long and hard for a better and more just Canada, and he continues to play a key role in advancing Canada's interests abroad in Europe, working with our European partners on this government's progressive international agenda.

Ambassador Dion's role demonstrates Canada's commitment to Europe and to Germany, which is Europe's biggest economy. Ambassador Dion will continue the vital and important work of ensuring that Canada's interests and values are shared in the world.

\* \* \*

**INFRASTRUCTURE**

**Mr. Scott Simms (Coast of Bays—Central—Notre Dame, Lib.):** Mr. Speaker, recently I travelled to Embree, a small town in my riding. If members do not know where that is, it is next to Little Burnt Bay; they cannot miss it. It has a population of around 700 people. I had the honour of announcing close to \$300,000 in federal money for its water system.

There were years of neglect. I joined the Newfoundland and Labrador government's local MHA, Derek Bennett, to bring the residents an announcement for their drinking water system, which has been a need now for 12 to 15 years.

These are the types of investments we are doing, not just for the larger centres but the smallest communities as well. Could the Minister of Infrastructure and Communities please comment on that and other small communities across the country?

**Hon. Amarjeet Sohi (Minister of Infrastructure and Communities, Lib.):** Mr. Speaker, our government is proud to be investing in communities of all sizes, including \$2 billion dedicated funding for small communities. Last month, we announced more than \$11 million for 77 projects in communities across Newfoundland and Labrador to provide clean water, and recreational and cultural amenities.

We will continue to work with our partners to make these investments to build strong, sustainable, and inclusive communities.

\* \* \*

[Translation]

**GOVERNMENT APPOINTMENTS**

**Mr. Alupa Clarke (Beauport—Limoulu, CPC):** Mr. Speaker, the committee overseeing the appointment process for the next official languages commissioner is currently evaluating the applications received. At this point, the official opposition has not yet been consulted. The Fédération des communautés francophones et acadiennes has stated that it is concerned and will wait to see what happens.

Will the next commissioner be non-partisan, or will he or she be a Liberal Party donor? How many people have applied? When is the deadline for the evaluation process? Can the government enlighten us on the process that is under way?

**Mr. Sean Casey (Parliamentary Secretary to the Minister of Canadian Heritage, Lib.):** Mr. Speaker, I want to congratulate my colleague on his new role as official languages critic.

Our two official languages are at the heart of Canada's history and identity. They are a priority for us. With regard to appointments, our government is committed to a process that is rigorous, open, and transparent, and to finding the best candidate for each position.

The role of Commissioner of Official Languages is very important. We are confident that the nominee will have all the required qualifications.

\* \* \*

[English]

**SOCIAL DEVELOPMENT**

**Mr. Ali Ehsassi (Willowdale, Lib.):** Mr. Speaker, developing Canada's early learning and child care system is one of the most crucial investments a government can make. I am pleased that shortly before the House rose in June, our government announced a historic framework agreement with the provinces and territories on early learning and child care. The agreement builds on investments announced previously in budgets 2016 and 2017 that support and create more child care spots across the country. Could the government advise the House on the progress in implementing the framework with the provinces and territories to improve the lives of Canadian children?

• (1200)

[Translation]

**Hon. Jean-Yves Duclos (Minister of Families, Children and Social Development, Lib.):** Mr. Speaker, as a former page of the House of Commons myself, I would like to begin by welcoming the new cohort of pages that we are lucky to have here with us.

[English]

I thank the member for Willowdale for his hard work on behalf of his constituents. Our plan will give Canadian children the best possible start in life and provide support to families who need it most. We have now signed agreements with Ontario, P.E.I., New Brunswick, and Nunavut. We are working very hard to achieve similar outcomes with other provincial and territorial partners. With each agreement we are getting closer to achieving our goal of affordable, high-quality, and fully-inclusive child care for all Canadian children and families.

\* \* \*

**PRIVACY**

**Mr. Scott Reid (Lanark—Frontenac—Kingston, CPC):** Mr. Speaker, yesterday we learned that the Liberal survey on electoral reform, MyDemocracy.ca, was a privacy nightmare. The Privacy Commissioner reports that the website automatically disclosed IP addresses, web activities, opinions, and lifestyle data from the 360,000 participants without their consent, to third parties such as Facebook. For months we asked the Liberals about this issue and they said that everything was just peachy. Were they lying to Canadians or was this just their usual incompetence?

*Oral Questions*

**Mr. Andy Fillmore (Parliamentary Secretary to the Minister of Democratic Institutions, Lib.):** Mr. Speaker, our government takes the protection of the personal privacy of Canadians extremely seriously, which is why we proactively reached out to the Privacy Commissioner to answer any questions he might have had. We thank him for his very thorough report and we accept those recommendations unconditionally. MyDemocracy.ca engaged Canadians in a national conversation in which individual responses that were received online remained anonymous. Paragraph 43 of the summary of investigation notes that the Privacy Commissioner “found no evidence that individual responses to the MyDemocracy survey questions were disclosed to third parties.” We will continue to protect and uphold the privacy of Canadians as we move forward.

\* \* \*

[Translation]

**DAIRY INDUSTRY**

**Ms. Monique Pauzé (Repentigny, BQ):** Mr. Speaker, thanks to this free trade agreement, 17,000 tonnes of European cheese is flooding into our country to compete directly with cheeses made by our own producers, who have been abandoned by the federal government.

After promising to compensate our producers for their losses, all the government has done is offer them a feeble modernization program that ran out of money within seven days. The Quebec government is now calling on the federal government to do its job.

Will the government commit to meeting the Quebec government's demands and making the program improvements that dairy producers are calling for?

**Mr. Jean-Claude Poissant (Parliamentary Secretary to the Minister of Agriculture and Agri-Food, Lib.):** Mr. Speaker, Agriculture and Agri-Food Canada started accepting applications for the program on August 22, 2017.

The dairy industry welcomed this program. In fact, its reaction was so positive that the program stopped taking applications on August 29, 2017, probably because all of the funds had been allocated for phase one. Sometime in the next few months, the government will announce when it will start accepting applications for phase two.

\* \* \*

**CANADIAN HERITAGE**

**Ms. Monique Pauzé (Repentigny, BQ):** Mr. Speaker, the Minister of Canadian Heritage will be unveiling her Canadian cultural policy next Thursday, and there is every indication that it will be at odds with Quebec's needs.

If Ottawa does not want to tax Netflix, Quebec will. European states and Quebec will step up in the new digital environment to protect their culture, their artists, and their authors. Canada, in contrast, is counting on the free market, which will do nothing to protect Quebec culture.

If the Minister of Canadian Heritage is not interested in protecting and promoting culture, then what exactly is her role?

**Mr. Sean Casey (Parliamentary Secretary to the Minister of Canadian Heritage, Lib.):** Mr. Speaker, essentially, what we want is to make sure that our artists have the support they need.

That is what our government is doing. We have allocated \$22 million to Telefilm Canada, \$13.5 million to the National Film Board, and \$550 million to the Canada Council for the Arts. Those are tangible actions that support our artists without further taxing the middle class.

\* \* \*

● (1205)

**INFRASTRUCTURE AND COMMUNITIES**

**Mr. Gabriel Ste-Marie (Joliette, BQ):** Mr. Speaker, Quebec is asking the Minister of Infrastructure and Communities to do his job.

His job is to take the taxes we pay and to automatically transfer them to Quebec so that we can build our roads, schools, and hospitals. It is not to set conditions and conduct negotiations that slow everything down. It is not his job to create a bank to privatize our infrastructure.

When it comes right down to it, the minister's job is to do as little harm as possible, but is he capable of doing that?

[English]

**Hon. Amarjeet Sohi (Minister of Infrastructure and Communities, Lib.):** Mr. Speaker, we are very proud that yesterday all the provincial and territorial ministers came together to talk about the historic investments we are making in infrastructure. In the case of Quebec, we have approved 424 projects, with a federal investment of \$1.6 billion. We are approving \$1.28 billion for the REM project in Montreal. These are top priorities for the Government of Quebec and the City of Montreal. We will continue to work in partnership with the province to deliver on the commitments we have made.

\* \* \*

**INDIGENOUS AFFAIRS**

**Hon. Hunter Tootoo (Nunavut, Ind.):** *Qujannamiik*, Mr. Speaker.

My question is for the Minister of Crown-Indigenous Relations and Northern Affairs. Since last fall, I have visited 23 of Nunavut's 25 communities. I had the opportunity to talk to many of my constituents face to face. What I heard unanimously were concerns about the nutrition north program. Since the release of the “What we heard” report five months ago, people in my riding have been patiently waiting for the changes recommended in the report. Can the minister inform the House when Nunavummiut can finally expect these changes to be implemented?

*Qujannamiik uqaqti.*



**Ms. Yvonne Jones (Parliamentary Secretary to the Minister of Indigenous and Northern Affairs, Lib.):** Mr. Speaker, I know that my colleague agrees with us that the program for northerners and the struggles they have in trying to feed their families are completely unacceptable. That is why our government has expanded the program to include 37 other communities. We have also invested \$65 million a year over the next five years.

Most importantly, we know that the previous program failed northerners. We intend to get it right this time. We are hoping that we will be able to launch the new initiatives under nutrition north that are culturally sensitive to the people who need the program.

---

## ROUTINE PROCEEDINGS

[English]

### SPECIES AT RISK ACT

**Mr. Richard Cannings (South Okanagan—West Kootenay, NDP)** moved for leave to introduce Bill C-363, An Act to amend the Species at Risk Act (amendment of the List).

He said: Mr. Speaker, I am happy to rise today to introduce my bill that would amend the Species at Risk Act, or SARA, to close a loophole that allowed governments to completely ignore scientific advice regarding the status of our most vulnerable species.

Under SARA, that advice comes from the Committee on the Status of Endangered Wildlife in Canada, or COSEWIC. The act would give the Minister of Environment nine months to make a decision whether to list or not.

Unfortunately, the former government felt there was enough ambiguity in the act to say that the clock began ticking only when the minister told cabinet of COSEWIC's advice. During the former Conservative majority government, COSEWIC assessed 82 species as requiring protection. The government did not make a decision on any of those species—not one.

My bill would simply amend the act to clearly start the clock when COSEWIC sends its letter of advice to the minister. I hope the government will support this bill and return the Species at Risk Act to its original intent and force.

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

\* \* \*

● (1210)

### BUSINESS OF THE HOUSE

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, there have been discussions among the parties and I think you will find agreement for the following motion. I move:

That the hours of sitting and the order of business of the House on Monday, October 2, 2017, shall be those provided in the Standing Orders for a Wednesday.

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

**Some hon. members:** Agreed.

### Routine Proceedings

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

**Some hon. members:** Agreed.

(Motion agreed to)

\* \* \*

### ADDRESS AT INSTALLATION OF GOVERNOR GENERAL

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.)** moved:

That the speech of Her Excellency the Governor General, together with the address of welcome made by the Prime Minister in the Senate Chamber on Monday, October 2, 2017, be printed as an appendix to the official report of the Debates of the House of Commons and form part of the permanent record of this Parliament.

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

**Some hon. members:** Agreed.

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

**Some hon. members:** Agreed.

(Motion agreed to)

\* \* \*

### PETITIONS

#### ARMS TRADE TREATY

**Mr. Larry Miller (Bruce—Grey—Owen Sound, CPC):** Mr. Speaker, I rise in the House today to present e-petition 1073, which calls on the government not to sign the United Nations Arms Trade Treaty and to halt the passage of Bill C-47.

The more than 4,500 signatories from my riding and across the country express their concerns regarding the impact that Bill C-47 and Canada's accession to the Arms Trade Treaty would have on lawful civilian ownership of firearms in Canada. This petition has signatories from every province and territory expressing their concerns about Bill C-47.

#### THE ENVIRONMENT

**Mr. Michael McLeod (Northwest Territories, Lib.):** Mr. Speaker, I am presenting an e-petition that expresses concerns surrounding the construction of the Site C dam.

\* \* \*

### QUESTIONS ON THE ORDER PAPER

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

**The Speaker:** Is it agreed?

**Some hon. members:** Agreed.

*Government Orders***GOVERNMENT ORDERS**

[Translation]

**ACCESS TO INFORMATION ACT**

The House resumed consideration of the motion that Bill C-58, An Act to amend the Access to Information Act and the Privacy Act and to make consequential amendments to other Acts, be read the second time and referred to a committee.

**The Speaker:** There are four minutes remaining for questions and comments following the speech of the hon. member for Calgary Shepard.

The hon. member for Bellechasse—Les Etchemins—Lévis.

**Hon. Steven Blaney (Bellechasse—Les Etchemins—Lévis, CPC):** Mr. Speaker, the eloquent speech that the young member for Calgary Shepard gave before question period on the access to information reform showed the Conservative spirit. Unfortunately, it also showed that there are flaws in the Liberals' bill.

I would like the member to explain to me how the Liberals are breaking their promise to be transparent with this bill. Former information commissioner Robert Marleau said that this is one step forward and two steps back. The Liberals promised us transparency but now they are plunging us into darkness.

I would like my colleague to explain this bill's shortcomings and how the Liberals are breaking the promise they made to Canadians.

