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Friday, October 20, 2017

—

Speaker: The Honourable Geoff Regan

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HOUSE OF COMMONS

Friday, October 20, 2017

The House met at 10 a.m.

Prayer

GOVERNMENT ORDERS

CRIMINAL CODE

The House proceeded to the consideration of Bill C-46, An Act to amend the Criminal Code (offences relating to conveyances) and to make consequential amendments to other Acts, as reported (with amendment) from the committee.

• (1005)

[*English*]

SPEAKER'S RULING

The Deputy Speaker: There are two motions in amendment standing on the Notice Paper for the report stage of Bill C-46. Motions Nos. 1 and 2 will be grouped for debate and voted upon according to the voting pattern available at the table.

[*Translation*]

MOTIONS IN AMENDMENT

Ms. Elizabeth May (Saanich—Gulf Islands, GP), seconded by the member for La Pointe-de-l'Île, moved:

Motion No. 1

That Bill C-46 be amended by deleting Clause 15.

Motion No. 2

That Bill C-46, in Clause 31.1, be amended by replacing line 11 on page 41 with the following:

"ed by this Act that includes an evaluation of whether the provisions have resulted in differential impacts on particular groups likely to be targeted based on prohibited grounds of discrimination, and prepare a report setting out"

She said: Mr. Speaker, it is an honour for me to rise today to speak to my amendments to Bill C-46, an act to amend the Criminal Code and to make consequential amendments to other acts.

[*English*]

That is a very benign title. It does not tell us what we are debating. We are debating a bill that would deal with, I think all of us in the House can agree, the critical issue of doing whatever we can to reduce the loss of life and accidents, which are so damaging to society, caused by people who drink and drive or drive under the influence of other intoxicants. The bill deals with substance abuse and getting behind the wheel of a car.

We all know the statistics, but they are absolutely devastating to imagine, as Mothers Against Drunk Driving, a group I support, points out. Mothers Against Drunk Driving's estimate is that in Canada, every day, on average, four people are killed in automobile crashes. If we had the kind of attention and immediate review of auto crashes and people killed in auto crashes that we do for people travelling on public transit, such as airplanes, we would be made aware on a daily basis that our publicly accepted system of transport is lethal.

Our society is built around the car. Our transportation networks are built around the car. We do not seem to mind the idea that our everyday method of getting from A to B involves a significant risk of death. We take it as something that is just one of those risks we live with. A car is very powerful, and potentially a killing machine.

In 2012, 2,546 Canadians died in automobile crashes, but to the point of today's bill, 58.8% of those crashes involved a driver who had had at least some measurable intoxicant in his or her system.

In 2015, beyond those accidents that involve fatalities, a total of over 72,000 impaired driving incidents happened across Canada. What is interesting is that the statistics reflect that this is a significant improvement, with 65% fewer incidents than in 1986. Therefore, the measures we are taking make a difference, as does the awareness that drinking and driving is not acceptable. Blood alcohol levels and roadside screening make a difference.

There is no question that we want to support measures that would ensure that Canadians who have had any measurable intoxicants do not get behind the wheel of a car, that their friends stop them, that the guy at the bar stops them, and that their own concern that they will be hit with serious penalties and jail time will stop them.

Now I will go to the bill and the reasons I have submitted the amendments. I support Bill C-46. Unlike some of the experts I will mention, I will vote for Bill C-46 even unamended, but here at report stage, I want to raise the concerns again. There are significant concerns from the Criminal Lawyers' Association and civil liberties associations that the bill would go too far and would end up being challenged in the courts. That is because it involves, without the proper constraints, random breath testing, as opposed to selective breath testing.

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I have gone through the evidence very carefully. It is clear that there are a lot of statistics that say that when this jurisdiction or that jurisdiction brought in random breath testing, drunk driving incidence went down. The people who study this say that we do not actually have good numbers that compare the results of selective breath testing and random breath testing to conclude that we could not have gotten the same result with selective breath testing.

• (1010)

What is the difference? If we have selective breath testing, we set up a roadside check, stop every driver, and look at every driver at a stationary vehicle check. We have seen roadside testing set up in different locations, particularly on evenings when people are more likely to have been out having something to drink or ingesting substances that are intoxicants before driving. The roadside testing is very effective. Selective testing is effective.

This law would go further, and this is where the various legal societies I have mentioned are concerned. Let me quote from the brief of the Criminal Lawyers' Association submitted to the committee back in September. It states:

We are also deeply concerned by the new random breath-testing regime. Increasing police powers do not come without societal costs. The experience of 'carding' or 'street checks' is instructive on how the exercise of police authority can disproportionately affect visible minorities.

Bill C-46 amounts to carding while in a car. It will inevitably disproportionately be employed against minority or marginalized communities.

A policy expert with the Canadian Centre on Substance Use and Addiction, Doug Beirness, was even more blunt. He stated:

...there is nothing truly random about random breath testing. The term random is used in place of more accurate and contentious descriptors, such as arbitrary or capricious.

The Canadian Civil Liberties Association went on to say, "a full review of the evidence", over 23 studies, "does not provide convincing evidence that implementing [random breath testing] will necessarily have a greater impact on drinking and driving than Canada's current [selective breath-testing] system."

My concerns are twofold. We should never pass legislation in this House that has a good public purpose, and I do not think any of us for one second will deny the importance of the public purpose, that has a significant risk of being derailed in the courts. Looking at the evidence put before the justice committee, I think this bill has a significant risk of being derailed in the courts. Likewise, we should do whatever we can to moderate the impacts of increased police powers and the risks of randomness.

I have been wondering if I should share this story with my colleagues in Parliament, and I think I will. More than 40 years ago, when I was living in a small village on Cape Breton Island, we had very limited RCMP protection. There was one detachment. My brother is younger than I am, and in those days, he had long hair. It was unusual in this particular community to have long hair. Every single time he went anywhere, he was pulled over by the RCMP. As I said, we had very limited RCMP protection, and it was very hard to get the RCMP when we were, for instance, in the middle of a store robbery, which also occurred in my family's business.

I love the RCMP. The members are wonderful, but I know for a fact that there is such a thing as selectively pulling people over, over and over again, and never finding anything. It is a form of harassment. For marginalized communities within Canada, I am very concerned about discriminatory and preferential random searches of particular marginalized groups. We know this happens. If we look at the statistics of who is in our prisons, overwhelmingly it is people of colour and indigenous people. It is not reflective of society as a whole. We know this about carding and urban police forces.

It is clear to me that there is going to be an increased problem for marginalized communities and a sense of being harassed. Therefore, I commend to members my second amendment, which is that when this process is reported back to Parliament, and this is my amendment to clause 31.1, there be an evaluation of whether the provisions have resulted in differential impacts on particular groups likely to be targeted based on prohibited grounds of discrimination and that a report set that out for us.

This will be a test for us as a society. I have no doubt that this bill will pass unamended. I am making an effort here, because I would like us to think about what happens when random breath testing is not random. As much as the societal purpose is overwhelmingly in the right direction, to get people who are drinking or intoxicated off the roads and to not let them get behind the wheel of a car, in this case, we should think twice and make the bill constitutional before we pass it.

• (1015)

Mr. Mark Warawa (Langley—Aldergrove, CPC): Mr. Speaker, I was honoured to sit on the justice committee on Bill C-46. However, I was quite shocked at the position of members across the way from the Liberal Party that they believed the current mandatory minimum sentencing of \$1,000 fine for driving impaired and killing somebody was quite satisfactory. Unfortunately, the Liberal members did not want to increase that. We heard from a number of Canadian groups who believe this is blatantly unjust, particularly family members who have lost a loved one, to say that a minimum sentence of \$1,000 fine for killing someone is just.

I would ask the member representing the Green Party of Canada if she feels those mandatory minimums for killing somebody while driving drunk are satisfactory.

Ms. Elizabeth May: Mr. Speaker, I have to approach this on the basis of the impact societally of mandatory minimums. The overwhelming evidence from experts in criminology is that mandatory minimums do not work as a deterrent, and that mandatory minimums have an effect of skewing our judicial system so that a judge has less discretion in perhaps giving more significant penalties. In some states, for instance, Texas, they have stopped using mandatory minimums. They increase the discretion of a prosecutor to work with a defendant to force a result before it even goes to trial, and in some cases, allow a lesser penalty.

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I know that my hon. friend for Langley—Aldergrove disagrees. However, I would rather see our courts apply the sentences based on a judge looking at the severity of the crime. I am also offended when someone who has killed someone while drinking and driving is let off with a light sentence. My disagreement with my friend for Langley—Aldergrove is that I do not think mandatory minimum sentences are the solution.

Ms. Marilyn Gladu (Sarnia—Lambton, CPC): Mr. Speaker, I am very concerned as well, and not just about the random testing. When we look at traffic fatalities in Canada, we know that 16% of them are alcohol related, 24% are drug related, and another 18% are a combination of the two. What is troubling to me is the hypocrisy of legalizing marijuana, which is going to increase the amount of impaired drug driving, when there is not even a test for impairment. Whether the tests are random or not, there is no test for impairment with marijuana.

Would the member comment that?

Ms. Elizabeth May: Mr. Speaker, my hon. friend is correct that cannabis is to be legalized. However, the evidence is conflicting. We certainly do know that intoxication with cannabis and intoxication with alcohol have very different physiological impacts, and the blood tests are different. For instance, blood alcohol levels diminish much more quickly than residues of cannabis and THC in the system, which can be present for days and when a person is no longer intoxicated. A person behind the wheel of a car while having ingested cannabis is more likely to drive more slowly. The person may not be a safe driver, but is unlikely to do what people who have been drinking do, as we know historically, which is to drive more recklessly and faster.

The work is being done, and I am satisfied that we will see ways to analyze the intoxication of people who have ingested cannabis. I am more concerned—

• (1020)

The Deputy Speaker: Questions and comments.

The hon. member for Scarborough—Guildwood.

Hon. John McKay (Scarborough—Guildwood, Lib.): Mr. Speaker, I thank the hon. member for her comments on this bill, which I think are largely constructive, and her amendments reflect a legitimate worry. However, I take issue with one concern the member has, which is that this proposed legislation would be challenged in the courts.

I can personally guarantee that this will be challenged in the courts. There is not a scintilla of doubt in mind that this will be challenged. I recollect the time when 0.08% was put in the Criminal Code, and it was challenged every which way from Sunday.

I would ask the hon. member this. Should Parliament still not face up to the larger public purpose of putting forward this legislation, and how the courts deal with it is how the courts deal with it?

Ms. Elizabeth May: Mr. Speaker, I confess very honestly that this bill has led me to be torn. I have debated very strongly. I will vote for it if it is put forward without my amendments. I know that some of the experts before the justice committee urged that we not pass it without the amendments. I think the larger public purpose is so

significant that the courts may or may not find that it is constitutional. There is that doubt.

I think the bill could have been constructed to ensure that the random nature of roadside screening have more surrounding it and include reasonable and probable grounds, so that police personnel would have enhanced access to breath screening, and blood drug and alcohol analysis at the roadside. I agree with all of that. The question is if the screening is not truly random and is targeting certain marginalized groups, I think that would increase the likelihood that it would be overturned in the courts. That is something that I think we could have addressed in amendments.

[*Translation*]

Mr. Marco Mendicino (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I would like to begin by thanking my colleague from Saanich—Gulf Islands for her constructive input.

[*English*]

At the same time, for the reasons that follow, we will be encouraging all members to vote down the amendment and to vote for the bill in its current form.

I also just want to take a moment to address some of the comments that were raised by my hon. colleagues from the Conservative opposition. I would encourage them to read the bill very carefully, because imbedded within some of those questions were, at a minimum, some inaccurate assumptions about mandatory minimum penalties as they apply to the impaired driving regime, as well as whether or not we have the sufficient technology to test for impairment as we usher in a new era with regard to the strict regulation of cannabis. Obviously by doing so and by reflecting on the language of that bill carefully, my hope is that we will elevate debate in this House, in the interest of keeping our roads safe while at the same time safeguarding individual liberties.

It is a pleasure to speak on Bill C-46, An Act to amend the Criminal Code (offences relating to conveyances) and to make consequential amendments to other Acts. The bill will bring about the most important changes addressing alcohol and drug impaired driving since 1969 when Parliament enacted the offence of driving with a blood alcohol concentration exceeding 80 milligrams of alcohol in 100 millilitres of blood, and authorized the police to demand a breath sample on an approved instrument.

Today, I will focus my remarks on the proposal in the bill that would authorize a police officer to demand a breath sample from any driver without needing to suspect that the driver had alcohol in their body. In Bill C-46, this is called mandatory alcohol screening, as members have heard. The enforcement tool was pioneered by Australia more than 30 years ago. It has now spread to New Zealand, the European Union, and dozens of other countries.

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Since then, mandatory alcohol screening has been widely credited with dramatically reducing rates of impaired driving and saving many thousands of lives, as the member herself acknowledged.

The Standing Committee on Justice and Human Rights had considered mandatory alcohol screening when it held hearings on alcohol impaired driving in 2008 and 2009. In its 2009 report entitled, "Ending Alcohol-impaired Driving: A common approach", the standing committee unanimously recommended that random roadside breath testing be put in place.

During its extensive hearings on Bill C-46, the standing committee heard numerous witnesses on the subject of mandatory alcohol screening. Professor Robert Solomon, who has written many articles on mandatory alcohol screening, as well eminent constitutional scholars like Professor Peter Hogg spoke in favour of mandatory alcohol screening.

Representatives of the Canadian Bar Association, the Canadian Council of Criminal Defence Lawyers, and the Canadian Civil Liberties Association expressed some concerns with mandatory alcohol screening.

The standing committee also heard from Australian experts about how mandatory alcohol screening works in that country, and its effectiveness in reducing deaths and injuries.

I believe it is fair to say that the arguments of opponents to mandatory alcohol screening were based partly on their claim that it is not needed in Canada, as our current system of roadside screening based on suspicion is just as effective and that mandatory alcohol screening would have a disproportionate effect on visible minorities.

With respect to the effectiveness of Canada's current suspicion-based system, it is important not only to look at the reductions in impaired driving that have occurred in Canada over the past 20 or 30 years, but also to consider Canada's alcohol impaired driving laws and how they fare when compared to other countries. The comparison is grim.

As Professor Solomon told the standing committee:

Our current law has left Canada with one of the worst impaired driving records among comparable countries. Consistent with earlier studies, the United States Centers for Disease Control reported that Canada had the highest percentage of alcohol-related crash deaths among 20 high-income countries in 2013. Although Canadians drink considerably less than their counterparts, they're much more likely to die in an alcohol-related crash. For example, Canada's per capita rate of alcohol-related crash deaths is almost five times that of Germany, even though Canadians consume 33% less alcohol. They drink more, we die more.

The laws in these other countries do a far better job than the laws in Canada of separating drinking from driving. Not coincidentally, 17 of those 19 countries have comprehensive mandatory alcohol screening programs.

These are the words of Professor Solomon, not any parliamentarian, a respected scholar.

• (1025)

Professor Solomon pointed out to the committee that the experience of other countries shows that going from suspicion-based roadside screening to mandatory screening has had a significant effect in reducing impaired driving deaths and injuries. He stated:

The assertion that there is no direct evidence that mandatory alcohol screening is better than selective breath testing, the system we currently have, is simply false. The

sharp decreases in fatal crashes that occurred in Queensland, Western Australia, New Zealand, and Ireland occurred after those jurisdictions moved from selective breath testing to mandatory alcohol screening, exactly what would occur in Canada if the mandatory alcohol screening provisions in Bill C-46 were enacted.

Again, those were the words of Professor Solomon.

The standing committee also heard from Dr. Barry Watson of Queensland University of Technology. Dr. Watson explained the evolution of impaired driving legislation in Queensland and the effect of various countermeasures. Queensland introduced breath testing in the late 1960s, as did Canada. Queensland then introduced a program called reduced impaired driving, or RID. The police could randomly pull over other drivers, but could only breath test those they suspected of drinking. This is the system we currently have in Canada.

Finally, Queensland introduced mandatory alcohol screening in 1988. Dr. Watson's evidence strongly supports that mandatory alcohol screening is more effective than suspicion-based alcohol screening. He told the standing committee, "the introduction of random breath testing was associated with a further 18% decline in fatalities over and above what was the case when the sobriety checkpoint program was in place." We can and must do better than we are, and I submit we should follow the example of these other jurisdictions that have been most successful in reducing the painful toll taken by alcohol-impaired driving. That means adopting mandatory alcohol screening.

More troubling is the concern expressed by several witnesses that mandatory alcohol screening would lead to racial profiling. This is a concern that we all share. We all know that there have been well-documented cases of police forces disproportionately carding or pulling over persons of colour. As my colleague made mention, there are indeed concerning statistics with respect to the overrepresentation of our indigenous and racialized communities in our jails. Let me be clear. Racial profiling is an abuse of police power. It is unacceptable. However, there is nothing in Bill C-46 that condones or promotes racial profiling.

Our government was aware that this criticism had been levelled at the provision authorizing mandatory alcohol screening in a former private member's bill, Bill C-226. Consequently, our government, in Bill C-46, proposed to specify that a police officer can only make a demand as follows:

in the course of the lawful exercise of powers under an Act of Parliament or an Act of a provincial legislature or arising at common law...

I pause to emphasize that passage, because it underscores that our government places a great value in ensuring that all law enforcement, and indeed all law state actors, exercise their powers in accordance with the law and the charter.

For further clarity, our government supports the introduction of an amendment to the bill's preamble, which serves as an interpretive aid for our courts. The amendment, which was adopted at committee, stated, "it is important that law enforcement officers...exercise investigative powers in a manner that is consistent with the Canadian Charter of Rights and Freedoms".

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Let me take a moment to refer to one last example of how this technology and these standards are working in other jurisdictions. The experience of Ireland supports the opinion of other witnesses who have testified, and other experts. There was an increase of about 10% in charges in the first year after Ireland introduced mandatory alcohol screening, but the number of charges have decreased steadily since then as Irish drivers have become aware of the new law. In fact, the number of charges in Ireland fell by almost 65% in the 10 years following the introduction of mandatory screening.

I believe that our courts will be able to cope with any increase in charges, because many provisions in Bill C-46 would address issues that have been causing delay, particularly with respect to disclosure, proof of blood alcohol concentration, the elimination of the bolus drinking defence, and restriction of the intervening drink defence.

In closing, I want to again thank my colleague from Saanich—Gulf Islands for her remarks. They were thoughtful, careful, and balanced. However, even she conceded that there is a good faith attempt here to strike the balance between the need to keep our roads safe while at the same time respecting an individual's charter rights. I encourage her to support the bill.

• (1030)

Ms. Marilyn Gladu (Sarnia—Lambton, CPC): Mr. Speaker, the member opposite spoke a lot about alcohol, but not at all about marijuana. We have 253 days remaining before the Liberal government legalizes marijuana. What test will be used by police and the RCMP across the country to test for marijuana impairment, and what is the limit that will be considered the maximum allowable?

Mr. Marco Mendicino: Mr. Speaker, I want to assure my hon. colleague that after careful consideration of expert evidence as well as development of new technologies, we will have the appropriate roadside screening device testing abilities to ensure we can measure impairment as it relates to cannabis. Indeed, this is a fundamental part of ushering in a new strict regime when it comes to regulating access to cannabis.