[English]

**Mr. Tom Kmiec (Calgary Shepard, CPC):** Mr. Speaker, I have the Liberal Party platform right here in front of me, so we can quickly go through it.

The Liberals said they would eliminate all of the fees, but portions of the legislation they would be amending indicate that eligible fees will still be applied in certain situations.

They said that they would update access to information to meet the standard. As I said, this is a Potemkin amendment act. It would not do anything. It would fix things on the outside, but the meat and potatoes, the guts of the bill, are in the exemptions. If how the exemptions are applied is not changed, the government can still refuse to reveal information to the general public.

The Liberals said that they would ensure that access to information applies to ministerial offices, to the Prime Minister, to administrative institutions that support Parliament, and to the courts. They did not do that.

They also said that they would review it every five years. As I mentioned in my intervention, if the sunset provisions are not added to this, and the way that we have been dealing with mandatory reviews every five years, it could very well happen that we will not get a review of this legislation for within maybe five to eight years. With the glacial speed that legislation makes it through the House, because of the government's lack of understanding and how the procedures work, we may not see it happen.

●(1215)

**Mr. Murray Rankin (Victoria, NDP):** Mr. Speaker, I rise today to speak to Bill C-58, the access to information reform legislation. It

is with considerable disappointment that I must, on behalf of the NDP, be opposed to the initiative. However, I am also pleased to hear the President of the Treasury Board acknowledge that at committee, there might be a possibility for improving the legislation to give it some credibility.

If I may be permitted at the outset to make a personal statement, access to information, freedom of information, has been one of my passions. I did graduate work on this topic. In law, I worked with the Government of British Columbia in drafting the legislation there, as well as in Yukon. Back in the early eighties, I worked on behalf of the Canadian Bar Association to try to get the first access to information act through in a credible way. The former member of Parliament for Peace River, Conservative member Jed Baldwin, gave me an award of merit from the House for my work on freedom of information. Therefore, I come to this with a passion for the topic.

Three things are necessary for any credible law and, after 34 years, we all agree that this law needs modernizing. I salute the government for finally doing something in that regard. First, it has to have a clear statement that information is a right. Second, there have to be exceptions to the rule of openness that are narrow and have to demonstrate some harm from the disclosure. Third, there has to be an umpire, someone neutral, who can order a government that does not wish to provide the information to make it public. Those are the three things by which any reform must be evaluated. Sadly, this bill comes up short.

People sometimes have their eyes glaze over when we talk about access to information. That is usually the end of a conversation. People go back to doing something else. I want to tell Canadians who may be watching this why it is important. How many times have we read an article that starts with "Information released today under the Access to Information Act" reported thus and so? The answer is frequently.

*The Globe and Mail* used the Access to Information Act for its April 2016 investigative series "Unfounded", which revealed that police had been dismissing one out of every five sexual assault claims as baseless. It took a year to get the information. The delays were ridiculous, and I will come back to that. That was the tool that was necessary for Canadians to understand what their police were and were not doing about sexual assault.

Just last week, the CBC reported that the Prime Minister's controversial Bahamas vacation cost Canadians over \$215,000, far more than was initially disclosed to Parliament. That came about through a document released under this act.

Yesterday morning, I woke up to hear that after a year, reporters finally obtained the original contract from the Phoenix pay fiasco, once again thanks to this act.

Transparency is important. It was a major theme for the Liberal Party during the 2015 election. In fact, before that, the Prime Minister introduced Bill C-613, an act to amend the Access to Information Act. I would invite all Canadians to look at what the Prime Minister wanted to do with that bill while in opposition compared to what is being proposed today. I think they will see a yawning divide. What he said, though, in introducing that legislation, was that “a country's access to information system is at the heart of open government.” He is right.

Our Supreme Court also said that what we are talking about today is in fact quasi-constitutional in nature. This is not an ordinary act. It is something that the courts have recognized as essential to an open, modern democracy.

The New Democratic Party has introduced private members' bills to modernize the act so many times I do not want to list them all, but in 2006, 2008, 2011, 2014, this is something we tried to fix. Every time, the Conservatives and then the Liberals voted them down.

In March of 2015, the Information Commissioner released 85 recommendations to modernize the act. I invite Canadians to look at that list of recommendations and what we are left with today.

The point is that this is essential to fix, as the President of Treasury Board properly pointed out.

•(1220)

When we introduced this bill in the early eighties, computers were hardly a fact of life, email did not really exist in the public service, and record-keeping was very different than it is today. Clearly this is long overdue. It is too bad that the government has not taken the opportunity to do the job properly. Almost all civil society groups that have studied this have been outspoken in their opposition, some angry, but most simply sad and disappointed that this is what we are left with.

Let me talk about what the government did not do. That is how we have to assess this exercise. The exemptions to the rule of disclosure, the list of the things that the government can properly withhold, are very badly drafted, very discretionary, do not even have to show a harm. However, there is one that is different from all the others.

Back when this bill was introduced under the former Prime Minister Trudeau regime, it decided to cut out a category of records called “cabinet confidences”. It does not even apply to cabinet confidences. Everyone who has ever studied this has said that this is the Mack truck clause. In fact, some of the more humorous commentary describes this as “cabinet laundering”. All the government has to do if it does not want something disclosed is to slip it into a cabinet briefing book, and voila, the black hole. It never gets to be seen. It is not even subject to the act. One would have thought that after 34 years, job one would have been to maybe talk about that. It is not even mentioned. The black hole remains. Cabinet laundering can continue.

Information delayed is information denied. Every journalist in the land understands that. I had a journalist stop me on the street the other day, and she said that when she is asking for information, she usually gets something on the very last day of the 30-day period. Day 29 she is told that there is going to be a delay, and then the government asks for another delay. If she complains to the

### *Government Orders*

Information Commissioner, she is told that the office is swamped and it might take several months to get the story out. Even then, if the government does not want to do it, the Information Commissioner would recommend that it can say no.

Information delayed is information denied. That will not be fixed by this bill in any meaningful way.

The other thing is that we live in an oral culture. In fact, one of my colleagues refers to it as “the Post-it culture”. I will explain. If a government member has a record that they know is going to be subject to disclosure, maybe they put a little Post-it note on the document that says what the juicy bits are. That happens. I know that the Speaker will be surprised to hear that.

The duty to document decisions is not even part of this bill. I talked earlier about computers where we can delete transitory records and the like. However, the fact is that an oral culture is alive and well and living in Ottawa.

Let me get to the bill. What does Bill C-58 do, and why can we not support it? I would first like to quote from the Centre for Law and Democracy which said:

the Bill is far more conspicuous for what it fails to do...

It fails to expand the scope of the Act. It does place a number of proactive publication obligations on various actors – including the Prime Minister's and Ministers' Offices...but this falls far short of bringing these bodies within the ambit of the Act.

Certain types of information have always been available, at least in recent years, such as travel expenses, contracts over \$10,000. By policy, these have been available for years. Now it is put in the bill, and the government thinks it should get a gold star for doing that. I am not sure why.

Again, quoting from the Centre for Law and Democracy:

While more proactive disclosure is always welcome, as anyone who has used the Act knows, it is absolutely not a substitute for the right to be able to request the information one is interested in from public authorities.

I think that is clear.

Today the minister made a lot of the notion that there is to be order-making powers under this bill. It is true that if we look closely, we can see that it is, in the words of a colleague, a chimera. It does not really do that.

Let me talk about how it works in the provinces. Let us take British Columbia, for example. The Information Commissioner makes an order: “Disclose that record, government. I know you do not want to do it, but it is not able to be withheld legitimately under the exceptions.” That is it. If the government wants to seek judicial review of that decision, it does so.

*Government Orders*

● (1225)

Let us compare that to the convoluted order-making power that the minister was so proud of in this bill. It seems to say that if the government agrees with a decision of the commissioner to release the document, it will be released. So what? If the government disagrees with the commissioner's recommendation, then the government could take him or her to Federal Court. Imagine how expensive and litigious this would all be. The government has created, in my submission, an unwieldy, unnecessary, and unaffordable system.

I wish I had time to go into the section that deals with this. It talks of the ability to make an order, but in the interest of time, suffice it to say that it is beyond complicated and likely unworkable. It would not really do what the minister has said it would do. I wish the Liberals had followed the simple route that most provinces have followed.

Though it is true that there would be proactive disclosure of a number of kinds of information from ministers' offices, the point is that Canadians would still not be able to request the information they want from those offices, appeal to the commissioner, and get an order to release it. It is just not there. The promise made in the election that we would have open offices and that people would get the information is not what is happening. That is very disappointing.

The Liberals also talked about the five-year review that is a feature of this act, and thank goodness it is there. That is nothing new. However, it is not like the Bank Act, for example, under which the legislation would sunset if that review did not take place by that time, so who knows how long it will actually take before we get to the review that is promised? That is very different from what the platform promised.

The Liberals talked today about something new, which is the ability to go after bad-faith, long, frivolous, and vexatious requests. That is a new restriction, not a change for the positive. I can appreciate why it is necessary, and, yes, it exists at the provincial level, but here is the punchline: this bill would give the final decision to the government to decide whether the request is too big, too long, or frivolous. Everywhere else, of course, it is the commissioner who gets to decide. Do members remember what I said about an umpire in the game who is neutral? I do not think the minister who does not want the information to be disclosed is in the best position to do that. I cannot believe they think that is a significant reform that we should be proud of.

The government is probably going to pat itself on the back for this bill. It is probably going to say, "We promised openness and transparency, and openness by default, and that is what we delivered." The truth is far from that. I want to be optimistic—I always try to be—and give the government the benefit of the doubt. The minister stood in this place and said, "We will be open to amendments at committee", and we are certainly going to be there to try to give him the opportunity to make this credible, because it is not credible now. It is kind of like the promise the Liberals made in 2015, when they said that 2015 would be the last election that would be fought under the first-past-the-post rules. That was a different promise. That was a different time and place.

The Prime Minister came to my riding when he was running in the election and said that he would have a full review of the Kinder Morgan pipeline proposal. Do members remember that promise? That kind of did not happen either. There was one about mail delivery. We were going to be open to mail delivery, I think. That was another promise.

Canadians deserve better than this bill. It is a start, to the extent that it adds exemptions; it does not go after the big changes and exemptions. Members heard me talk about cabinet confidences; the other nice one is the policy advice to the minister. They did not touch it. All they have to do is put all these documents into something that they give to the minister, and that is policy advice to the government. That massive loophole remains.

Once again, what they did not do is how we judge their reform initiative. It actually adds a loophole that would allow the department to refuse to process a request if it deems it to be overly broad, deems it would unreasonably interfere with the operations of government, or deems it to be made in bad faith. It is quite remarkable that the Liberals are patting themselves on the back. By simple comparison to the other legislation in the country, it is obvious that this bill does not pass muster.

● (1230)

The bill also ignores so many of the recommendations made by the Information Commissioner, as I pointed out, and by the ethics committee that also studied this legislation. It appears the government did not even read those. Much like the Harper government, the Liberals continue to disregard the recommendations made by the non-partisan watchdog. One sympathizes with the Herculean efforts made by Ms. Legault over the years to try to get both sides of this place, Conservative and Liberal alike, to take seriously the citizens' right to know. I salute for her efforts, futile though they have been to date.

I want to say by way of conclusion that the New Democrats have long advocated for giving the Information Commissioner real oversight and order-making powers. We believe that proactive disclosure is important and offer congratulations for putting into legislation what has been the practice to date so far, but I point out that the commissioner does not have oversight powers with respect to that proactive disclosure, so I guess we have to take the government's word for it.

Even if the Liberals were well intentioned, let us remember that we are making legislation that applies for future Canadians, for future generations of Canadians. How long did it take to get to this place with a new bill? It has taken 34 years. We have to get it right. We cannot say, "Don't worry; we are going to have a review in five years, or maybe another year or two after that", because they do not have to do that if they do not want to. That has been our history, excepting the Bank Act.

*Government Orders*

We have to do it better. We can do it better, and I am not the only one saying this. The Centre for Law and Democracy, which has been cited already, has made the same point. Democracy Watch has explained it. Professor Mark Weiler, the web and user experience librarian who testified, wrote to our critic, the hon. member for Skeena—Bulkley Valley, on this file, as follows: “I am greatly concerned that Bill C-58 will actually diminish the capacity of Canadians to access unpublished materials held by the government. The Access to Information Act should enhance the ability of Canadians to access information the government chooses not to publish.... Bill C-58 would actually make the Access to Information Act more difficult to use.”

What are we going to do about this? To go back to the basics, there has to be a strong statement of the right to know, and there is some verbiage to that effect in the new law. The exemptions have to be narrow, and they have to be about injury, not just in a box, a particular category of records, such as policy advice. It has to be shown that disclosure would harm some government interest. The Liberals did not do that; they didn't touch any of them. They only added one.

The third thing is that there has to be real order-making power when the umpire says the government has got it wrong. That did not cause a revolution in British Columbia when we did it, and that order-making power led to something like 90% of cases being mediated without the need to have a formal order-making hearing. Very, very rarely do we go to court; it is statistically insignificant.

There are ample precedents for doing this right. The order-making power that is in the bill is beyond comprehension. It will be expensive and it is totally unnecessary. Why do we have to make it so complicated when the principle is so obvious and when there are so many examples across the land?

I want to end on a positive note. We hope the government was serious when the President of the Treasury Board stood in the House earlier today and talked about the need to modernize this law and said that this is only the first phase and it is only a work in progress. He said he welcomes reports at committee, including amendments.

Trust me, we will have many of those amendments. We can do better. We must do better for Canadians.

●(1235)

**Ms. Joyce Murray (Parliamentary Secretary to the President of the Treasury Board, Lib.):** Mr. Speaker, I want to acknowledge the deep experience my colleague, the member for Victoria, has on these matters, and I thank him for his comments.

I have to say that I was very disappointed with his strong focus on what he perceives as being absent from this important next step in our access to information system here in Canada. There was very little true reflection of the major step forward that this legislation would take for Canada after 34 years of no change. I will give one example of what I think was sometimes inaccurate and many times very exaggerated discourse on the perceived flaws in the legislation, which the member acknowledges the President of the Treasury Board sees as a work in progress that will still receive quite a bit of input.

The member opposite said that it will be five years before the work that we are doing today is reviewed. In fact, it will not be. The first review would happen within one year of this bill's receiving royal assent. It would happen within one year, so this really is a step on a pathway, a very important and complex pathway. I would like the member to respond to that inaccuracy in his comments earlier.

**Mr. Murray Rankin:** Mr. Speaker, as I hope I said both at the beginning and the end of my remarks, I too remain hopeful that the government—finally, a government that has grasped the nettle in trying to modernize this legislation—will, in the spirit of it being a first step and in the spirit of it being a work in progress, take seriously these changes.

As for what is missing in the act, I hope the member understood that it was not me saying that. It was the experts at the Centre for Law and Democracy who said, once again:

...the Bill is far more conspicuous for what it fails to do, putting in place only one or at best one and one-half of the reforms called for by Canadians....

It does nothing to address the broad regime of exceptions (if anything, expanding its scope slightly). And it does not put in place a duty to document.

As for the five-year review, that is true. We hope we can get some action on that. Vince Gogolek, the president of the B.C. Freedom of Information and Privacy Association, said:

This is not the last word on [access] reform, but it might be the last opportunity to weigh in for some time. [Bill] C-58 includes a five-year review, but the first review will take place only a year after the legislation comes into force. Given the glacial pace at which legislation is going through Parliament these days, that could mean the review won't take place until after the next election in 2019.

**Ms. Sheila Malcolmson (Nanaimo—Ladysmith, NDP):** Mr. Speaker, two megaprojects approved by the Liberal government that were of great concern in British Columbia, the Site C dam and the Kinder Morgan pipeline, were both thought by activists and New Democrats to have disproportionate negative impacts on women, and indigenous women in particular. The government, having not taken the all-party committee's advice to legislate gender-based analysis, essentially said, “Trust us, we're doing it at the cabinet level. We have a gender lens.”

At the Standing Committee on Status of Women, when we asked the Minister of Status of Women at that time to tell us what the gender considerations were when the Site C dam and the Kinder Morgan pipeline were approved, she said that was a cabinet confidence and we should know better than even asking that.

I ask my colleague to tell me what this bill would do or fail to do in bringing the transparency that we had expected from the government as it approves significantly worrying and damaging projects in our region.

●(1240)

**Mr. Murray Rankin:** Mr. Speaker, I very much appreciate the question and the passion of the hon. member for Nanaimo—Ladysmith and her work on the status of women committee.

*Government Orders*

When the words “cabinet confidence” are uttered, we hear this giant sound, a sucking sound, of a black hole into which all record requests must go immediately. To say those two words is like a mantra for the Government of Canada. It was Prime Minister Trudeau, with Michael Pitfield at his side, who insisted that if they were going to have this foreign thing called access to information, they had to do one thing quickly: carve out a whole category of cabinet confidences.

The act does not even apply. It is not an exception; it is called an exclusion. If the minister says there cannot be gender-based analysis vis-à-vis Kinder Morgan or Site C, she is right. One can say whatever one wants, but as soon as it is cabinet confidence, it is like an incantation, and that is the end of the day.

That is not what it is in Ontario, that is not what it is in Quebec, and that is not what it is in British Columbia. Why does it have to live in Ottawa?

[Translation]

**Ms. Anne Minh-Thu Quach (Salaberry—Suroît, NDP):** Mr. Speaker, I thank my colleague from Victoria for his very enlightened speech, which helped us understand why Bill C-58 does not really address ethics issues.

This only adds to the cynicism that already exists around politics, when the government says it want to modernize legislation to give Canadians access to information, when in fact, transparency is not enhanced at all, since ministers' offices, including the PMO, are not obliged to report to the commissioner.

Right now, it can take up to 200 days to get crucial information. For instance, according to *The Globe and Mail*, in April 2016, the RCMP took over a year to forward some statistics it had requested for an investigative report called *Unfounded*.

When the police declare one in five sexual assault complaints unfounded, this creates further hardships for the people already going through a very difficult situation following a sexual assault. One in five complaints is dismissed as unfounded, and it took a year to provide that information. I find that completely unacceptable, and this bill does absolutely nothing to address this problem.

What are my colleague's thoughts on that?

[English]

**Mr. Murray Rankin:** Mr. Speaker, the shocking truth of the report *The Globe and Mail* last year about the fact that only one in five sexual assaults were taken seriously by the police has led to changes.

The member talked about the public's cynicism in this area. I find journalists to be the most cynical. It does not have to be this way.

Journalists south of the border phone the government and they get the information. When the same information is sought in Ottawa, I am told it takes years or it is denied, and years is an accurate statement. As the member pointed out, it took one year to put together the file that led to this investigative journalism report. This matters because information is the raw material of which decisions are made. If we cannot assess that information and investigative journalists cannot find out the truth of what happens, then Canada obviously as a country is much worse off.

Access to information matters. We can do better. This legislation is quasi-constitutional in nature. We must do better and make it work at committee. I am looking forward to working with the government in order to do so.

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, would the member at the very least recognize that the legislation would improve our system significantly? It would appear that he does somewhat indirectly. The government has been fairly clear. When we go into the committee process, we look forward to hearing potential amendments from NDP members. They might want to share some of those amendments sooner as opposed to later if they are so confident in them. Let us wait and see what happens at committee.

This legislation would make a significant improvement to transparency and open government. We should all be supporting it.

• (1245)

**Mr. Murray Rankin:** Mr. Speaker, I will have to disagree with my hon. friend from Winnipeg North. We cannot support something that will do so little to deal with the fundamental problems that, after 34 years, governments on both sides of the aisle have created.

The amendments from the NDP that the government can anticipate will be very much like the amendments from the committee that studied this. They will be very much like the amendments from the Information Commissioner. They will be very much like the amendments that were proposed over years. They may even be like the amendments the Prime Minister sought to make to the legislation when he was in opposition, which I would suggest are very different than what we see before us today in the legislation.

**Mr. Andy Fillmore (Parliamentary Secretary to the Minister of Democratic Institutions, Lib.):** Mr. Speaker, I will be splitting my time with the member for Vancouver Quadra.

I am proud to rise in the House to speak to Bill C-58, an act to amend the Access to Information Act and the Privacy Act.

Our government was elected on a promise to reinforce public trust in our democracy, and over the course of our time in office, we have put action behind our words. For example, we are reforming campaign finance laws to make one of the world's most respected democracies even more transparent. We have introduced legislation to make Canada's democracy more accessible to all Canadians. The debate today is about another of the fundamental concepts of any modern democracy.

We know Canadians cannot meaningfully participate in democracy when they are in an information vacuum. Access to government data is vital. Without it, neither the public nor the media are able to hold governments to account. That is why our government promised to firm up one of the key pillars of our democracy: access to information.

*Government Orders*

We told Canadians we would make information open by default, and in formats that would be modern and simple to use. Canadians pay for the information that is assembled in the Government of Canada, so why should they not have access to this data? This greater openness in turn will lead to greater confidence in our democracy, which is why this government has put such a great emphasis on amending the Access to Information Act with Bill C-58.

This is the first major overhaul since our predecessors in this very institution voted in favour of the current act 35 years ago, so it is long overdue.

The act, which was enacted in Parliament in 1982, and took effect the following year, came long before anyone had ever heard of the Internet. Governments in those days had far more administrators and clerks, because there was so much paperwork to file and record. One could not just flip a written message to a colleague by email. If one wanted to send an interesting news article to a counterpart in another department, one could not just forward a link. One's options were limited to things like a fax machine or an inter-office courier.

Today, technology has dramatically changed how governments operate, and we need to align our laws to take into account this new reality. We have a responsibility to make it easier to obtain information and once Canadians get it, that information should be in easy-to-use formats. We can think of the graduate students, like those at Dalhousie University or Saint Mary's University in my riding of Halifax, who are out there doing groundbreaking research but operating on tight timelines. We want them to be able to, when possible, obtain an electronic version of government records so they can more easily navigate and analyze the documents. Think of the time that will be saved if they do not have to go through hundreds of pages to find what they are looking for.

Now Bill C-58 has many components, but for now I would like to focus on how it impacts parliamentary institutions. I am talking about the Library of Parliament, the parliamentary budget officer, the Parliamentary Protective Service, the Office of the Conflict of Interest and Ethics Commissioner, the Office of the Senate Ethics Officer, and the administration of the Senate and of the House of Commons. These institutions are foundational components of our democracy, and Bill C-58 proposes to bring them under the Access to Information Act to make them more accountable. The proposed legislation will require these institutions to publish each quarter their travel and hospitality expenses as well as disclose over the same timeline any contracts with a value above \$10,000.

Another important component of Bill C-58 is the new powers it would give to our Information Commissioner. This is of particular interest to me, both in my role as a Parliamentary Secretary to the Minister of Democratic Institutions as well as the member of Parliament for Halifax.

Not too long ago, I met with representatives from a group based in Halifax called the Centre for Law and Democracy, whose mission is to:

...promote, protect and develop those human rights which serve as the foundation for or underpin democracy, including the rights to freedom of expression, to vote and participate in governance, to access information and to freedom of assembly and association.

Some members may be familiar with the centre's work on the right to information rating, or RTI, which is developed along with Access Info Europe to calculate and rate the overall strength of countries' right to information laws.

The topic of the Information Commissioner was one I discussed with representatives of this group in my office during a meeting in the spring. They believe, as I do, and so too does our government believe, that the Information Commissioner ought to have the ability to order the release of records, or so-called "order making". I am proud to say that Bill C-58 would give the Information Commissioner that power. I would like to congratulate and thank the Centre for Law and Democracy on its strong advocacy on this point, and for its ongoing work in Canada and across the world to strengthen democratic institutions.

It is important to note that the legislation would also give government institutions the ability to decline requests that are excessively broad or requests of information already in the public domain.

●(1250)

The government has limited resources, and this will free up government institutions to respond to other requesters. Of course the applicant subjected to a decision like this would be able to make a complaint to the Information Commissioner.

Bill C-58 would also oblige members of Parliament and senators to publish all travel and hospitality expenses, and all service contract amounts. In both cases, this information would have to be made public on a quarterly basis.

We know senators and members of Parliament already publish travel and hospitality expenses pursuant to their own internal rules, and senators disclose service contract information, while MPs publish the total costs of awarded service contracts.

Importantly, Bill C-58 would enshrine the current practice of also requiring additional details on the service contracts and travel costs of MPs.

This legislation will require a review of the act every five years, starting in 2019. This will give Canadians an opportunity to look for further improvements.

We believe Canada deserves a vibrant democracy that is transparent, open, and accountable, but our efforts do not begin and end with changes to the Access to Information Act.

We have been relentless since taking office to look for other ways to improve our democratic system. For instance, Bill C-33 would amend the Canada Elections Act to increase voter participation and improve the integrity of our electoral system. Bill C-50, meanwhile, if passed, will make important changes to the same act to make political fundraising more open and transparent. We are also taking action against cyber-threats and the danger they pose to our electoral system.

*Government Orders*

We live in one of the most respected democracies in the world, but our government will remain relentless in ensuring that any weaknesses are dealt with. Bill C-58 is a major part of this effort, and I am proud to work with the Minister of Democratic Institutions to advance it. With that, I welcome any questions from my colleagues.

**Mr. Tom Kmiec (Calgary Shepard, CPC):** Mr. Speaker, the Centre for Law and Democracy will give a rating out of 150 points, and the rating says that this so-called improvement, this amendment law, only improves the rating by two points. That is two points for all of this supposed historic milestone that the government has reached in amending the law.

Other points it makes are about vexatious and frivolous claims for access to information, or what the department considers vexatious. The centre says that should be reversed, that it should first go to the Information Commissioner to determine whether it is vexatious. People should not have to go to the Information Commissioner if they disagree with the department.

Could the member tell us why the government did not just ask the Centre for Law and Democracy to write the bill for it?

**Mr. Andy Fillmore:** Mr. Speaker, I want to thank the Centre for Law and Democracy for the concept of the RTI and for its contribution to the bill, through its advocacy, as it stands now.