We know that the current approach to regulating cannabis is not working. I have experience in the criminal courts with respect to this. I am very proud of the work this government is doing to ensure we keep cannabis out of the hands of our children and keep our roads safe. This bill would accomplish both of those important objectives.

Mr. Richard Cannings (South Okanagan—West Kootenay, NDP): Mr. Speaker, I want to follow up on the question from my hon. colleague who asked about marijuana and roadside tests. I was at the justice committee meetings when we heard from the Australian police about their roadside tests. We also heard from an expert from a university in California, whose studies have to do with the relationship between impairment and what we get from drug tests for THC levels in blood and mouth swabs. Basically, there is no good test right now. There is not even any hint that we will have a good test in the next year or 10 years, because of the way that THC works in the body's physiology.

What test is the member talking about? We heard of nothing of the sort in committee.

• (1035)

Mr. Marco Mendicino: Mr. Speaker, I sat through those same committee meetings, and I have to correct my hon. colleague. There was indeed much testimony in the way that technologies are used in other jurisdictions and how they are evolving and improving. We have something called oral fluid drug screeners, which will allow law enforcement actors to measure THC levels. We will ensure that we have an appropriate threshold to measure what impairment is for the purposes of keeping our roads safe.

I encourage my hon. colleagues to read the bill very carefully and to follow the debate as it evolves in this House. We are going to get this right. I am very proud of the work this government is doing to move forward with a cannabis and drug impairment regime that all Canadians can be proud of.

Mr. Colin Fraser (West Nova, Lib.): Mr. Speaker, I am a member of the justice committee and sat through the hearings on this important bill. We heard over and over in testimony that it is the fear of getting caught that will be the most effective way to reduce impaired driving on our roads.

Can my colleague explain how this bill would increase the likelihood of people feeling more fearful that they would get caught if they are impaired drivers, and how that would reduce the incidents of impaired driving on our roads?

Mr. Marco Mendicino: Mr. Speaker, first I want to begin by thanking my hon. colleague for all the work he does on the justice committee. I have been privy to the questions that he poses, and they are thoughtful and certainly elevate the level of discourse in that body.

In answer to his question, this goes right to the core rationale of having a mandatory screening test available to our police officers. If the public is aware that for the purposes of keeping streets safe a police officer can inquire into whether someone has consumed alcohol, I would argue that one is less likely to consume alcohol before they get behind the wheel. That is how we keep our roads safer. Other jurisdictions have integrated similar approaches, and we have seen impaired driving rates come down.

Canada is learning from those examples. We are studying those examples, using them to inform our debate here, and they are informed by the language of the text in this bill, which I encourage all members to support.

Hon. Rob Nicholson (Niagara Falls, CPC): Mr. Speaker, I am glad to have this opportunity to say a few words with respect to Bill C-46, An Act to amend the Criminal Code (offences relating to conveyances) and to make consequential amendments to other Acts.

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Some of the areas I am going to address today have already been raised. The parliamentary secretary was just talking about one of these areas because the question was raised by a number of my colleagues. It was about measuring the level of impairment that people have. This is just one of the issues we are going to have to deal with. Part of the problem is the government's intention to ram this legislation through by July 1, 2018. In my opinion, the Liberals are not taking into consideration the increased risks to the health and safety of Canada.

The Liberals may say that this is a wonderful thing on Canada's birthday. What better way to celebrate it, they would argue, than legalizing marijuana and allowing grow-ops in people's homes? However, we heard quite a bit of testimony that there are concerns with respect to the government's pushing through both of these pieces of legislation, Bill C-45 and Bill C-46. They go together.

For instance, the Canadian police services have asked that this legislation be delayed until there is adequate training and resources put in place. The parliamentary secretary said they are going to be up and ready to go and that we do not have to worry about all the tests and everything else, but those on the front line are quite concerned. The Liberal government, in addition, has not taken the necessary steps to put in effective educational campaigns for Canadians, despite statistics that show the increase in fatalities due to drug-impaired driving. There is no greater risk that a person can have, among many things, than to get killed by impaired driving. This is one of the huge problems that this country has faced. Mandatory roadside testing and the vast number of officers who remain insufficiently trained to detect impaired drivers is another issue that is not being addressed by the government.

In addition, the government has refused to mandate the proper storage of cannabis in homes. The growing concern among jurisdictions where marijuana is already legal is that it is drawing more organized crime to operate the grow-ops and produce pot for illicit markets. This is one of the things that people told me when I was justice minister. They said that pot is the currency for guns and harder drugs coming into this country. They said that a lot of criminals do not send cheques anymore; the marijuana grown in Canada is what criminals use to buy illegal drugs and guns that come into Canada. This was completely unaddressed by the government, and I would suggest it has been ignored; it does not even play into this. My concern is that this will increase the possibility of danger that exists when we get illegal drugs and guns into this country.

Police services from across this country were very clear that the government should delay the legalization of marijuana to allow law enforcement services the adequate time they need to handle this new law. There is no chance, in my opinion, that police will be ready; I think they have it right. However, the Liberals are hell-bent on ramming this legislation through. They are not heeding those warnings from law enforcement officials. In my opinion, this puts a greater risk on the health and safety of Canadians.

The National Association of Chiefs of Police estimates that there are at least 2,000 trained officers. In July 2017, the numbers indicated that there are only 600 trained recognition experts here. They are not even close to having the number they need. Susan MacAskill, from Mothers Against Drunk Drivers, reiterated that the Breathalyzer will not detect drugs and that marijuana can be detected

through a roadside saliva test. She said that it would cost \$17,000 to train one person to be a drug recognition expert, and the government needs to make sure that those resources are in place to allow the training of 1,200 more officers that will be needed by the deadline.

• (1040)

She went on to say, "If every officer can have that (disposable saliva test) in their vehicle it will certainly have a positive impact on road safety." Unfortunately, the Liberals have not been listening to their own experts. They have been unrealistic on what is taking place.

Again, a couple of my colleagues highlighted how difficult it would be. That is one of the things I point out for my colleague who sits on the justice committee. We heard time and again different amounts, how much marijuana, how long it would be in someone's system, what the combination between that and alcohol would be. Again, it is very problematic and I would urge the government not to push forward with the July 1 deadline.

The provincial premiers have warned the government that they may not be ready with provincial laws and regulations. Their fears are not without reason. After Washington State legalized marijuana, the death toll on its highways doubled and the fatal vehicle crashes on Colorado highways tripled. Equally concerning is that the Liberals have not launched an extensive marijuana and impaired driving education and awareness program as recommended by their own task force. It is easy to say that they ignored it because the Conservatives told them they should do it, but their own task force told them what to do.

The Canadian Automobile Association supports the findings. Jeff Walker, CAA vice-president, is quoted as saying, "It's clear from the report that work needs to start immediately in these areas, and that the actual legalization should not be rushed." The task force also concluded that youth underestimated the risk of cannabis use. We heard this on a number of occasions, that some young people believed their ability to drive a car would be enhanced by smoking marijuana.

There are problems with the government moving forward on this. The government continuously says that it is concerned about the access to children, yet the age limits in the legislation are completely at odds with that. I ask my colleagues on the other side to consider this. What could be more accessible for young people to get marijuana if their parents have a small grow op in the kitchen? We urged the Liberals to make changes on that, and they did. They said that three foot plants would not be enough so it increased the height of them. How will this help our children?

This will be problematic for the people who have become victimized by impaired driving. We brought forward amendments to increase the penalties for those people who drove while impaired and killed someone. They should have to face up to the consequences of what they have done. Again, the Liberals have ignored that.

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Just because the Conservatives have said there will be big problems with that, they will not listen. I understand we are in opposition and they do not have to listen to us. However, they should listen to police forces across the country. They should listen to our provincial counterparts and those who are concerned about impaired driving. They should listen to them for a change. I think Liberals will come to the right conclusion that for the bill should not be pushed forward by July 1 of next year.

• (1045)

Mr. Chris Bittle (St. Catharines, Lib.): Mr. Speaker, my hon. neighbour from Niagara Falls talked about access to cannabis. I went to school with the hon. member's kids and I am sure there was access to alcohol in his house, a drug at least as dangerous as cannabis, and his kids grew up great and are incredible adults.

With respect of our government's commitment to police forces, \$274 million are committed so they will be ready to implement this legislation. Could the hon. member comment on that?

Hon. Rob Nicholson: Mr. Speaker, I have to listened to the expert testimony at committee. People were quite concerned that the forces would not be ready to enforce this law by July next year. The member said that if people had some alcohol in their houses, that this was the same as having a small grow op. I do not get that all. Alcohol can be a problem in households, so the Liberals say that they will solve those problems by having a small grow op, and maybe the kids will not go after the alcohol and instead they will check on what is happening in the kitchen. I cannot buy that.

We asked the Liberals make changes. Yes, they made changes. They want to increase the size of the plants in the grow op in the kitchen. This is a huge mistake. I ultimately hope that my neighbour will come to the same conclusion that I, most of my colleagues, and many people across the country have come to, which is that this will be a disaster.

Ms. Sheri Benson (Saskatoon West, NDP): Mr. Speaker, I often get to stand in the House to talk about the great statistics from my province of Saskatchewan. Unfortunately, however, according to Statistics Canada figures last year, my province had the highest rate of impaired driving in Canada, .

Previous governments have been ineffective in lowering impaired driving rates. Would my hon. colleague join with me in asking the government to include increased funding so governments can work better with community partners to reduce impaired driving in general?

• (1050)

Hon. Rob Nicholson: Mr. Speaker, I made very clear in my opening remarks that more funding had to go into this area to ensure the right education programs and the right training were in place. These things are necessary.