Our government is raising the bar and enshrining a culture of openness and transparency across government. The legislation will require a proactive disclosure of mandate letters, question period binders, travel and hospitality expenses, and contracts over \$10,000. This will ensure Canadians have more information about the way their leaders work.

This would replace the current patchwork approach for proactive disclosure with one commonly and evenly applied set of rules. These reforms are an important step in an ongoing review and modernization of the Access to Information Act. We look forward to working with all members and the Centre for Law and Democracy to enhance accountability.

**Ms. Sheri Benson (Saskatoon West, NDP):** Mr. Speaker, some of the comments we have heard from the government have been around the fact that it has been so long, that we should be grateful it is doing something.

That type of attitude really bothers me, because I think it creates cynicism in the public. I do not see why we need to take incremental steps, particularly with some of the things the Prime Minister said during the election campaign.

I want to focus on one part of the bill, and that is not extending the coverage of the Access to Information Act to the Prime Minister's Office and the ministers' offices. From what the Prime Minister said during the election, this should be a highlight of the bill.

On what grounds did the government decide that Canadians did not deserve this transparency of these offices?

•(1255)

**Mr. Andy Fillmore:** Mr. Speaker, it is hard to imagine anything that creates more cynicism than being chastised for doing the right thing.

We are very proud to be doing the right thing. It is overdue. We are taking a very good, fundamental step toward increasing openness and transparency through this bill and through many actions across the mandate of the government. We are ensuring that these changes impact a variety of our parliamentary institutions, including the Library of Parliament, the parliamentary budget officer, the Parliamentary Protective Service, the Office of the Conflict of Interest and Ethics Commissioner, the Office of the Senate Ethics Officer, the administration of both the Senate and House of Commons, and the list goes on.

We are fundamentally doing the work of good democracy in Canada to create the most open and transparent democracy we can.

**Mr. Tom Kmiec:** Mr. Speaker, the member must know that past legislation the government put forward, such as Bill C-44, Budget Implementation Act, 2017, No. 1, actually limited access. Section 28 actually limited the access Canadians could have to documentation related to the Canada infrastructure bank.

The member must know that in this legislation, the government is actually getting rid of the section that forces departments to list the types of documentation and records they keep. That is not me saying it. Ken Rubin and the Centre for Law and Democracy say this. How can the Liberals claim that this is somehow a vast improvement, when they are actually drawing back on certain elements and have kept every single exemption in the law?

**Mr. Andy Fillmore:** Mr. Speaker, as I said, this is part of our massive effort across government to increase openness and transparency, not just through this act but through amendments to other acts that are on the Order Paper as well. We are fundamentally increasing the openness and transparency of our government and are increasing the ability of Canadians to have less cynicism and more trust in what we are trying to do here.

I look forward to working with all members of this House and of the other place, as does the Minister of Democratic Institutions, to make sure we can achieve those outcomes together.

**Ms. Joyce Murray (Parliamentary Secretary to the President of the Treasury Board, Lib.):** Mr. Speaker, I welcome the opportunity to speak to Bill C-58, a comprehensive set of amendments to the Access to Information Act that would deliver on our government's key commitment to improve openness and transparency in government. If passed, these amendments would make progress in bringing Canada's access to information legislation in line with the communication advances of the last three decades.



*Government Orders*

[Translation]

The act has not been significantly updated since it came into force 34 years ago, when fax machines were cutting edge and information was stored in huge filing rooms. As we all know, however, the world has evolved considerably since then. Today, it is smart phones and social media, big data and high-speed Internet.

[English]

Canadians seek out information through digital channels, and government can now interact with the public through the web and social media. Moreover, the volume of information the government manages has dramatically increased.

[Translation]

I think we can all agree that the current act needs to be brought up to date.

[English]

We have certainly been hearing that so far in the debate.

[Translation]

This is why the government committed to reforming Canada's access to information program. This modernization began with early action to improve access to information.

• (1300)

[English]

In May 2016, the President of the Treasury Board issued an interim directive that enshrined the principle of open by default. He eliminated all fees, apart from the \$5 filing fee, and directed the release of government information in user-friendly formats wherever possible. Fees for processing large-volume requests could run into the hundreds, and sometimes thousands, of dollars and sometimes deterred people from having access to public information.

Those were good first steps. Today we are maintaining that elimination of fees, and we are bringing forward transformative measures to enhance Canadians' access to government information.

[Translation]

Let me begin with one of many ground-breaking features of our proposed legislation. For the very first time, the Information Commissioner would have order-making power. No access to information regime is complete without powerful and meaningful oversight. We promised Canadians that we would find ways to empower the Office of the Information Commissioner to order government information to be released.

[English]

The bill before us today would do just that. This is something that has come up again and again in the debate as one of the key things that are a necessary change, and we are making that change. This change would strengthen the commissioner's role from that of an ombudsperson to that of an authority with a legislative ability to order government institutions to release records.

The legislation also proposes to entrench in law, for future and current governments, an obligation to proactively publish a broad range of information on a predictable schedule and without the need

for anyone to make an access to information request for that information.

[Translation]

The amendments would create a new part of the act on proactive publication which builds on current best practices, applies consistent requirements across government institutions, and seizes on the opportunities of our digital age.

These amendments would result in the proactive release of key information throughout government.

[English]

This is a process that would take place across literally hundreds of offices and departments of the government. It would allow our citizens a greater understanding of government and would demonstrate effective stewardship of public funds.

Here is another first. Through this legislative system of mandatory proactive disclosure, the act would, for the first time ever, include ministers' offices, the Prime Minister's Office, institutions that support Parliament, administrative institutions that support the courts, and more than 1,100 judges of the superior courts.

[Translation]

This system of mandatory proactive disclosure puts a strong emphasis on increasing the information that is open by default and making information that is of interest to Canadians freely available on the web.

I would like to take this opportunity to highlight a few more features of the reforms we will make to our access to information regime.

[English]

Having just spoken about the proactive publication that is key to our commitment to openness by default, I also want to mention a few other things we are doing in the bill.

We will develop a new plain language guide that will provide requesters with clear explanations of exemptions and exclusions. The rationale for these exclusions will be laid out, a rationale that will be in the public interest.

We would invest in tools to make processing information more efficient. That is an important way to address one of the key weaknesses of our current system, which is how many access to information requests are not responded to in a timely way.

The bill would allow federal institutions that have the same minister to share their request processing services for greater efficiency and timeliness. It would support the new legislation with government training. There are many things we would do.

It is important to note that many of our changes were initiated at the recommendation of the Standing Committee on Access to Information, Privacy and Ethics.

*Government Orders*

• (1305)

[Translation]

It would be subject to the oversight of the Information Commissioner. The bill proposes that if a department decides to decline to act on a request, the requester will have the right to appeal to the Information Commissioner, and the Commissioner could use the new order-making power to resolve the issue.

[English]

This is a new authority that could significantly improve the system, but it needs to be implemented with care.

We look forward to debating the proposed provisions with parliamentarians in a thoughtful way. All these changes were designed to address criticism from Canadians about delays and inconsistencies in the current request-based system and recommendations from stakeholders, such as the Information Commissioner and our colleagues at the ETHI committee.

[Translation]

We can never become complacent when it comes to openness and transparency. That is why the reforms before us today are the first legislative phase in what would be an ongoing review and modernization of the act.

[English]

The legislation would require a review of the act every five years, and as I pointed out earlier in the debate, the first review would start no later than one year after royal assent, so this is really an ongoing improvement process. These five-year reviews would provide an important opportunity for Canadians to have their say on access rights and would help us make sure that the system met their needs.

[Translation]

These reviews will assess what is working and how, and ensure that the act is never allowed to become so outdated again. Today, I am proud to be part of the first government to bring significant change to the Access to Information Act since it was first introduced over 30 years ago.

[English]

I encourage all members to support this work and this bill, and in doing so help us take a great step forward in updating the Access to Information Act.

[Translation]

I also look forward to continuing to work with Parliament, the Information Commissioner, the Privacy Commissioner, and other stakeholders to further strengthen our access to information regime.

[English]

**Mr. Murray Rankin (Victoria, NDP):** Mr. Speaker, the parliamentary secretary said that this bill delivers on a key commitment of transparency for the government. I ask her why the government chose not to change one single rule, one single exemption, or the cabinet exclusion by which it is allowed to hold information back. If it delivers in the way that she suggests, why the scathing criticism from the Canadian Civil Liberties Association, Democracy Watch, the BC Freedom of Information and Privacy

Association, and even the Canadian Association of Research Librarians?

**Ms. Joyce Murray:** Mr. Speaker, I would say to my colleague from Victoria that exclusions and exemptions are there to protect highly sensitive information related to national security, the privacy of Canadians, commercial sensitivity, and cabinet confidence. This is a historic upgrade and improvement to our Access to Information Act, and it must include the ability to exclude certain information from public access. That is just what we are doing.

I want to remind the member that this is a historic first for Canada in that the Information Commissioner will have order-making powers. If there is a concern that an exclusion is not based on one of these requirements, that person can go to the Information Commissioner, who can order the government to do it differently.

[Translation]

**Mr. Pierre Nantel (Longueuil—Saint-Hubert, NDP):** Mr. Speaker, we are familiar with my colleague's deep experience.

Does she realize that many people get the impression that this is like a mother-in-law going down into the basement to see if it is tidied up, but two or three things were strategically placed so that she would not have to look too far? I get the impression that this is more or less what the government is doing right now. It promises to provide access to all sorts of things, to several examples to prove that everything is just fine, then closes the door that provides access to other secrets and locks and seals it up. It is more complicated than ever to get information.

• (1310)

**Ms. Joyce Murray:** Mr. Speaker, I thank my colleague for the question.

I would say that these changes to the Access to Information Act are truly important and powerful for Canadians. They follow the great principles of openness and transparency and put mechanisms in place for disclosing information.

[English]

**Mr. Murray Rankin:** Mr. Speaker, in her response to one of the questions, the hon. parliamentary secretary referred to order-making powers. She said that the exclusions did not need to be fixed, because they will now be the subject of order-making powers by the commissioner. If a category in the legislation is very wide, which in other jurisdictions covering the same issues, such as policy advice, is more narrow, then giving an order-making power to someone to say that it is indeed in that category does not really achieve the goal of greater transparency.

I would invite the House to look at proposed section 36.1 as presented in clause 16 of the new bill to see if anyone can make sense of the order-making power of which she speaks. It is a long way from a situation in which the commissioner makes an order, and that is it, unless there is judicial review.

Therefore, on those two counts, I hardly think we can be pleased with what we have before us.

*Government Orders*

**Ms. Joyce Murray:** Mr. Speaker, let me be clear for the member for Victoria. What I said was that there are very good reasons for certain exclusions and exemptions. We respect those reasons. The member himself pointed out that it is an important pillar of a proper access to information approach. The focus of this bill is to implement our mandate letter of commitment, and that is exactly what we are doing.

We have also been clear that this is the beginning of an ongoing process. We look forward to continuing to strengthen the system at the first occasion, which is the mandatory review that would be started within a year of this bill receiving royal assent.

I want to also point out that exclusions such as cabinet confidences have been recognized by the Supreme Court of Canada as a part of our democratic principles.

**Mr. Pat Kelly (Calgary Rocky Ridge, CPC):** Mr. Speaker, Canadians deserve a government that is accountable and open by default. For that to be possible, Canadians must have access to information about government decisions and practices to hold their government to account. While the Liberal government pays lip service to those ideals of openness and accountability, it has consistently fallen short of implementing them. We have seen this in a variety of areas, particularly with the statement by the Prime Minister on open and accountable government.

The stated aim of Bill C-58 is to update the Access to Information Act with necessary reforms. However, as with many Liberal promises, it fails to achieve them. We have heard them invoking flowery language and buzz words and making grand-sounding claims as a substitute for action in many instances in this Parliament. This bill is no different in many respects, and I will get to some of them.

An open and accountable government requires citizens to have access to information about decisions made by Parliament and government entities. Since the first Access to Information Act was introduced in 1983, the act has provided Canadians with the means to request information about themselves, or decisions affecting them. However, because of significant changes in information technology and in government operations and the passage of time, the act has not been meaningfully updated since it was first introduced, and many critics across all party lines have identified the need for reform.

The Conservatives introduced the idea of openness by default in the previous parliament. In 1983, it was originally a Liberal government that introduced the act. However, successive Conservative and Liberal governments have neglected to update it as required. Although I guess the current Liberal government is to be commended for undertaking the task in the first place, we see many shortcomings in the resulting bill. Bill C-58 does not adequately address many of the flaws in Canada's current access to information regime that we heard about in detail at committee.

When I was a member of the Standing Committee on Access to Information, Privacy and Ethics, we conducted a detailed study of the act and the issues surrounding it. We heard from numerous witnesses, from accountability watchdogs to ATIP officers in government departments to Canada's Information Commissioner, and others. We reviewed the commissioner's comprehensive report on the state of access to information in Canada and adopted many of

her key recommendations in our own report. All three parties on the committee co-operated to draft a thoughtful report, with sensible recommendations for access to information reform. However, the government's response to our report is both late and underwhelming. The Liberals promised that phase one of the ministerial level review of Canada's access to information regime would be completed in time to produce legislation in early 2017. Here we are in late September and just beginning today to debate the bill, which many critics consider to be a half measure.

One of the primary flaws that witnesses at committee pointed out is the culture of secrecy throughout government. Such a culture runs contrary to both Liberal promises and Conservative initiatives. This has run across party lines over time. For example, the Conservatives hold that Canada's government should be open by default. In the last parliament, the Conservative government released a study titled "Canada's Action Plan on Open Government", in which the Conservatives recognized the following:

The key challenge for governments is how to shift to an environment where data and information are released openly to the public by default while respecting privacy, security, and confidentiality restrictions.

Such an environment represents a fundamental change in government culture that requires government-wide direction to drive the release of federal information and advance overall objectives for transparency, accountability, and citizen engagement.

Such an environment of disclosure would be a stark departure from what witnesses at the Standing Committee on Access to Information, Privacy and Ethics described as a culture of secrecy among government entities.

According to witnesses like Sean Holman, vice-president of the Canadian Association of Journalists, the general attitude of the public service is one of withholding instead of disclosing information, and one of caution instead of candour. This attitude flows from the act and from cabinet. Mr. Holman put it clearly when he said:

We have a cultural problem when it comes to secrecy....Fixing the Access to Information Act is only one part of addressing those problems....the problem with the Access to Information Act when it was introduced was that it was grafted onto a secretive political system. We did not deal with the actual problem; we instead introduced legislation that conformed to the system as it currently existed.

● (1315)

He was referring to the adoption of the original act in 1983, which has remained virtually unchanged since then.

*Government Orders*

This is not to criticize Canada's public servants, since they respond to direction from the top. Those that enter the public service walk into a culture that already exists. Bringing about a culture of openness by default requires buy-in from ministers, the Prime Minister, deputy ministers, and senior managers among all departments. Culture cannot be changed overnight and simply by adopting a new law in Parliament.

Openness and accountability require timely responses. Witnesses at committee complained bitterly about the delays in the service standards for responding to ATIPS. They mentioned that extension after extension can take response times of up to over a year in some cases. This diminishes the news value of information for journalists. It puts people's lives on hold in some circumstances when they need vital information, and brings to mind the adage that justice delayed is justice denied.

Bill C-58 includes some of the committee's recommendations, the most significant of which is granting the commissioner the power to issue binding orders for the disclosure of particular information. Although it should increase the public's access to information, such order-making power is not a panacea for solving a culture of secrecy. Also, it was not uniformly endorsed in witness testimony, although it was the final recommendation of the committee.

The committee heard from witnesses like Professor Michel Drapeau, a retired colonel and access to information and privacy lawyer. He argued that switching to an order-making model is unnecessary because the issue and the problem that existed was the culture in government and the lack of openness in which departmental ATIP officers responded or operated in.

If within a department the ATIP officers and other members of the public service have a mindset and a culture to openly disclose information and to think first of ensuring that it is released on a timely basis, we might not be arguing about whether or not order-making power is necessary to compel disclosure. Delay is the biggest failure perhaps, which will not be solved by merely establishing order-making power for the commissioner.

We are glad to see that Bill C-58 requires the minister to undertake a review at least within one year of royal assent and every five years thereafter. Hopefully, that will prevent us from going another 34 years without a review of the act. It is important, because we know that the pace of change in information technology and the evolution of that technology is very fast, and as long as political will continues to exist to review the act in the future, it is good to have the built-in provision for review.

The provisions in Bill C-58 requiring proactive publication of materials related to Parliament, ministers' offices, superior courts, and other government institutions are a welcome addition to the access to information regime and should contribute to the culture of openness by default, but there is certainly a long way to go to establish that change of culture.

Proactive disclosure of sought after information should increase democratic accountability and pre-empt many requests, but proactive disclosure by various parliamentary and governmental entities is not the same as extending the scope of the Access to Information Act to cover them. It is not what the committee recommended nor what the

commissioner recommended and not what the Liberals promised in their 2015 election platform, and it is not what the Prime Minister ordered in the mandate letter of the President of the Treasury Board.

The minister's mandate letter instructs him to lead a review of the act and implement certain reforms, such as ensuring that "the Act applies appropriately to the Prime Minister's and Ministers' Offices, as well as administrative institutions that support Parliament and the courts."

Ensuring that the act applies to the prime minister's and ministers' offices requires more than proactive disclosure of a limited list of useful information, but this is not the only recommendation that the bill either ignores or only partially addresses.

● (1320)

Our report suggested several matters that the government should consider or consult on during the second phase of its review. I welcome an update from the government on the state of those considerations and consultations.

Open and accountable government requires an access to information regime that ensures timely responses to ATIP requests. This applies to all elements of the Government of Canada, with a few important exceptions, namely, to protect parliamentary privilege, cabinet confidence, and national security. This prevents government entities from wiggling out of disclosure obligations. That is why the committee recommended that the minister consult the organizations that support Parliament, such as the Clerks of the Senate and the House of Commons, and the parliamentary librarian to determine how to effectively protect parliamentary privilege and create an independent review process for such provisions.

To improve timely response to ATIP requests, we recommended limiting extensions to only those cases where strictly necessary, and even then, only for a maximum of 30 days. We also recommended repealing exclusions in the act and replacing them with exemptions as needed. As Ken Rubin mentioned, when responding to a question at committee, we cannot expect to change a culture of secrecy just by giving order-making power to the commissioner, and especially not if all the carve-outs remain in place through the retention of an extensive list of exemptions.

Eliminating exclusions, which are stated areas that the act does not cover, and replacing them with exemptions, which would allow government entities to refuse requests on specific grounds, would provide greater oversight of Canada's access to information regime. It would also shift the culture of the public service more toward openness by default.

To protect the vital governance work of Parliament, the committee recommended adding a mandatory exemption for cabinet confidences when disclosure would reveal the substance of cabinet deliberations, except when such discussions cover a period of factual or background information when there is consent for disclosure of the information, and so forth.

For ease of understanding, to reduce the volume of requests received and to contribute to a culture of openness by default, the committee recommended that institutions respond to ATIP requests by providing information in open, reusable, and accessible file formats, such as pdf, Word, Excel, and similar formats, instead of obscure and highly specialized ones.

Although useful in their own right, the measures the committee recommended would not create a comprehensive access to information regime with great swaths of government entities that are not subject to the act.

Aaron Wudrick of the Canadian Taxpayers Federation pointed out at committee that “as a general principle the federal Access to Information Act should cover all of the federal government, including both government-controlled and government-funded areas.” The principle here is quite simple: where taxpayers' money is being spent, the public deserves accountability and transparency.

To address such an extension of the act, the Information Commissioner stated that “The use of criteria as a way to determine which entities should be subject to the Act is a rational approach to coverage, as it promotes predictability with respect to which entities are subject to the Act.” Moreover, it guarantees that institutions performing similar functions are also subject to it. Her criteria included whether an entity is covered because it is publicly controlled in whole or in part by the government; whether it performs public functions under federal jurisdiction because it has power to regulate and set standards under federal jurisdiction because it is charged with executing federal policy; whether it is established by federal statute; or whether it is one of the many covered by the Financial Administration Act.

The government has undertaken a review of Canada's access to information regime and has made a first attempt at updating the act. We are disappointed that the President of the Treasury Board has ignored many of the committee's recommendations. What could have been a good start on a worthy project has become something of a disappointment to the members, witnesses, and the Information Commissioner herself, who contributed to a detailed study on the topic. The President of the Treasury Board seems to expect extraordinary credit for these meagre steps that do not seem likely to fix all of the problems in an access to information system that is widely described by critics as broken.

• (1325)

This morning, the minister made it out as if Bill C-58 would instantly transform Canada into a world leader in access to information. That is simply not the case. Many of the problems will remain in place. Comparatively, we have a country like Serbia, which was not even a sovereign nation but part of a federation under a Communist dictatorship in 1983 when our act was brought in. It is ranked ahead of Canada by international observers. This is not a credit to the current system. As well, we can compare to countries

### *Private Members' Business*

such as Sweden, which as had access to information law for 250 years. Witnesses could not believe that in Canada it would take months and months to get information that would routinely be released in 24 hours in countries like that.

The government is trying to take far too much credit for this reform. I urge the minister to reconsider Bill C-58 and correct its many deficiencies. I encourage the new members of the Standing Committee on Access to Information, Privacy and Ethics to take advantage of review stage and amend it. Canada indeed deserves an open and accountable government, with a sensible and comprehensive access to information regime. We deserve better than Bill C-58.

I will not support this bill. To do so would be to reward the government for breaking its election promises and taking credit for window dressing, which it has described as a grand and comprehensive solution.

**The Speaker:** The hon. member for Calgary Rocky Ridge will have three minutes remaining when this bill is next before the House, as it is now time for private members' business.

It being 1:30 p.m., the House will now proceed to the consideration of private members' business as listed on today's Order Paper.

---

## PRIVATE MEMBERS' BUSINESS

• (1330)

[*Translation*]

### DEPARTMENT OF HEALTH ACT

**Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.)** moved that Bill C-326, an act to amend the Department of Health Act (drinking water guidelines), be read a second time and referred to a committee.

He said: Mr. Speaker, I want to thank my colleague, the member for Charlottetown, for seconding this bill.

Water is a solvent. That means it picks up lots of substances and contaminants, some of which can be hazardous to public health, while others may be benign.

[*English*]

Water is a universal solvent. There is much that dissolves in water. Therefore, it is important to understand what and how much is in the water we drink that is capable of causing us harm. No doubt the popular assumption is that every glass of treated water is the same, that it is has the same composition and quality. In fact, the contents vary depending on the specific source water, and water sources vary geographically.

*Private Members' Business*

A 2006 report by the David Suzuki Foundation found that 53, that is 75%, of the guidelines for Canadian drinking water quality for chemical contaminants have weaker acceptable limits than at least one of the countries included in the comparison or than the World Health Organization's limits. In other words, Canada's maximum acceptable concentrations were lower than at least one country in the comparative survey. The most substantial differences were observed in comparing Canadian guidelines for pesticides to those in Australia and the European Union. The aim of Bill C-326 is to strengthen the quality of Canada's drinking water over the long term by requiring that Health Canada, in developing its recommendations for Canada's drinking water guidelines, takes account of any higher standards in any OECD country.

The rise of emerging contaminants, some potentially cancer causing, others possible endocrine disruptors, requires that the government consider best practices in comparable countries when developing Canada's drinking water guidelines. Also, it is imperative that the public be aware of whether and why the government may have rejected a superior standard from another OECD country.

Bill C-326 aims to instill more rigour, accountability, and transparency in the development of drinking water guidelines in Canada by requiring Health Canada to conduct periodic reviews of drinking water standards in other advanced countries. The bill would require that the government, after comparing specific Canadian standards with another country's higher standard for a particular contaminant, publicly justify why Canada is not adopting that other country's superior standard, or conversely why we need to.

Bill C-326 is inspired by the work of the environmental NGO Ecojustice, which produces report cards on the state of Canada's drinking water. It has called for Canada's maximum allowable limits, or MACs, for specific contaminants in drinking water to be as high as the highest in any OECD country.

[Translation]

The intent of this bill is not to make Canadians worry about the quality of their drinking water. Of course, we all know that there are problems with the water supply in first nations communities, and I am very proud that the government has decided to commit the resources to end all drinking water advisories for first nations by 2021.

Municipal tap water is safe. Major multinationals like Coke and Pepsi, which sell bottled water under the Dasani and Aquafina brands respectively, actually get their water from publicly owned municipal systems, not from glacial lakes or pure groundwater. They draw water from the municipal systems of Mississauga, Brampton, Calgary, and Vancouver.

[English]

However, it will come as a surprise to many watching this debate that there is no national drinking water legislation in this country that guarantees all citizens a legal right to clean drinking water. What is more, drinking water standards are not consistent across the country. They vary by province and territory.

Our unique federal system makes addressing a matter of national concern as vital as ensuring consistent and high drinking water standards for all Canadians a challenge, which calls on us to smartly

and creatively address the issue within the existing constitutional framework. In Canada, water is constitutionally a provincial resource. Authority and responsibility for water, including drinking water, falls to the provinces. The federal government's jurisdiction is limited to drinking water in first nations, on ships, planes, and trains, national parks, and in National Defence facilities.

• (1335)

While Health Canada does not enjoy authority to impose legally binding drinking water standards across the country, it does have a role to play in developing provincial and territorial standards, namely through research, analysis, and evidence-based recommendations. This is why Bill C-326 invokes the Department of Health Act.

Briefly, Health Canada and the federal-provincial-territorial committee on drinking water develop and publish the guidelines for Canadian drinking water quality. Provincial and territorial governments then voluntarily adopt these guidelines, which they manage and enforce at their own discretion.

A specific guideline may include a number of different elements, including a maximum allowable concentration, which is a numerical value that describes a safe level of exposure to a particular contaminant over a lifetime of water consumption. In other words, this is the threshold above which human exposure to a contaminant in drinking water is deemed unacceptable in terms of known or suspected adverse health effects.