I reach out to the hon. member. She mentioned the terrible problem of impaired driving in her province. I can, without doubt, guarantee that it will get worse if people are legally smoking dope, in addition to drinking alcohol. We heard testimony at committee about how difficult it would be to get a quick test and the effects of combining smoking marijuana and drinking alcohol. Experts told us that the impact of marijuana was very precise at the beginning, but it remained in the body for quite some time. Many people do not

realize that. What will be the effect of that be when they start to drink later on?

Impaired driving is a terrible problem. When we were government, we addressed many aspects of this. The amendments we brought forward in committee would ensure that the message would get out that there would serious consequences for people who were involved with impaired driving. I fear that with the Liberals pushing the marijuana bill through in the next few months in time for Canada Day, the problem of impaired driving will get worse.

Mr. Murray Rankin (Victoria, NDP): Mr. Speaker, nothing could be more important than the bill before the House today, Bill C-46, which deals with changes to the impaired driving laws in Canada to deal with not only drug impairment but increased sanctions on those who drive while impaired by alcohol. The NDP has long stood for improving this through legislation, smarter deterrence to deal with the tragedies taking place on our roadsides every day.

Professor Robert Solomon testified at the justice committee, which I had the honour to sit on during the testimony for most of this. He has long acted for Mothers Against Drunk Driving and put it very well. He said, "It's difficult to see how anyone can credibly make that claim", the claim that the Criminal Lawyer's Association and others have made that mandatory alcohol testing is not necessary. He says:

...impairment-related crashes kill about 1,000 Canadians a year, injure almost another 60,000 more, a disproportionate percentage of whom are teenagers and young adults...Our current law has left Canada with one of the worst impaired driving records among comparable countries.

The enormity of the problem with which the bill is attempting to grapple is not lost upon us. However, we have great concerns about the mandatory alcohol testing to which Professor Solomon has testified.

The NDP leader, Mr. Jagmeet Singh, has been outspoken during his time in the Ontario legislature about the ability of the police to go after people simply on the basis of their race, be they indigenous, black, or Canadians of other minorities. The discriminatory police practice of carding has been central to his work in the Ontario legislative assembly. Mr. Singh says, "As Prime Minister, I'll enact a Federal Ban on Racial Profiling" to end it once and for all.

Statements by Members

I raise this because of the potential of this mandatory alcohol screening that proposed section 320.27 of the bill would implement for the first time in Canada. We heard many witnesses at the committee, and after the break I will go back and talk about this in more detail. As long as the police have the ability to stop someone on a whim, that discretion can and will be abused.

Currently under the law as it exists, one has to have reasonable suspicion before stopping someone. If one no longer has to have that reasonable suspicion, which is what this section at issue would do, then there is the potential, indeed, the certainty that there will be disproportionate targeting of racialized Canadians, indigenous people, youth, and other marginalized groups. That is the nub of the problem and why this is such a difficult bill for the House to deal with.

I am not saying it is not as critical as the member for Niagara Falls has reminded us; it is. I am not saying that the potential for deaths is not real, because it is there. However, we have to get this balance right. We are not convinced that it has been achieved. We are still studying it and will continue to study it before the vote takes place in the next while.

At the committee, the NDP did manage to get one amendment that would somehow address this issue. That amendment would add the proposed section 31.1 to the bill, which would require that this issue be studied and reported to Parliament within three years of enactment. The committee agreed with that, and I hope the House will accept that final amendment as well. We will see whether the concerns that so many experts have brought to the attention of the committee will prove true in practice.

I had the opportunity at committee to speak to Canada's leading constitutional jurist on this subject. He is the famous Professor Peter Hogg. He indicated that he had done a legal opinion upon which Mothers Against Drunk Driving relied. It basically says that he is in favour of mandatory alcohol testing and of the ability to stop people at random. However, I asked him, "If the evidence were that there were a disproportionate impact on racialized groups and minorities, would that not give you pause in defending this bill under section 1 of the Canadian Charter of Rights and Freedoms?"

• (1055)

If the evidence showed there would be this abuse, as others have predicted, would that give him pause? Professor Hogg, who of course agreed with mandatory alcohol testing, said that "It would give me pause if that were the case...but I think the pause that I would make would be to look at the administration of the law, so that it does get cleansed of any kind of racial bias or anything like that."

Thus even a leading jurist who supports the initiative of mandatory alcohol screening is saying that it may be subject to defeat under section 1 of the charter if the evidence shows, as so many experts have said, that it would have this effect of racial profiling, that it would allow the police, on a whim, to stop people simply because of the colour of their skin, their age, or the like.

I will resume after question period, but at this stage, Canadians need to know how difficult this balance would be.

The Deputy Speaker: The hon. member for Victoria will have three and a half minutes remaining in his time when the House next

gets back to debate on the question. Of course, he will have the time for questions and comments following that as well.

STATEMENTS BY MEMBERS

[*Translation*]

CATALONIA

Mr. Mario Beaulieu (La Pointe-de-l'Île, BQ): Mr. Speaker, this week, two Catalan separatists were imprisoned for organizing a protest. This week, Spain decided to take control of Catalonia and withdraw its statute of autonomy. This week, Madrid decided to call a snap regional election to try to defeat President Puigdemont. This week, the people were once again denied their right to self-determination.

Freedom of association and freedom of speech were trampled, but in order to appease Spain, Canada said nothing. This silence is truly shameful. It tarnishes our reputation. Canada has refused to condemn the violence. Canada has refused to condemn the Spanish government's undemocratic actions. Canada is not condemning the political imprisonments. Canada is complicit in all of this.

The Canadian government claims to be democratic. It is pathetic.

* * *

• (1100)

[*English*]

SMALL BUSINESS WEEK

Mrs. Alaina Lockhart (Fundy Royal, Lib.): Mr. Speaker, today I am pleased to update the House on an incredible Small Business Week 2017.

This week our government announced that we are delivering on our commitment to reduce the small business tax rate to 9%, while making our tax system fairer for all Canadians.

The BDC held over 200 events across the country, and here in Ottawa members of Startup Canada met with their representatives during Startup Canada Day on the Hill.

As a former small business owner, I know that small businesses are the lifeblood of Canada's economy, employing nearly 10.5 million Canadians. During Small Business Week, and every other day, our government will celebrate and support our hardworking entrepreneurs.

* * *

TAXATION

Mr. Bob Saroya (Markham—Unionville, CPC): Mr. Speaker, this week I received a letter from a man named Bill, addressed to "Anyone who cares".

The letter expressed how his life would drastically change as a result of the Liberal government's new tax changes. Bill's family business did not survive the high interest rates in 1982 under Prime Minister Pierre Trudeau.

Relentlessly, he started all over again, but by 2007 he had to retire at the age of 75. He wants to leave something behind to his children, who gave so much and contributed to their family business. However, because of these new tax changes, he is afraid that he will no longer be able to do so.

I want Bill to know that I care and I will fight for him.

* * *

HOCKEY

Mr. James Maloney (Etobicoke—Lakeshore, Lib.): Mr. Speaker, last week I had the honour of welcoming 35 young Canadians from Rankin Inlet to Etobicoke—Lakeshore as part of a hockey exchange with students with the Mimico Canadians in Etobicoke. Mimico is a neighbourhood in my riding, anchored in, among other things, hockey. In fact, Mimico is home to five recent Stanley Cups and many hockey heroes.

As part of the Canada 150 celebrations and the 100th anniversary of the NHL, Encounters with Canada, financially supported in part by the federal government, organized the youth cultural exchange to foster a better understanding of our country and our people through one of our country's shared passions.

As the students visited hockey landmarks, such as the Hockey Hall of Fame, and recorded a segment for *Hockey Night in Canada*, and of course played hockey, they shared experiences and got to know each other well. The Mimico students head north next April to continue building on what I know will be lifelong friendships and to learn about life in the north.

What an amazing opportunity it is for them. I congratulate them on a successful visit to Etobicoke and wish everyone a meaningful trip to Rankin Inlet next year.

* * *

VETERANS AFFAIRS

Ms. Sheila Malcolmson (Nanaimo—Ladysmith, NDP): Mr. Speaker, “Being given a jigsaw puzzle and turning out the lights.” That is what a young veteran with PTSD told me it is like to deal with Veterans Affairs.

My Nanaimo—Ladysmith office is flooded with urgent requests from desperate constituents who cannot access the services they need. They are frustrated trying to get the guaranteed income supplement, tax refunds, immigration okays, old age security, and pensions.

Wait times stretch from weeks to month, to years, and waiting years for family reunification means that children grow up without their parents. People with disabilities, seniors, and low-income Canadians are left in limbo while they await crucial approvals and financial support.

Staff are scrambling to deal with the ever-growing backlog. It is time for the government to hire back the workers the Conservatives cut, and give Canadians the services they deserve.

Statements by Members

CANADIAN HERITAGE

Mr. Matt DeCoursey (Fredericton, Lib.): Mr. Speaker, 50 years ago on the eve of Canada's centennial celebration, the Centennial Voyageur Canoe Pageant set off on a cross-Canada voyage.

[Translation]

The 5,500-kilometre voyage from the Canadian Rockies through challenging rapids and over arduous portages to the final destination, Expo 67 in Montreal, took the paddlers 104 days.

[English]

As we mark 150 years of Canada's Confederation, we welcome these voyageurs to our nation's capital as they mark the 50-year anniversary of their extraordinary trek.

[Translation]

As the Guinness record holder for the longest canoe race in history, this exploit reflects the Canadian spirit, a spirit of courage and determination that commemorates our past as we set our sights on the next 150 years.

[English]

I know that all members will join me in celebrating the accomplishments of the centennial voyageurs, and thank them for their continued contributions to Canada.