In establishing MACs, Health Canada relies almost exclusively on the review of published literature that includes toxicological information on a contaminant, and information on the treatment options that exist with respect to that contaminant. For this purpose, the department gathers information from academic articles, conference proceedings, and materials produced by other other jurisdictions. Consequently, guidelines may not necessarily be developed based on the most relevant or latest scientific evidence. In cases where there is no usable evidence available, there may be no guidelines at all.

Drinking water committee members, namely the provinces and territories, provide input to the discussion on guidelines. They will, for example, raise the technical and economic feasibility around achieving a specific guideline value or raise the real risk that the contaminant poses. In some cases, it may not pose a significant risk, and therefore a guideline may not be in order.

*Private Members' Business*

In reality, what we have in Canada is a patchwork of laws and regulations in an area that intuitively, to most Canadians, should involve a standardized national approach. Thus, only eight of Canada's 13 provinces and territories have established legally enforceable drinking water standards. What is more, only 16 of 94 guidelines are applied uniformly across the country. Also, discrepancies exist along rural and urban lines where larger communities test for a wider range of contaminants than do smaller communities.

[*Translation*]

What we have here in Canada is a federal system tailored to our geographic, cultural, economic, and regional realities. This system, which is uniquely ours and is tailored to our needs, is something we need to learn to live with. Bill C-326 aims to work within our current constitutional framework.

[*English*]

The current constitutional framework is the context in which I have introduced Bill C-326, a bill that works to move us closer to more or less consistent high-quality drinking water standards for Canadians, wherever they may live. The nature of Canada's drinking water regime can also be understood by comparing it with the drinking water regimes in other countries, notably the United States and European Union countries.

In the U.S., drinking water is regulated on a federal level through the Safe Drinking Water Act. Legally enforceable national regulatory limits exist for many contaminants. Some call this the “cookbook numbers approach”, because the system is focused on implementing specific numerical thresholds for an array of contaminants. In addition to legally binding limits, the EPA has non-enforceable guidelines for contaminants with aesthetic and/or cosmetic impacts.

Importantly, the EPA is required every five years to publish a contaminant candidates list for contaminants that may require future regulation. Every five years, the EPA must select five contaminants from the list and make decisions on regulations pertaining to them. The agency is also required to monitor at least 30 unregulated contaminants every five years. Publishing this list is a major strength of the U.S. system, from the standpoint of ensuring transparency, accountability, and progress in improving drinking water.

● (1340)

The EPA bases drinking water regulations on the results of scientific studies. This may have something to do with the more litigious nature of the American legal system, which provides an incentive to use science to better defend against possible future court action. While the EPA only regulates contaminants for which it has sufficient data, it continues to collect information and conduct research to fill data and information gaps where it lacks sufficient information to make a regulatory determination.

The European system uses the precautionary principle to establish drinking water guidelines. The general premise of the precautionary principle is that substances with unknown health effects should be kept to the lowest possible exposure, especially in cases where health and environmental impact data are lacking.

Canada's drinking water standards are not firmly rooted in the precautionary principle. It has been said that Canada uses the

precautionary principle selectively. In general, drinking water regulations and management activities in Canada prioritize contaminants that pose the greatest risk to public health; that is, microbial contaminants such as *E. coli*, whose effects are immediate and can be deadly. In Canada, the monitoring of known and emerging contaminants in drinking water pales in comparison to the U.S., the EU, and Australia, even though Canada and Australia take similar approaches to drinking water at the national level in that they both establish mere guidelines, as opposed to legally binding standards.

In particular, Canada lacks drinking water guidelines for suspected endocrine-disrupting compounds found in plastics, pharmaceuticals, and personal care products, such as cosmetics and toothpaste. One reason Canada lacks guidelines for many pharmaceuticals and personal care products suspected of being endocrine disrupters is related to Health Canada's needing scientific information on health effects and the capabilities of treatment technologies before it will initiate a process to establish a MAC. Hopefully, by encouraging more study and analysis of discrepancies in contaminant standards between Canada and other advanced countries, Bill C-326 would encourage Health Canada to commission more primary studies on emerging contaminants with, say, the Natural Sciences and Engineering Research Council or Canadian universities. Even where MACs exist in Canada's drinking water guidelines, these appear to be less stringent than those of peer countries.

Simple measures are sometimes the most effective in creating change in complex areas of public policy. Sometimes it is not the most elaborate, detailed, and legal solution that bears fruit. I do not mean to elicit a partisan reaction, but I think this is an interesting example. The government decided to change the way senators are appointed as a way of bringing broad change to the nature of the Senate. This was a very simple measure. It was very simple and very different from the many elaborate models that had been proposed over the years that were seemingly not workable.

Bill C-326 takes a similar approach. By requiring that Health Canada better monitor and publicly report on comparisons between Canada's drinking water guidelines and those in countries similar to Canada, the bill aims to spur progress in achieving, in the words of Dr. David Boyd, in the Suzuki Foundation report entitled *The Water We Drink*, “national standards for drinking water quality that are equal to or better than the highest standards provided in any other industrialized nation.”

*Private Members' Business*

Hopefully, Bill C-326 would, at the same time, contribute to the goal of ensuring that first nations, like all Canadians, can access drinking water that meets the highest international standards. The Safe Drinking Water for First Nations Act, adopted by the previous government, essentially defers to provincial regulations for drinking water for first nations. Provincial regulations are influenced by the guidelines for drinking water quality. It is intended, therefore, that through its influence on these national guidelines, Bill C-326 would, among other things, impact positively on the quality of first nations' drinking water in the long run.

• (1345)

[*Translation*]

**Mr. Romeo Saganash (Abitibi—Baie-James—Nunavik—Eeyou, NDP):** Mr. Speaker, I thank the member for Lac-Saint-Louis for his speech on an issue that I believe is one of the most important issues facing every country on this planet, including Canada. Drinking water is a basic right, which is why all countries, including ours, must have strict standards.

Canada is one of the world's richest countries, yet here it is 2017, and there are still indigenous communities that do not have access to safe drinking water or that have problems with their water supply systems and are regularly under boil water advisories, as I mentioned yesterday in question period. There are currently 172 communities under such advisories.

At the time the government began issuing advisories, there were 159 communities with drinking water problems.

One of the key promises the Liberal Party made during the 2015 campaign was to eliminate those advisories within five years, but according to the David Suzuki Foundation study mentioned by the member for Lac-Saint-Louis, the government is nowhere near resolving these issues in indigenous communities as promised.

**Mr. Francis Scarpaleggia:** Mr. Speaker, I thank my colleague for his question. I took careful note of the question he asked yesterday during question period. I have been studying this issue for some time now.

The government promised to put an end to boil water advisories on first nation reserves by 2021. If I am not mistaken, the government allocated \$1.8 billion in budget 2016 to address this issue.

As my dear colleague knows, we have often put a lot of money into building very complex and advanced water purification systems without putting money aside to ensure that they are properly maintained. I believe that the new funding that the government has put on the table will help to maintain existing drinking water plants and build new ones.

According to the department's website, 18 long-term boil water advisories were lifted between November 2015 and January 2017.

[*English*]

**Ms. Anju Dhillon (Dorval—Lachine—LaSalle, Lib.):** Mr. Speaker, could the member propose some concrete solutions to strengthen the quality of our water in Canada? What would he like to see in the federal guidelines regarding our drinking water?

**Mr. Francis Scarpaleggia:** Mr. Speaker, I would like to see more comparative analysis with guidelines from other advanced countries that are stronger than ours. That is the starting point. Perhaps we do not need to have the same guideline all cases in our country. Even the World Health Organization will say that guidelines are country-specific, and they have to be tailored to specific situations, geographical and otherwise.

However, the starting point is to do an analysis so we know why we are not emulating a certain guideline. Maybe there is good reason, maybe there is not, but if the Minister of Health is required to produce an analysis, then we as parliamentarians, environmental NGOs, like Ecojustice, the media, and Canadians generally will be able to come to our own conclusions. That kind of accountability is essential in something as important as providing the best possible drinking water for all Canadians.

**Mr. Bob Saroya (Markham—Unionville, CPC):** Mr. Speaker, I rise today to discuss Bill C-326, an act to amend the Department of Health Act, drinking water guidelines, a private member's bill sponsored by the member of Parliament for Lac-Saint-Louis.

I would like to touch upon a few reasons why I stand in favour the legislation.

We all know that suitable drinking water is necessary for human life. Without water, there is no life. The average adult human body is made up of 65% water. We can all agree that all Canadians deserve better than the bare minimum, especially when it comes to their health.

When we think of Canada, we think of a country that is clean, healthy, and thriving. That is why it is essential our drinking water be of the highest quality.

My riding of Markham—Unionville depends on Lake Ontario for all our drinking water. We are blessed to have one of the Great Lakes at our disposal. In Markham, we have the great fortune of being able to enjoy clean drinking water straight from the tap.

Unfortunately, not everyone has this great fortune. We know all too well the tragedies that come from contaminated water. Far too many examples come to mind when I think of the dangers of a contaminated water supply.

As of July 31, in 101 first nations communities south of the 60th parallel there were 48 short-term drinking water advisories, meaning there was a temporary water quality issue on a specific water system; and 102 long-term drinking water advisories, meaning the advisory had been in place for more than a year.

Among Canada's first nations communities, Ontario has seen the highest number of drinking water advisories. This problem hits close to home for many of us. Reasons for inadequate drinking water include E. coli, inadequate disinfection, and source water contamination, among many others. This is simply unacceptable in Canada.



Many parts of Canada rely solely on ground water for their day-to-day needs. The legislation would ensure that those people have better drinking water. Access to safe, clean, and reliable drinking water is an important priority for Canadians, which is why the previous Conservative government passed the Safe Drinking Water for First Nations Act in 2013.

No matter where we live, every Canadian should have access to safe, clean, drinking water. I am a very proud Conservative member of Parliament, and I stand in agreement with my colleagues on this legislation.

Bill C-326 will include that the Government of Canada recognize that national guidelines respecting drinking water would be required to ensure such quality.

The bill would amend the Department of Health Act to require the minister of health to conduct a review of drinking water standards in 35 of the member countries of the Organisation for Economic Co-operation and Development and, if appropriate, to make recommendations for amendments to the national guidelines respecting drinking water.

The creation of a federal-provincial-territorial responsibility will ensure a higher standard of drinking water for Canadians from coast to coast to coast. The federal-provincial-territorial committee on drinking water is designed to protect the quality of drinking water in Canada. This will be done by developing and maintaining national guidelines.

The bottom line is that Canadians need to have access to safe drinking water. We can all acknowledge the need for the national guidelines to be in keeping with the highest international standards respecting drinking water, keeping in mind that the best interest of Canadians is essential to every parliamentarian.

• (1350)

Accountability is essential to this process. The legislation would require the minister of health to ensure that a review conducted on drinking water standards would be the best deal for our constituents and Canadians overall. Further, the bill would create a stronger partnership between OECD countries and share the best practices which would ultimately allow Canada to have a higher standard of drinking water.

Bill C-326 would require the minister to compare Canada's water quality standards with other OECD countries. This practice currently does not take place. Moreover, Bill C-326 seeks to have the Government of Canada recognize that national guidelines respecting drinking water are required to ensure the highest quality. As well, it seeks to ensure that the main responsibility of the federal-provincial-territorial committee on drinking water is to protect the quality of drinking water and to develop and maintain national guidelines.

Ultimately, the bill would lead to the creation of better guidelines and the goal of safer water for all Canadians. However, there are a few observations I would like to address.

The first is that some OECD countries do not currently base their guidelines on science, and many contaminants found in other countries are not found in Canada or are already banned. This has potential to become problematic.

### *Private Members' Business*

The second observation I want to draw attention to is that Canada also shares information with other government agencies, such as the United States Environmental Protection Agency, in the area of drinking water quality. We already share best practices with our southern neighbours, but we can do better.

Third, I would like to highlight that Canada is a World Health Organization collaborating centre on water quality and participates in the development of World Health Organization guidelines for drinking water. As a nation, we hold ourselves to a high standard when it comes to water health and safety. The legislation would make water quality in Canada better.

Finally, I would like to add that implementing water quality guidelines falls under provincial and territorial authority. This could hinder the process and create an issue of authority.

Our country has an abundance of fresh water, yet water in many indigenous communities is not safe to drink. Small towns and villages across the country face the issue of accessible water. The water on many first nations reserves is contaminated or hard to access. Oftentimes the treatment systems and infrastructure in place are not acceptable. Supporting the legislation is taking the right steps to address this crisis.

I will always be in favour of sharing best practices and having working partnerships with other nations around the world, especially if the issues in these discussions pertain to my health, that of my family, my constituents, and Canadians as a whole.

The previous Conservative government worked with provinces and territories to establish guidelines to ensure high-quality drinking water in Canada. However, this new legislation would ensure reviews would be done that would keep our drinking water standards among the highest in the world. Canadians deserve that. We need to keep Canadians safe and healthy.

I am confident in speaking in favour of this legislation. Canadians rely on their drinking water, and it must be safe and clean.

My colleagues and I are supporters of the legislation. I understand the bill is widely supported by members of aboriginal communities as well human rights advocates.