* * *

●(1105)

ACCESS TO INFORMATION

Mr. Kevin Waugh (Saskatoon—Grasswood, CPC): Mr. Speaker, there are awards and then there are awards.

Maclean's has its Parliamentarian of the Year Awards currently under way, but did members know that the first of four prestigious awards for the code of silence has just been rolled out? This highly undesirable award is presented by four media groups.

One would think that the Finance Minister would be a shoo-in for this outstanding honour for most creative use of loopholes. However, this year's award goes to Ottawa's point man on access to information reform, the member for Kings—Hants, the President of the Treasury Board.

Congratulations for turning the Prime Minister's Office into a bastion of secrecy, free from the obligation to respond to pesky groups of citizens requesting information on how their tax dollars are being spent. Once and for all, congratulations.

* * *

VIOLENCE AGAINST WOMEN

Mr. Chris Bittle (St. Catharines, Lib.): Mr. Speaker, this past weekend, constituents stopped me and gave me a compliment I never thought I would hear: “Nice heels”.

I am already seeing a number of strange looks, but, indeed, I rocked that pair of open-toed, sparkling, silver high heels as I walked through the mall. For the third year in a row, I participated in the Walk a Mile in Her Shoes fundraiser to benefit our local women's shelter, Gillian's Place.

Statements by Members

We do not have to look far to see the terrible impact of gender-based violence. In Niagara alone, over 8,000 calls were made to 911 in a year for domestic violence. If we look at our social media feeds, we see the impact of the #MeToo hashtag.

Gillian's Place has served as a beacon of light for victims and families. It provides counselling, accommodation, and other countless services, giving those affected by gender-based violence a safe place to regroup and plan their future.

This year, with over 300 participating, \$110,000 was raised helping to support programming and operations. Strides have been made to stem the tide of gender-based violence and harassment. This walk reminds us to recommit ourselves to bring an end to these heinous acts.

* * *

KELTY PATRICK DENNEHY FOUNDATION

Ms. Pam Goldsmith-Jones (West Vancouver—Sunshine Coast—Sea to Sky Country, Lib.): Mr. Speaker, for World Mental Health Day, I would like to introduce the House to Kelty Patrick Dennehy, who grew up playing hockey, golf, and snowboarding in Whistler.

At 16, Kelty experienced extreme anxiety, but seemed to recover. For grade 12, he went to Notre Dame College located in Wilcox, Saskatchewan, but his anxiety returned. He became despondent, and he came home to Whistler and his loving parents. On March 2, 2001, he took his own life.

Devastated, the Dennehys established the Kelty Patrick Dennehy Foundation, raising \$7 million so far for Canada's first standalone mental health facility for youth and children, a depression research chair at UBC, and the remarkable and innovative Kelty online therapy program.

Dedicated to the mental health of young people, the Dennehys are hopeful that mental health issues will be treated like any disease, be free from stigma, and that people will have the help they need.

Canadians are very grateful to the Dennehy family.

* * *

[*Translation*]

ÉBOULEMENTS TRAGEDY

Mrs. Sylvie Boucher (Beauport—Côte-de-Beaupré—Île d'Orléans—Charlevoix, CPC): Mr. Speaker, 20 years ago, on October 13, 1997, 43 residents of Saint-Bernard in Beauce were killed at Les Éboulements, which is in my riding, in the deadliest road accident in Canadian history.

The bus carrying members of a seniors club crashed into a ravine at the bottom of the very steep Côte des Éboulements. The 43 victims were very involved in their parish. Despite their passing, their stalwart legacy lives on in future generations.

Twenty years have passed since that tragic day, and our thoughts still turn to those who lost their lives. Two communities were hit hard by the events of that dark day, and they will never be the same again.

Les Éboulements and the rest of Quebec have not forgotten you. We will never forget you.

* * *

[*English*]

KELOWNA BUSINESS EXCELLENCE AWARDS

Mr. Stephen Fuhr (Kelowna—Lake Country, Lib.): Mr. Speaker, last week, in my riding of Kelowna—Lake Country, I had the pleasure of attending the 2017 Kelowna Chamber of Commerce Business Excellence Awards. I would like to take this opportunity to recognize all the companies and individuals who were nominated for an award and take a moment to acknowledge the winners: Current Taxi, BC Tree Fruits Cooperative, Rotary Centre for the Arts, CREW Marketing Partners, Volinspire, Hybrid Elevator Inc., NewCap Radio, and Northside Industries. The Young Entrepreneur Award went to Andrew Gaucher. Finally, the Business Leader of the Year Award went to Lane Merrifield.

I also want to compliment the Kelowna Chamber of Commerce for putting on a first-class event.

Small business not only creates local employment opportunities, it provides goods and services that increase the quality of life in our community.

* * *

●(1110)

[*Translation*]

PATRICE VINCENT AND NATHAN CIRILLO

Mr. Jean Rioux (Saint-Jean, Lib.): Mr. Speaker, three years ago, the lives of two Canadian Armed Forces members were cut short in the tragic events that took place in Saint-Jean and Ottawa.

Canada remembers Warrant Officer Patrice Vincent, who died on October 20, 2015, leaving behind his grieving family and colleagues.

Some 48 hours later, another senseless attack took a second brave Canadian from us, Corporal Nathan Cirillo, who was shot while serving as ceremonial honour guard at Canada's National War Memorial.

The members of the Canadian Armed Forces work hard every day to ensure a peaceful environment, sometimes putting their own lives at risk. We are so grateful to them.

Today our thoughts are with the families, friends, and colleagues of Warrant Officer Vincent and Corporal Cirillo. Their bravery and their dedication to our country will never be forgotten.

* * *

[*English*]

WATERTON LAKES NATIONAL PARK

Mr. John Barlow (Foothills, CPC): Mr. Speaker, when facing the most devastating of disasters, it is also the time we witness the most inspiring of miracles. In harrowing times, heroes have arisen to face the flames. These heroes are our firefighters.

Statements by Members

One month ago, fire ripped through Waterton Lakes National Park. In my tour of the aftermath, I was speechless to see the park's precious landscape ravaged by the wildfires. Much was lost: ranches, homes, campgrounds, and stables. The devastation to one of the most beautiful places on earth was staggering. However, what I also saw was nothing short of a miracle. I saw the battleground where firefighters and Parks Canada staff stubbornly stood their ground to save the Waterton Lakes National Park townsite. Unbelievably, cottages, shops, and the iconic Prince of Wales Hotel stood undamaged.

I proudly stand in the House today to recognize those who helped save Waterton Lakes National Park, a beloved Canadian treasure. I humbly thank all of the men and women who have fought and continue to fight the fires in southern Alberta for their tireless and courageous service.

* * *

[*Translation*]**MICHAEL PITFIELD**

Mr. Frank Baylis (Pierrefonds—Dollard, Lib.): Mr. Speaker, yesterday we were saddened to learn of the death of former senator Michael Pitfield. He was an exceptional individual who, among other things, helped modernize the public service and had a role in the patriation of our Constitution.

Mr. Pitfield had a long and brilliant career. After studying law at McGill University, he began his public service career at the Department of Justice in 1959.

[*English*]

Mr. Pitfield eventually became the clerk of the Privy Council of Canada and secretary to the cabinet under Prime Minister Pierre Trudeau. In 1982, he was appointed an independent senator.

Senator Pitfield was never one to rest on his laurels and remained vigorously engaged in Canadian society, even after being diagnosed with Parkinson's disease. He then worked tirelessly to raise awareness of medical research in the field.

We offer our condolences to his children, Caroline, Thomas and Kate, as well as to the many other Canadians whose lives he touched.

* * *

RAIL TRAILS

Mr. Richard Cannings (South Okanagan—West Kootenay, NDP): Mr. Speaker, this year I again rode my bicycle through South Okanagan—West Kootenay at the end of August. I took a day longer than last year, but I did cover more territory, about 519 kilometres in all. It was hot and smoky, but I enjoyed warm receptions and good conversation in cafes along the way. I was joined by keen cyclists on the rail trails that form most of the route: the beautiful Kettle Valley Rail Trail, from Big White down to Midway and from Naramata to Okanagan Falls and beyond; the newly resurfaced Kettle River Heritage Trail, east of Grand Forks; the Galena Trail along Slocan Lake; and the beautiful rail trail down the Slocan River.

These trails are significant economic drivers in small communities along the route. About 300,000 people use parts of the KVR

every year. The trails are maintained by hard-working volunteer groups in those communities. Therefore, I call upon the government to support these groups and the work they do to support our rural economies.

* * *

● (1115)

CANADIAN ARMED FORCES

Mr. John Brassard (Barrie—Innisfil, CPC): Mr. Speaker, in 2011, the United Kingdom introduced the Armed Forces Covenant. The covenant passed in the U.K. Parliament states that those who serve, and their families, should face no disadvantage compared to other citizens in the provision of public and commercial services. It further states that special consideration is appropriate, especially for those who have given the most, such as the injured and bereaved.

Our Canadian Armed Forces sacrifice the same freedoms and face the same dangers. Our nation has a moral and sacred obligation to the members and families of the Canadian Armed Forces. They deserve our respect and the support of their government, understanding the uniqueness of what they and their families do for our country.

As former opposition critic for Veterans Affairs, I believe we owe our veterans no less of a military covenant than that recognized by the United Kingdom, the first and only country to have one. It is my sincere hope that all veterans will have the same covenant bestowed upon them by the Government of Canada and all Canadians.

* * *

[*Translation*]**TAXATION**

Mr. Rémi Massé (Avignon—La Mitis—Matane—Matapédia, Lib.): Mr. Speaker, our government consults Canadians.

Members of Parliament met with business owners, chambers of commerce, and farmers from across Canada. The Minister of Finance took these consultations into consideration in the plan he introduced this week to make our tax system fair. This plan will enable our SMEs to set money aside for retirement and to make sure there is parental leave. It will also ensure that no one is penalized when businesses are passed on to the next generation.

I am proud of our government, I am proud of our members, and I am proud of the Minister of Finance, who listened to Canadians from across this country and took tangible action based on the feedback he received.

*Oral Questions***ORAL QUESTIONS***[English]***ETHICS**

Hon. Pierre Poilievre (Carleton, CPC): Mr. Speaker, no one in Canada has more power to enrich the fortunes of an individual company than the finance minister. He has put forward legislation creating target benefit pension plans that his company sells. He has put forward tax proposals that would force small businesses to put money into individualized pension plans, which his company sells. The Bank of Canada, for which the finance minister is the only shareholder, gave lucrative renewed contracts to his company while he was minister.

Does the government, and the Prime Minister, not see the obvious conflict of interest in all of these actions?

[Translation]

Mr. Joël Lightbound (Parliamentary Secretary to the Minister of Finance, Lib.): Mr. Speaker, it is important to remember that, immediately after he was elected, the Minister of Finance contacted the Conflict of Interest and Ethics Commissioner to ensure that he was in full compliance with the rules that govern all of us here in the House. The Conflict of Interest and Ethics Commissioner recommended that he establish a conflict of interest screen, which he did. This measure is public and is still in place.

Yesterday, the Minister of Finance went the extra mile and announced that he would put his assets in a blind trust and that he would sell his shares in Morneau Shepell. I think that is important to remember. The Minister of Finance has a lot of integrity and has been dedicated to serving the public for two years. We can be proud of his results, which are working for all Canadians.

[English]

Hon. Pierre Poilievre (Carleton, CPC): Mr. Speaker, if the minister thought it was appropriate to own \$20 million in shares in a company he regulates, why did he suggest to the media, to his caucus, and to Morneau Shepell that he had put it all in a blind trust? It reminds us of the offshore company in France. He broke the law in failing to report it to the Ethics Commissioner from the start.

The minister always does the right thing after he is caught doing exactly the opposite. When will the minister reveal all the investments he has in his nine numbered companies and trust funds across the country?

[Translation]

Mr. Joël Lightbound (Parliamentary Secretary to the Minister of Finance, Lib.): Mr. Speaker, every parliamentarian, including ministers, is expected to work with the Conflict of Interest and Ethics Commissioner to ensure full compliance with the laws and rules that govern us in the House. That is exactly what the Minister of Finance has been doing from day one. In a letter to the minister made public yesterday, the Conflict of Interest and Ethics Commissioner made it clear that the minister is in compliance with the law and she told him to put a conflict of interest screen in place, which he has done from the start and continues to do. The screen is public knowledge.

Yesterday, the minister went above and beyond what was expected of him when he announced proposed measures to prevent any

appearance of conflict of interest. He is a man of great integrity who has been doing a great job serving Canadians for two years.

• (1120)

[English]

Hon. Pierre Poilievre (Carleton, CPC): Mr. Speaker, the member talks about an ethics screen requiring the minister to recuse himself from any matters affecting his company, Morneau Shepell. I have three questions. Did he recuse himself from any discussions on the Barbados tax haven where his company has a subsidiary? Did he recuse himself from any discussions on target benefit pension plans, from which his company stands to profit in the millions? Did he recuse himself from tax policies forcing small businesses to invest in individualized pension plans, from which his company stands to profit?

[Translation]

Mr. Joël Lightbound (Parliamentary Secretary to the Minister of Finance, Lib.): Mr. Speaker, the guardian of parliamentarians' integrity here in Parliament is the Conflict of Interest and Ethics Commissioner, with whom the Minister of Finance has been working from day one to ensure that full compliance with the law and the rules. Yesterday, the Minister of Finance announced that he would go even further in a show of transparency by indicating that he would put his holdings in a blind trust and divest himself of his shares in Morneau Shepell so as not to distract from the important work that this minister has been doing for all Canadians for two years now.

Mr. Alain Rayes (Richmond—Arthabaska, CPC): Mr. Speaker, speaking for myself, I do not need the Conflict of Interest and Ethics Commissioner to tell me whether I am acting ethically or unethically.

The finance minister has spent the past two years concealing his financial situation and profiting from measures being implemented by his own government. For three weeks now, he has been trying to defend his handling of his assets. Meanwhile, the Prime Minister has struggled to defend the indefensible by telling everybody over and over that his minister follows all the rules. It took three weeks of relentless grumbling from the Canadian public for him to admit the truth and pledge to make the necessary changes.

Will we have to wait another three weeks before this minister finally comes to his senses and does the right thing by apologizing to all Canadians?

[English]

Mr. Joël Lightbound (Parliamentary Secretary to the Minister of Finance, Lib.): Mr. Speaker, I would like to remind the member that the Minister of Finance has always worked with the Ethics Commissioner and followed all her recommendations, namely to set up a conflict of interest wall, and yesterday he announced that he would go even further.

Oral Questions

If he wants to talk about the last two years of the finance minister, I would like to respectfully remind the member that two years ago, we were debating whether the Canadian economy was in or heading into a recession. Fast forward two years, and the finance minister has steered the Canadian economy back in the right direction, the direction of growth, prosperity, but most importantly, prosperity for all Canadians.

[*Translation*]

Mr. Alain Rayes (Richmond—Arthabaska, CPC): Mr. Speaker, I am fascinated by the parliamentary secretary's ability to keep standing up for his Minister of Finance.

Canadians have learned that the Minister of Finance is in a direct conflict of interest. To make matters worse, the media reported this week that his own company has an \$8-million contract with the Bank of Canada for pension services. It is reported that the finance minister has received more than \$65,000 a month in dividends from own company since becoming an MP. No wonder people are cynical about politicians.

Is the minister aware that he is in a direct conflict of interest?

Mr. Joël Lightbound (Parliamentary Secretary to the Minister of Finance, Lib.): Mr. Speaker, I would like to remind hon. members that the guardian that prevents all conflicts of interest in the House, real or perceived, is the Conflict of Interest and Ethics Commissioner.

Since day one, the Minister of Finance has shown integrity and transparency by working with the Conflict of Interest and Ethics Commissioner, and he has followed all of her recommendations.

Yesterday, to avoid any distraction from the important work that he does for all Canadians, the minister decided to go beyond what the Conflict of Interest and Ethics Commissioner recommended by putting his holdings in a blind trust, by divesting himself of his shares in Morneau Shepell, and by continuing to use a conflict of interest screen, which was recommended by the Conflict of Interest and Ethics Commissioner, and which he put in place as soon as he took office.

[*English*]

Mr. Murray Rankin (Victoria, NDP): Mr. Speaker, the finance minister initially said that he was just following the recommendations of the Ethics Commissioner while ignoring what the Prime Minister told him he had to do in his mandate letter, but yesterday he announced he was going to take action to fix the situation. Even if he were following the rules, he must understand that any reasonable person would conclude that at the very least, he was in an apparent conflict of interest and certainly failed to exercise the kind of judgment one would expect from a finance minister.

Will he now apologize to Canadians for breaking their trust?

Mr. Joël Lightbound (Parliamentary Secretary to the Minister of Finance, Lib.): Mr. Speaker, the Minister of Finance, as I mentioned, has always followed all the directives of the Ethics Commissioner, namely, to set up a conflict of interest wall. Yesterday, in a letter made public from the Ethics Commissioner to the Minister of Finance when he entered office, she said about that conflict of interest wall that it would ensure the integrity and

impartiality and maintain the public's confidence and trust in the integrity of the Minister of Finance.

It's important to mention that the Ethics Commissioner is safeguarding ethics and conflicts of interest here to make sure that they are avoided and perception is avoided. The minister has always followed her directives, but he announced yesterday he would go above and beyond to avoid the distractions that this is causing.

• (1125)

Mr. Murray Rankin (Victoria, NDP): Just blame the Ethics Commissioner, Mr. Speaker.

The finance minister says he is working for the middle class, all the while attempting to justify that his actions were ethical, showing again just how out of touch he is with the reality facing most Canadians. The minister is in charge of the country's finances and he should not be allowed to maintain control over tens of millions of dollars in personal investments in a company he regulates. That is common sense.

When will he take personal ownership that what he did was wrong and just apologize to Canadians?

Mr. Joël Lightbound (Parliamentary Secretary to the Minister of Finance, Lib.): Mr. Speaker, as I have mentioned, the finance minister, immediately after the election, started working with the Ethics Commissioner in full transparency, disclosing his assets, making sure that he was following all directives and making sure that he was in conformity with the laws that govern us in this House. Yesterday he announced that he would go even further, that he would put his assets in a blind trust, that he would divest himself of shares in Morneau Shepell to avoid the distraction and to make sure that we can continue the work that we are doing on behalf of Canadians.

He talks about the middle class. There is not a minister of finance who has more strongly supported the middle class than this minister, who has reduced child poverty by 40% with the Canada child benefit, who has been confident in our economy, investing in infrastructure, who has grown this economy at a fast rate.

[*Translation*]

Ms. Hélène Laverdière (Laurier—Sainte-Marie, NDP): Mr. Speaker, let me be perfectly clear. The finance minister's announcement has not dispelled Canadians' doubts about his judgment and integrity.

For two years, he let people think that he had already put his holdings in a blind trust. Now, he is taking action only because he was caught. He should have exercised some judgment and done that from the very beginning.

Why do the Liberals always wait for a scandal to break before showing the least bit of common sense?

Mr. Joël Lightbound (Parliamentary Secretary to the Minister of Finance, Lib.): Mr. Speaker, after he was elected, the Minister of Finance did not wait around. He met with the Conflict of Interest and Ethics Commissioner right away to make sure that he was following all the rules and all of her recommendations.