Canada is the best country in the world in which to live. We deserve the highest standards when it comes to our most basic necessity, water.

• (1355)

[*Translation*]

**Mr. Romeo Saganash (Abitibi—Baie-James—Nunavik—Eeyou, NDP):**

[*Member spoke in aboriginal language*]

[*Translation*]

Mr. Speaker, I thank you for this opportunity to speak about an issue that is very important to me, and that is water. Bill C-326 seeks to amend the Department of Health Act so that we may set out guidelines respecting drinking water.

*Private Members' Business*

This bill seeks to require the department to ensure that existing drinking water standards in member countries of the Organisation for Economic Co-operation and Development are upheld and to make any necessary recommendations for Canada in that regard. I wonder why only OECD countries are mentioned. I think that there is also reason to consider including members of the intergovernmental economic organization, namely the World Health Organization. I think we might be able to add them in the future.

When we talk about the major challenges of our time on this planet, when it comes to climate change, protecting the environment, or developing our natural resources around the world, we often forget one aspect that is essential to human survival on earth: water.

I do not know if my colleagues have had the chance to fly over the northern regions of our country. I do almost every week since I have the privilege of representing one of the largest ridings in the country, which covers 54% of Quebec. I like saying that half of Quebec listens to me when I speak. This resource we call water, I see it every time I fly over my riding.

It is important to remember every day that access to drinking water for humans, for Canadians, is a fundamental right. In fact, enforcing this right is part of the mandate of the institution we are all a part of because, which is a public policy mandate. It is important to remember that. We have such an abundance of fresh water in Canada that we must find ways to protect this resource.

During the last election, the Prime Minister of Canada promised to end drinking water advisories in indigenous communities within five years. However, anyone who has ever been in an indigenous community knows that water treatment facilities there are in terrible condition. The promise to fix everything within five years did not take into account the complexity of such an endeavour. There is no easy solution to this problem, a stark reality faced by indigenous communities in a country like Canada. Canada is one of the richest countries on the planet, but its first peoples' living conditions, in many cases, are akin to fourth world conditions.

Members do not need to take my word for it; the hon. member for Lac-Saint-Louis quoted a report from the David Suzuki Foundation that confirms exactly what I am saying, which is that the government is not on track to keep its promise to solve this issue within five years.

• (1400)

That is why I said that this was not a reasonable time frame. As someone across the way pointed out, the promised investments need to be paid out. After the 2015 election, there were 159 boil water advisories and today there are 172. Despite investments, why is the situation worse now than in 2015, when this government first came to power? I have an answer to that, which I will come back to later.

One thing that people need to understand about indigenous communities is that there is no legislative or regulatory framework that guarantees access to clean drinking water in those communities. As strange as that sounds, it is true. Of course, the previous government passed the Safe Drinking Water for First Nations Act, but there is no obligation to implement the provisions of that act, given the complexity of the situation, including training people to maintain the facilities that exist in those communities. These things

are so complicated that it would have been a long shot to think that the Liberals could keep their election promise from 2015 within the time frame they had set, unfortunately.

We need to set a number of long-term objectives. We need to have standards similar to those that exist in other countries, for example, standards governing the maximum allowed concentration of microbiological, physical, chemical, and radiological contaminants. Canadians have a right to that as a country. We need to take urgent action to put an end to the boil water advisories in first nations communities. That must be done in co-operation and partnership with indigenous people, not imposed on them as the previous law sought to do. As I have been saying all along, access to clean drinking water is a fundamental right. We could draw from the standards that exist elsewhere, for example, in the European Union, the United States, and Australia.

Earlier, it was said that budget 2016 allocated \$1.8 billion for infrastructure. As the member for Lac-Saint-Louis said, money has been allocated. I will admit that this is true.

However, the fact that this is still a problem should indicate that those investments were not enough. There is not enough money. In fact, that additional funding represents less than half of what Neegan Burnside estimates is necessary to put an end to the boil water advisories.

I think I can quote Clayton Leonard here, the lawyer that represented Alberta first nations in this matter:

How many times do you get to reannounce the same amount of money? If you spent \$2 billion, and then you find that 73% of first nations still face serious drinking water issues, it's a pretty clear indication it's not enough.

This is not only about boil water advisories, although that is what we hear about most often. A number of communities are under do not consume orders, including Potlotek, Kitigan Zibi in Quebec, Bearskin in Ontario, and Wahta and Peter Ballantyne Cree Nation in Saskatchewan.

• (1405)

We need to address this problem for all Canadians, but we must never forget this country's first nations.

• (1410)

[English]

**Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):**

Mr. Speaker, first I want to compliment my colleague. Over the years, I have been able to get to know our caucus chair, and one of his passions I have witnessed is that he truly cares, in a very real and tangible way, about Canada's environment and anything related to water. I have had the opportunity in the past, as have a number of my colleagues in the province of Manitoba, to talk about Lake Winnipeg and how important it is not only to the residents of Winnipeg or Manitoba, but indeed to all of Canada. That water basin crosses international borders.

The member has a very strong passion on this particular file, and I have had the opportunity to ask him, in a nutshell, what he is hoping to achieve with this piece of legislation.

*Private Members' Business*

I respect the fact that Canada, most people would think, sets a fairly high bar in terms of water quality, but sticking to what the Prime Minister often says, we can always do better. When I reflect on what the member has brought forward for us to debate this afternoon, he is accepting the Prime Minister's challenge. We can do better.

We think of Canada as a wonderful, vast nation with literally thousands of lakes, rivers, and creeks. We are a water nation in a very real sense. Many would think that we have the best water in the world, and in certain areas of our country I suspect that we do. However, the member brings up a valid concern. Other jurisdictions in the world tend to have different criteria, higher criteria, for ensuring that the quality of their drinking water is of a high standard. It raises the question of whether Canada has some standards or criteria that are lower than those of some other countries, whose standards may be a little better than ours.

I respect the fact that we should not be taking our guidelines for granted and that we should be looking at what is happening here in Canada. We need to recognize that we live in a federal society where we have different levels of government, all of which play an important role. The national government has a leading responsibility in many areas, but it would be irresponsible of us to think that this is solely the national government's responsibility. Provincial jurisdictions also have a very important role, and even our municipalities.

Winnipeg just got a new water system, which was finalized around 2009-2010, and it is an amazing facility. Winnipeg, as a community, has been very blessed in terms of water, such as with Shoal Lake and the beautiful, crystal-clear water that is coming down a pipe based on gravitational pull into the city of Winnipeg. It has been providing water for generations of Winnipeggers and Manitobans. We have been very fortunate with that. It is one of the reasons we have some of the lowest water bills in North America. I still drink from the tap, which is something we can all be somewhat proud of, because in many jurisdictions that is the case. In fact, there are some who would argue that drinking from the tap can be healthier than drinking bottled water.

The point is that we have to take into consideration that, yes, Ottawa plays a role, but provinces, municipalities, and people as a whole all have something to contribute to this area of concern.

● (1415)

We have a fairly competent and able Department of Health. It has been working with the different stakeholders, the provinces and territories, and will continue to do that through the federal-provincial-territorial committee on drinking water, for example, with the idea of developing and updating guidelines for the quality of Canadian drinking water.

My colleague across the way raised some valid concerns with respect to indigenous people and the important role we play in working in co-operation with their leadership to ensure the quality of water is equal and fair in all regions. The Prime Minister and our government are committed to doing just that. Wherever we can improve the quality, we need to do so.

Members know that we encourage private members of all political stripes to generate ideas and bring them to the floor of the House to challenge us as legislators.

Looking at the specifics of Bill C-326, the government is saying that we need to take into consideration Canadian context and priorities before conducting an internal review, and that is important. My colleague and our caucus chair is very much aware of that.

We need to limit any review of standards and guidelines to those considered to be of leading international agencies and to the guidelines designated as priorities for development in Canada. These are two concerns we need to at least attempt to get more clarification on and possibly address. This could enhance my friend's private member's bill.

There is a lot to be gained on this. If we can tweak the legislation so we can get widespread support within the House of Commons, we would be doing a great service to Canadians.

Stealing from what I started off by saying, whether we listen to the Prime Minister or others who say we need to do better in different areas, this is an area we can do better in. We should look at what the sponsor of the bill hopes to accomplish. I believe this is an expectation that most Canadians would have of the different levels of government, that being a high sense of co-operation, working together to ensure Canada not only demonstrates strong leadership from within our boundaries, but even to countries outside of our boundaries that try to emulate some of the things we have done to provide good quality drinking water.

Often when disasters abroad take place, we will send our military and DART to provide good quality and clean drinking water. We have done this with a number of countries over the years. In good part Canada is perceived as a country that understands the importance of providing good quality water.

I look forward to seeing the bill head to committee. I understand the member is working with the government on ways we can improve the legislation.

● (1420)

**Hon. Erin O'Toole (Durham, CPC):** Mr. Speaker, it is my honour to rise today in debate on this private member's bill, Bill C-326, an act to amend the Department of Health Act. As some of my colleagues have been saying in debate so far on this subject, it is about proposing water quality guidelines for Canada.

As some members have mentioned, this presents a number of challenges because of dual or triple roles of jurisdiction involving water. I am going to talk a bit about why I think it is important, particularly as an Ontario MP who has followed water issues for many years and the challenges faced in Ontario. Then I am going to put forward some thoughts on some of the struggles that Canada is having, particularly with respect to indigenous peoples and access to water. That is something I have been talking about for several years as a member of Parliament.

*Private Members' Business*

This bill, in particular, would create guidelines that strive to be the best in the world. For the member to come up with guidelines that he feels are the strongest in the world, he is going to look to all of the member countries of the OECD. This bill would empower an analysis of best practices from those OECD members. The goal, then, is to have a regular review so that the Minister of Health and the federal government can produce guidelines that, by the standards of the OECD, are best practices around the world to ensure there is safety within our municipal water systems.

What is key here is that the federal government does not have jurisdiction over municipal water systems. It does have jurisdiction over first nation reserves and treaty arrangements around the country. Therefore, the federal government does have particular responsibility that it has not been living up to, both parties, going back decades, so that should be kept in mind.

A lot of Canadians take the safety of their water supply a little for granted. As a southern Ontario MP, we live on the shoulders of the Great Lakes, the largest single freshwater supply in the world. Canadians often do not see the true cost of getting that safe water to their taps. There are municipal systems, artesian wells, a whole range. This bill seeks to develop guidelines to try to get municipal levels of government and provinces, which can regulate directly, up to world standard.

We support that on this side. We think it is one of these interesting areas in which the federal government can use its unique role to try to promote best practices, standards, knowing full well it does not have direct jurisdiction for most homes. These standards would then be something that municipal townships, regional municipalities, and cities could benchmark their own performance on. If we follow some of the legislation that has been in some of our provincial legislatures in the last 10 years with respect to water quality, we will find that many have been pushing for more detailed explanation and direct cost recovery by consumers of the cost of getting them that water.

For many generations, we have taken it for granted that water is free. It is not free. The standards and quality assurance needed have a cost. That cost, for many years, in many municipalities, was absorbed into a general tax base assessment to property owners and businesses. However, more and more municipalities, including throughout the Durham region, which I represent, and I know in many other parts of this country, are now starting to itemize what those costs are for water, and in some cases sewer services for Canadians, so they can see that despite our abundance of water, there is a cost to quality assurance. The goal that the member has is to then make sure that all levels of government have an aspirational goal of making sure the country that is most blessed with fresh water also adheres to the highest standards, through comparison on a regular basis to the OECD. I support that aim and the member's work.

As an Ontario MP, I remember the Walkerton inquiry. I watched it closely as a young law student and lawyer to see what could happen when simple processes break down. In Walkerton, Ontario, in the year 2000, seven people died as a result of E. coli contamination of a rural water source.

• (1425)

Twenty-three hundred people fell ill as a result of the Walkerton crisis. That made national and international headlines because we do

not normally see an outbreak like that from a municipal water source. Justice Dennis O'Connor, one of the most respected jurists in Ontario, was tasked with heading an inquiry into how that happened. The cause of the E. coli contamination was manure from one of the farm fields in the area getting into the water table and the system, and then chlorine levels and E. coli tests not being applied on a daily basis.

That inquiry showed quite simply how a standard community could have a water system that was taken for granted for years but suddenly becomes derailed and causes deaths. Mr. O'Connor's recommendation, among many others he made, was for more training. The brothers in that case who had run the Walkerton system for many years had little to no training. There was no chlorine testing done daily and there was no positive requirement on this small municipal township to publish to the province the E. coli levels when there was a warning or a bad indication. A positive reporting requirement in Ontario came into place as a result of that.

One of the other findings was that the warnings were not sufficient. Even early, when there was some indication that the water system was the cause of the E. coli sicknesses and death, there was not wide enough public education and warnings to people and so they continued using the water system.

I would invite the member and other members interested in the subject to consult the O'Connor inquiry report, because around the same time, North Battleford, Saskatchewan had a similar E. coli contamination of its water source and 5,800 people fell ill there.

The federal government can provide that aspirational guideline for municipal and provincial partners. Where is our jurisdiction with respect to water? It is with our first nations, and all parliaments in my lifetime have been failing on this front. My friend, the deputy House leader, said that we can do better. We can collectively do better on this front.