Oral Questions

What he did yesterday was announce that he was going to take the Conflict of Interest and Ethics Commissioner's recommendations one step further by putting his holdings in a blind trust and working with her to divest himself of his shares in Morneau Shepell. He is doing this so that he can continue the important work he does for all Canadians, for the middle class, to reduce inequality and grow our economy.

* * *

[*English*]

INTERNATIONAL DEVELOPMENT

Ms. Hélène Laverdière (Laurier—Sainte-Marie, NDP): Mr. Speaker, the people of Mogadishu in Somalia are still responding to the horrific terror attack that struck last Saturday. Hospitals remain short of urgently needed medical supplies and families need more support. The world is responding with aid. The U.S., the European Union, Turkey, Kenya, and others have offered their assistance, but Canada has not. Will the government act as our allies have done and provide immediate humanitarian assistance to Somalia?

[*Translation*]

Hon. Marie-Claude Bibeau (Minister of International Development and La Francophonie, Lib.): Mr. Speaker, I can assure the member that our government is very concerned about the situation in Somalia and is monitoring it closely.

We have already contributed \$2 million through the Red Cross to help those who were wounded in the attack. I can assure my colleagues that we are monitoring the situation closely and that we could increase our contribution if necessary.

* * *

ETHICS

Mr. Luc Berthold (Mégantic—L'Érable, CPC): Mr. Speaker, this week, Canadians witnessed something never before seen in federal politics.

They watched as the Minister of Finance floundered around on Monday, Tuesday, Wednesday, and Thursday. He was caught red-handed attempting to get small business owners, their employees, and farmers to foot the bill for his deficit spending.

We also discovered that he pocketed millions thanks to a bill he himself introduced, which is indisputably unethical.

Now that he has collected his bonus, will the Minister of Finance tell us if he participated in cabinet decisions about Bill C-27?

Mr. Joël Lightbound (Parliamentary Secretary to the Minister of Finance, Lib.): Mr. Speaker, this week, the minister announced a tax cut for small businesses. Their tax rate will drop from 10.5% to 9% by January 1, 2019.

Ms. Sylvie Boucher: We need a yes or no answer about Bill C-27.

Mr. Joël Lightbound: Mr. Speaker, I find it hard to concentrate when members across the way are shouting like that. I would ask that you intervene.

What the minister announced is that we are standing behind our small businesses now as we have all along. We are cutting taxes to keep Canada on its current growth track. To make sure he was doing

things properly, he listened to Canadians from coast to coast, and this week, he announced changes that will bring a little more fairness into our tax system.

● (1130)

Mr. Luc Berthold (Mégantic—L'Érable, CPC): Mr. Speaker, if he answered our questions, we would not have to be so noisy.

It took two years for the finance minister to carry out his plan, which he announced in 2013, to change the law so that his firm could make millions of dollars. That is how long it took for the minister to personally profit from a decision made by his government. Now, two years and millions of dollars later, the minister is telling us that he will sell his shares.

Does he take us for complete idiots? Does the Minister of Finance realize that this fairy tale for visionary millionaires is entirely unethical? Did he recuse himself from matters relating to Bill C-27, yes or no?

Mr. Joël Lightbound (Parliamentary Secretary to the Minister of Finance, Lib.): Mr. Speaker, as the Minister of Finance has been saying from day one, he worked with the Conflict of Interest and Ethics Commissioner and acted on all of her recommendations.

We on this side believe in our institutions, in the institution that is the Office of the Conflict of Interest and Ethics Commissioner, and in the wisdom she provides to us parliamentarians to ensure that there is no conflict of interest or appearance of conflict of interest. Not only did the minister follow the commissioner's directives, but yesterday he also announced that he would go even further and divest himself of his shares in Morneau Shepell and place all of his assets in a blind trust, which is more than the Conflict of Interest and Ethics Commissioner requires of him and of all parliamentarians.

[*English*]

Mrs. Shannon Stubbs (Lakeland, CPC): Mr. Speaker, in 2013 when the current finance minister was the executive chair of Morneau Shepell, he said, "We need legislation enabling Target Benefit Plans". Then, once he became finance minister, he introduced that legislation. The finance minister has been receiving tens of thousands of dollars a month from Morneau Shepell the entire time. That is a really obvious conflict. Why did the finance minister not recuse himself from discussions about Bill C-27?

[*Translation*]

Mr. Joël Lightbound (Parliamentary Secretary to the Minister of Finance, Lib.): Mr. Speaker, from day one the Minister of Finance has been working with the Conflict of Interest and Ethics Commissioner in order to comply with all the rules that govern us and he has been sure to follow any directives she might give him, such as putting a conflict of interest screen in place. The screen is public knowledge, and is still in place today.

Oral Questions

Yesterday, in the spirit of transparency, he announced that he would go above and beyond the Conflict of Interest and Ethics Commissioner's expectations by putting his holdings in a blind trust and divesting himself of his shares in Morneau Shepell. He is doing this in order to continue working for Canadians as he has for two years now, spurring growth surpassing that of all the other G7 countries, making us the envy of the world, and embracing an economic policy that is applauded by economists at the IMF, the World Bank, and the OECD. I think that we can be proud of our Minister of Finance.

[English]

Mrs. Shannon Stubbs (Lakeland, CPC): Mr. Speaker, that was not the question.

In October last year, the finance minister himself introduced Bill C-27, which would set up the same target benefit plans that he previously called for as executive chair of Morneau Shepell. The minister's family company called the bill a "positive step" and not surprisingly, welcomed its introduction. The fact is the finance minister's billion dollar family company will benefit directly from Bill C-27.

So again, specifically and clearly: why did the finance minister not recuse himself from discussions about Bill C-27?

[Translation]

Mr. Joël Lightbound (Parliamentary Secretary to the Minister of Finance, Lib.): Mr. Speaker, it is important to remember that at all times since his election the Minister of Finance has acted in compliance with the rules, the laws, and the recommendations of the Conflict of Interest and Ethics Commissioner.

What is more, yesterday he announced that he would go one step further, in the spirit of transparency, in order to continue his work for Canadians, by putting his holdings in a blind trust and divesting himself of his shares in Morneau Shepell.

He is a man of great integrity who has devoted the past two years of his life to public service, and he is doing a fantastic job.

[English]

Hon. Erin O'Toole (Durham, CPC): Mr. Speaker, yesterday the finance minister said he declared all his assets to the Ethics Commissioner but we know that it took questions from the CBC before he revealed his private offshore corporation and updated his ethics filing two years late.

Will the minister confirm that he received a notice of violation from the Ethics Commissioner ahead of his refiling?

[Translation]

Mr. Joël Lightbound (Parliamentary Secretary to the Minister of Finance, Lib.): Mr. Speaker, I can confirm to the member opposite that the Minister of Finance spoke to the Conflict of Interest and Ethics Commissioner as soon as he was elected to ensure that he was following all of her recommendations.

Yesterday, a letter that the commissioner wrote to him after his election was made public. I encourage the member to read it. The minister has always followed all of the recommendations made by the Conflict of Interest and Ethics Commissioner.

Yesterday, he announced that he would go the extra mile to avoid any distractions and to continue the important work he does in the service of Canadians.

[English]

Hon. Erin O'Toole (Durham, CPC): Mr. Speaker, it took questions from the CBC for the finance minister to reveal his private offshore corporation. It took pressure from the House for the minister to start liquidating assets from his private Alberta corporation.

The Prime Minister seems to think the finance minister gets to take a mulligan when it comes to his ethics filings.

When will the finance minister stop throwing the Ethics Commissioner under the bus and start taking responsibility for his failures?

● (1135)

Mr. Joël Lightbound (Parliamentary Secretary to the Minister of Finance, Lib.): Mr. Speaker, the finance minister is by no means throwing the Ethics Commissioner under the bus. He is actually respecting everything the Ethics Commissioner has told him to do and working with her to make sure that not only is he respecting the rules but he is going above and beyond the rules that govern us in the House.

The finance minister will continue his work with the Ethics Commissioner to make sure that he is forthcoming and transparent with the Ethics Commissioner, who safeguards the integrity of the House.

* * *

PENSIONS

Mr. Scott Duvall (Hamilton Mountain, NDP): Mr. Speaker, Sears Canada workers and retirees are hurting and Liberal talking points are not helping. The Liberals are misleading Canadians by saying Sears Canada pensions will not be affected because they are in a trust, but that is not true. The value of workers' pensions will be reduced by 19% due to underfunding by the company and will further be reduced when Morneau Shepell delivers its bill for administering the windup of the pension plans.

When will the Liberals stop misleading Canadians and deliver a plan for Sears Canada workers and pensioners?

Hon. Navdeep Bains (Minister of Innovation, Science and Economic Development, Lib.): Mr. Speaker, I want to thank the member opposite for raising this question. He has done so several times.

We share the concerns that he has with respect to Sears employees, their families, and the many communities that have been impacted. That is why our government is trying to do everything we can to assist these workers during these difficult times. We have made every effort to connect Sears employees and pensioners with programs that will assist them. In particular, Service Canada has been meeting with representatives. It has had 80 sessions, and they are being delivered across the country.

We will continue to work with these Sears employees and their families to make sure that we assist them during this difficult time.

Oral Questions

Ms. Sheri Benson (Saskatoon West, NDP): Mr. Speaker, Sears workers deserve more than talking points from the minister. Sears Canada employees and retirees worked hard to earn their benefits and pensions and because the Liberals refuse to fix our broken bankruptcy legislation, Sears Canada executives continue to receive bonuses for a failing company.

When will the Liberals stick up for workers and present a real plan to help Sears Canada employees? Two years after the election, will they keep their promise and fix the broken bankruptcy legislation in Canada?