The Prime Minister outlined yesterday the challenges facing indigenous peoples in Canada, and there are many. What I would like to see with respect to water is a much more robust plan, because between 120 and 140 first nation communities at any one time have a boil water advisory of some type. Some, like the Neskantaga First Nation near Kenora in my province have had these advisories for years, in this case for 23 years.

There are some unique problems in this and the old ways of doing things are not going to solve them. I had the good fortune of putting out some ideas on this in the last year as a result of consultations with some young, dynamic first nation leaders. I appreciated their advice.

With the private sector, we need to unleash the potential of Canada to solve the problem, not wait for one or two ministers or this party or that party. We should be using crown agencies like Sustainable Development Technology Canada to empower innovative companies to come up with solutions. I sailed on a naval ship that was able to clean and provide drinking water in a confined space for about 300 people. Why do we not adapt these technologies for first nation and remote community use?

I also asked why we are not using Infrastructure Canada and P3 Canada to come up with P3 projects to tackle these more than 100 different projects. They will be different, but some of the same needs will be there. We should empower that approach and allow some of our large international contractors, defence contractors, security contractors to get industrial regional benefit credits for their investments in infrastructure.

This is an area where all parties can work together to acknowledge that we are not doing enough. I admire the Prime Minister's

*Private Members' Business*

ambition, but so far, I have not seen tangible ideas to solve the problem.

● (1430)

What I would like to do is make sure we support this bill to provide guidelines but work together to make sure that first nations have an effective plan for safe drinking water in the future.

[*Translation*]

**The Speaker:** The time provided for the consideration of private members' business has now expired, and the order is dropped to the bottom of the order of precedence on the Order Paper.

[*English*]

It being 2:30 p.m., the House stands adjourned until next Monday at 11 a.m., pursuant to Standing Order 24(1).

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

---



# CONTENTS

Friday, September 22, 2017

## GOVERNMENT ORDERS

### Access to Information Act

Mr. Brison .....	13385
Bill C-58. Second reading .....	13385
Mr. Kmiec .....	13388
Mr. Rankin .....	13388
Ms. Finley .....	13388
Mr. Angus .....	13389
Mr. Kmiec .....	13389
Mr. Brison .....	13392
Mr. Nantel .....	13392
Ms. Murray .....	13393

## STATEMENTS BY MEMBERS

### NAFTA and Quebec

Mr. Ste-Marie .....	13393
---------------------	-------

### International Day of Democracy

Mr. Fillmore .....	13393
--------------------	-------

### Armenia

Mr. Albrecht .....	13394
--------------------	-------

### B.C. Wildfires

Ms. Murray .....	13394
------------------	-------

### Contributions of Muslim Community

Ms. Benson .....	13394
------------------	-------

### Paulette Lalande

Mr. Lauzon (Argenteuil—La Petite-Nation) .....	13394
--	-------

### Taxation

Mr. Albas .....	13394
-----------------	-------

### 50th Anniversary of Collège Lionel-Groulx

Mr. Ayoub .....	13395
-----------------	-------

### Prostate Cancer

Mr. Samson .....	13395
------------------	-------

### Warton Willie

Mr. Miller (Bruce—Grey—Owen Sound) .....	13395
--	-------

### Artists of Stonebridge

Mr. Arya .....	13395
----------------	-------

### Franco-Ontarian Day

Mr. Cormier .....	13395
-------------------	-------

### Daniel Lafontaine

Mr. Paul-Hus .....	13396
--------------------	-------

### 10th Anniversary of Moisson Outaouais

Mr. MacKinnon .....	13396
---------------------	-------

### Summer Activities in Regina—Lewvan

Mr. Weir .....	13396
----------------	-------

### Invictus Games

Mr. O'Toole .....	13396
-------------------	-------

### Employee Congratulations

Mr. Lamoureux .....	13396
---------------------	-------

## ORAL QUESTIONS

### Taxation

Ms. Bergen .....	13397
Mr. Lightbound .....	13397
Ms. Bergen .....	13397
Mr. Lightbound .....	13397
Ms. Bergen .....	13397
Mr. Lightbound .....	13397
Mr. Berthold .....	13397
Mr. Lightbound .....	13398
Mr. Berthold .....	13398
Mr. Lightbound .....	13398

### Public Services and Procurement

Mr. Dubé .....	13398
Ms. Qualtrough .....	13398
Ms. Ramsey .....	13398
Ms. Qualtrough .....	13398

### International Trade

Ms. Ramsey .....	13398
Mr. Leslie .....	13398
Mr. Dubé .....	13399
Mr. Leslie .....	13399

### Taxation

Mr. Strahl .....	13399
Mr. Lightbound .....	13399
Mr. Strahl .....	13399
Mr. Lightbound .....	13399
Mr. Godin .....	13399
Mr. Lightbound .....	13399
Mr. Viersen .....	13399
Mr. Poissant .....	13400
Mr. Webber .....	13400
Mr. Lightbound .....	13400
Mr. Schmale .....	13400
Mr. Lightbound .....	13400

### Indigenous Affairs

Ms. Jolibois .....	13400
Ms. Jones .....	13400
Mr. Saganash .....	13400
Ms. Jones .....	13400

### Taxation

Mr. Shields .....	13401
Mr. Lightbound .....	13401
Mr. Gourde .....	13401
Mr. Lightbound .....	13401
Mr. Miller (Bruce—Grey—Owen Sound) .....	13401
Mr. Poissant .....	13401
Mr. Miller (Bruce—Grey—Owen Sound) .....	13401

Mr. Poissant .....	13401
<b>Post-Secondary Education</b>	
Mr. Cannings .....	13402
Mr. Cuzner .....	13402
<b>Public Transportation</b>	
Ms. Benson .....	13402
Mrs. McCrimmon .....	13402
<b>Access to Information</b>	
Ms. Vandenberg .....	13402
Mr. Brison .....	13402
<b>Natural Resources</b>	
Mrs. Stubbs .....	13402
Ms. Rudd .....	13402
Mrs. Stubbs .....	13403
Ms. Rudd .....	13403
<b>Marijuana</b>	
Mr. Paul-Hus .....	13403
Mr. Blair .....	13403
<b>Justice</b>	
Mr. Albas .....	13403
Ms. Wilson-Raybould .....	13403
<b>Dairy Industry</b>	
Ms. Quach .....	13403
Mr. Poissant .....	13403
<b>Air Transportation</b>	
Mr. Nantel .....	13404
Mrs. McCrimmon .....	13404
<b>Veterans Affairs</b>	
Mr. Blaney (Bellechasse—Les Etchemins—Lévis) .....	13404
Mrs. Romanado .....	13404
Mr. Blaney (Bellechasse—Les Etchemins—Lévis) .....	13404
Mrs. Romanado .....	13404
<b>Foreign Affairs</b>	
Mr. O'Toole .....	13404
Mr. DeCoursey .....	13405
<b>Infrastructure</b>	
Mr. Simms .....	13405
Mr. Sohi .....	13405
<b>Government Appointments</b>	
Mr. Clarke .....	13405
Mr. Casey (Charlottetown) .....	13405
<b>Social Development</b>	
Mr. Ehsassi .....	13405
Mr. Duclos .....	13405
<b>Privacy</b>	
Mr. Reid .....	13405
Mr. Fillmore .....	13406
<b>Dairy Industry</b>	
Ms. Pauzé .....	13406
Mr. Poissant .....	13406

<b>Canadian Heritage</b>	
Ms. Pauzé .....	13406
Mr. Casey (Charlottetown) .....	13406

<b>Infrastructure and Communities</b>	
Mr. Ste-Marie .....	13406
Mr. Sohi .....	13406

<b>Indigenous Affairs</b>	
Mr. Tootoo .....	13406
Ms. Jones .....	13407

## ROUTINE PROCEEDINGS

<b>Species at Risk Act</b>	
Mr. Cannings .....	13407
Bill C-363. Introduction and first reading .....	13407
(Motions deemed adopted, bill read the first time and printed) .....	13407

<b>Business of the House</b>	
Mr. Lamoureux .....	13407
Motion .....	13407
(Motion agreed to) .....	13407

<b>Address at Installation of Governor General</b>	
Mr. Lamoureux .....	13407
Motion .....	13407
(Motion agreed to) .....	13407

<b>Petitions</b>	
<b>Arms Trade Treaty</b>	
Mr. Miller (Bruce—Grey—Owen Sound) .....	13407
<b>The Environment</b>	
Mr. McLeod (Northwest Territories) .....	13407

<b>Questions on the Order Paper</b>	
Mr. Lamoureux .....	13407

## GOVERNMENT ORDERS

<b>Access to Information Act</b>	
Bill C-58. Second reading .....	13408
Mr. Blaney (Bellechasse—Les Etchemins—Lévis) .....	13408
Mr. Kmiec .....	13408
Mr. Rankin .....	13408
Ms. Murray .....	13411
Ms. Malcolmson .....	13411
Ms. Quach .....	13412
Mr. Lamoureux .....	13412
Mr. Fillmore .....	13412
Mr. Kmiec .....	13414
Ms. Benson .....	13414
Ms. Murray .....	13414
Mr. Rankin .....	13416
Mr. Nantel .....	13416
Mr. Kelly .....	13417

## PRIVATE MEMBERS' BUSINESS

<b>Department of Health Act</b>	
Mr. Scarpaleggia .....	13419
Bill C-326. Second reading .....	13419



Mr. Saganash..... 13422  
Ms. Dhillon..... 13422  
Mr. Saroya..... 13422

Mr. Saganash..... 13423  
Mr. Lamoureux..... 13424  
Mr. O'Toole..... 13425

Published under the authority of the Speaker of  
the House of Commons

---

### SPEAKER'S PERMISSION

---

The proceedings of the House of Commons and its Committees are hereby made available to provide greater public access. The parliamentary privilege of the House of Commons to control the publication and broadcast of the proceedings of the House of Commons and its Committees is nonetheless reserved. All copyrights therein are also reserved.

Reproduction of the proceedings of the House of Commons and its Committees, in whole or in part and in any medium, is hereby permitted provided that the reproduction is accurate and is not presented as official. This permission does not extend to reproduction, distribution or use for commercial purpose of financial gain. Reproduction or use outside this permission or without authorization may be treated as copyright infringement in accordance with the *Copyright Act*. Authorization may be obtained on written application to the Office of the Speaker of the House of Commons.

Reproduction in accordance with this permission does not constitute publication under the authority of the House of Commons. The absolute privilege that applies to the proceedings of the House of Commons does not extend to these permitted reproductions. Where a reproduction includes briefs to a Committee of the House of Commons, authorization for reproduction may be required from the authors in accordance with the *Copyright Act*.

Nothing in this permission abrogates or derogates from the privileges, powers, immunities and rights of the House of Commons and its Committees. For greater certainty, this permission does not affect the prohibition against impeaching or questioning the proceedings of the House of Commons in courts or otherwise. The House of Commons retains the right and privilege to find users in contempt of Parliament if a reproduction or use is not in accordance with this permission.

---

Also available on the House of Commons website at the following address: <http://www.ourcommons.ca>

Publié en conformité de l'autorité  
du Président de la Chambre des communes

---

### PERMISSION DU PRÉSIDENT

---

Les délibérations de la Chambre des communes et de ses comités sont mises à la disposition du public pour mieux le renseigner. La Chambre conserve néanmoins son privilège parlementaire de contrôler la publication et la diffusion des délibérations et elle possède tous les droits d'auteur sur celles-ci.

Il est permis de reproduire les délibérations de la Chambre et de ses comités, en tout ou en partie, sur n'importe quel support, pourvu que la reproduction soit exacte et qu'elle ne soit pas présentée comme version officielle. Il n'est toutefois pas permis de reproduire, de distribuer ou d'utiliser les délibérations à des fins commerciales visant la réalisation d'un profit financier. Toute reproduction ou utilisation non permise ou non formellement autorisée peut être considérée comme une violation du droit d'auteur aux termes de la *Loi sur le droit d'auteur*. Une autorisation formelle peut être obtenue sur présentation d'une demande écrite au Bureau du Président de la Chambre.

La reproduction conforme à la présente permission ne constitue pas une publication sous l'autorité de la Chambre. Le privilège absolu qui s'applique aux délibérations de la Chambre ne s'étend pas aux reproductions permises. Lorsqu'une reproduction comprend des mémoires présentés à un comité de la Chambre, il peut être nécessaire d'obtenir de leurs auteurs l'autorisation de les reproduire, conformément à la *Loi sur le droit d'auteur*.

La présente permission ne porte pas atteinte aux privilèges, pouvoirs, immunités et droits de la Chambre et de ses comités. Il est entendu que cette permission ne touche pas l'interdiction de contester ou de mettre en cause les délibérations de la Chambre devant les tribunaux ou autrement. La Chambre conserve le droit et le privilège de déclarer l'utilisateur coupable d'outrage au Parlement lorsque la reproduction ou l'utilisation n'est pas conforme à la présente permission.

---

Aussi disponible sur le site Web de la Chambre des communes à l'adresse suivante : <http://www.noscommunes.ca>