Hon. Navdeep Bains (Minister of Innovation, Science and Economic Development, Lib.): Mr. Speaker, it is not talking points when we talk about the employees. It is not talking points when we talk about their families. We sincerely mean this. That is why we are genuinely engaged with the Sears employees and their families to assist them during this difficult time.

We also believe in secure pensions. With respect to Sears, I understand that the current Sears Canada pension funds are held in trust and must be used solely for the benefit of the pensioners.

As the member opposite well knows, the CCAA process with regard to Sears is before the courts, and we are monitoring that situation as well. We will continue to assist the employees and their families.

* * *

ETHICS

Mrs. Cathy McLeod (Kamloops—Thompson—Cariboo, CPC): Mr. Speaker, Morneau Shepell has a subsidiary registered in Barbados, where corporate tax rates are rock bottom. In clear conflict, the Minister of Finance is also responsible for overseeing tax treaties, including the one with Barbados.

While he is wandering around telling small business owners that they are tax cheats and not paying their fair share, his wealth is growing in the sunny south.

I have a quick and simple question. Did the Minister of Finance recuse himself from all discussions regarding the tax treaty with Barbados?

Ms. Kamal Khera (Parliamentary Secretary to the Minister of National Revenue, Lib.): Mr. Speaker, our government is fully committed to fighting tax evasion and aggressive tax avoidance.

In the first two budgets, we made historic investments of over \$1 billion in the CRA so that it will have right tools to crack down on tax evaders. Our plan is already producing results. We are on track to recover \$25 billion from our efforts against tax evasion and avoidance since coming to office. More work is under way.

That is what Canadians expect from the government, and that is exactly what we will continue to deliver for them.

[Translation]

Mr. Joël Godin (Portneuf—Jacques-Cartier, CPC): Mr. Speaker, after two years, the Minister of Finance needs the Conflict of Interest and Ethics Commissioner to fill out his declaration form. Wow.

Furthermore, this minister is passing laws that give an advantage to his company, Morneau Shepell, which specializes in pension plans. He has been caught with his hand in the cookie jar.

Canadians want to know whether the Minister of Finance, a shareholder of the Morneau Shepell subsidiary in Barbados, recused himself from discussions on the tax agreement with Barbados, which is a tax haven. Yes or no.

● (1140)

Mr. Joël Lightbound (Parliamentary Secretary to the Minister of Finance, Lib.): Mr. Speaker, what the Minister of Finance has been doing since his very first day in office is to work with the Conflict of Interest and Ethics Commissioner to make sure he follows all the rules and complies with all her recommendations. Yesterday, he announced that he would be going even further by placing his assets in a blind trust and divesting himself of his shares in Morneau Shepell.

If the member wants to talk about what the Minister of Finance has been doing for the past two years, I would just like to remind him that two years ago, we were debating whether Canada was in or heading into a recession. Two years later, with this Minister of Finance at the helm, we have the fastest-growing economy in the G7, the lowest unemployment rate of the past 10 years, and a child poverty rate that is down 40%. This minister is focused on growth and prosperity, but most importantly, inclusive prosperity for all Canadians.

[English]

Mr. John Brassard (Barrie—Innisfil, CPC): Mr. Speaker, their excuses do not cut it. It is almost like a bank robber getting caught and then wanting to turn the money back in. It does not work that way.

Barbados is the number three tax haven for wealthy Canadians. The Minister of Finance is responsible for the Canada-Barbados tax treaty, and Morneau Shepell has a subsidiary on that tiny island.

Since we now know that the minister's tens of millions of dollars in Morneau Shepell stocks were not at arm's length in a blind trust for the past two years, did the Minister of Finance follow the law and recuse himself from all discussions regarding the tax treaty?

Ms. Kamal Khera (Parliamentary Secretary to the Minister of National Revenue, Lib.): Mr. Speaker, our government is fully committed to fighting tax evasion and aggressive tax avoidance.

In the first two budgets, we made historic investments of over \$1 billion in the CRA to crack down on tax evaders. We are already seeing results. We have had 627 cases transferred to criminal investigations. We have had 268 search warrants executed, and 78 convictions.

Let us be absolutely clear that tax evaders can no longer hide. Canadians expect nothing less.

*Oral Questions***VETERANS AFFAIRS**

Mr. John Brassard (Barrie—Innisfil, CPC): Mr. Speaker, today, the family of Lionel Desmond is on Parliament Hill. Their tragedy has impacted veterans and military communities across this country.

I was out there this morning, and the family is upset. They are upset because the Liberal government and the Minister of Veterans Affairs are not meeting with them. My colleagues and I were out there this morning to meet with the Desmond family, and this afternoon we will be out there again.

My question is for the Minister of Veterans Affairs. Will he join me and my colleague from Durham and others from this House to walk 300 feet away to meet with the Desmond family?

Hon. Seamus O'Regan (Minister of Veterans Affairs, Lib.): Mr. Speaker, certainly I give my condolences to the families involved. We cannot talk of specific cases out of respect for the privacy of the veteran and of the families involved, but there is no question that one suicide is one too many.

With the Minister of National Defence we have come forward with a joint suicide prevention strategy. We have hired 400 new front-line staff. We have reopened nine offices that were closed by the previous government. We have access to 4,000 mental health professionals and 11 operational stress injury clinics. We say to veterans and their families, if they need help, please raise their hand. One suicide is one too many.

* * *

THE ENVIRONMENT

Ms. Georgina Jolibois (Desnethé—Mississippi—Churchill River, NDP): Mr. Speaker, this week indigenous leaders sent a letter to the Prime Minister after being left out of developing new environmental legislation. They say the Liberals are failing to make good on their commitments to work in partnership with indigenous people. This is not how to establish a nation-to-nation relationship with indigenous people.

In my northern riding of Desnethé—Mississippi—Churchill River, the effects of climate change are felt every day. When will the Liberals work with indigenous people to develop new environmental legislation?

Hon. Catherine McKenna (Minister of Environment and Climate Change, Lib.): Mr. Speaker, no relationship is more important to the Government of Canada than the one with indigenous peoples. Over the past year, our government has held more than 200 meetings with indigenous people across the country about environmental assessment. We have held week weekly technical meetings between federal officials and Assembly of First Nations' staff. It has been a very useful means to exchange perspectives and understand the best way to move forward.

We certainly invite the Assembly of First Nations to continue to be part of this process. We are working very hard with indigenous peoples, with provinces, with civil society, and with business to ensure that we have a world-class environmental assessment system that supports reconciliation, protection of the environment, and that ensures that good projects—

● (1145)

The Deputy Speaker: The hon. member for Abitibi—Baie-James—Nunavik—Eeyou.

* * *

[Translation]

INDIGENOUS AFFAIRS

Mr. Romeo Saganash (Abitibi—Baie-James—Nunavik—Eeyou, NDP): Mr. Speaker, the indigenous people of Canada, Mexico and the United States did not have much of a say in the initial NAFTA negotiations.

The government made a commitment to include a chapter on the rights of indigenous people in their proposals. The concern, however, is that, in light of the Americans' demands, their fundamental rights will be ignored once again.

Will the government commit to pursuing a chapter on indigenous rights during the NAFTA renegotiations?

Mr. Matt DeCoursey (Parliamentary Secretary to the Minister of Foreign Affairs, Lib.): Mr. Speaker, the rights of indigenous people need to be respected. That is the government's position.

That is why Canada shared a document concerning a chapter on indigenous people with the United States and Mexico. We continue to work with them on this important issue. Promoting a chapter on indigenous people in a trade agreement is a first for Canada, and we are proud to work in this direction.

* * *

IMMIGRATION, REFUGEES AND CITIZENSHIP

Mr. T.J. Harvey (Tobique—Mactaquac, Lib.): Mr. Speaker, the Day & Ross transportation group and Tisdale Trucking, both of which are located in my riding of Tobique—Mactaquac, recently appeared before the Standing Committee on Citizenship and Immigration to testify about immigration to Atlantic Canada. Our government has launched a pilot program to attract and retain immigrants and international graduates in Atlantic Canada.

[English]

This unique employer-driven initiative focuses on facilitating successful long-term integration and retention by providing newcomers with a job offer and an individualized settlement plan.

Could the Minister of Immigration update the House on the ways the government can further support employers through this new pilot program?

[Translation]

Hon. Ahmed Hussen (Minister of Immigration, Refugees and Citizenship, Lib.): Mr. Speaker, I am grateful for my hon. colleague's question.

Oral Questions

[English]

The Atlantic immigration pilot program is a tremendous opportunity to attract skilled newcomers and their families to Atlantic Canada, and represents a new approach to immigration. This one-of-a-kind program works with employers to settle and integrate not only the skilled immigrants, but also their families, and will now be complemented by a specialized team at IRCC that will work with employers to make sure they work through the immigration process. Our government is very much committed to implementing real solutions through the Atlantic growth strategy to strengthen the Atlantic Canadian economy.

* * *

ETHICS

Mr. Robert Kitchen (Souris—Moose Mountain, CPC): Mr. Speaker, yesterday, the Minister of Finance stood in the House and claimed that an early administrative error was the reason he failed to disclose his offshore corporation to the Ethics Commissioner. Could the minister confirm that if any Canadian fails to disclose foreign companies to the appropriate government body, they can make the problem disappear simply by claiming it was an early administrative error, or does this only work if one is the Prime Minister's right-hand man?

Mr. Joël Lightbound (Parliamentary Secretary to the Minister of Finance, Lib.): Mr. Speaker, the finance minister has worked from the beginning, right after the election, with the Ethics Commissioner to make sure that he is in full compliance with the rules governing us in this House and to make sure he follows all of the recommendations she puts forward. He has done so, namely, he has put up a conflict of interest wall, which she recommended. This was still up yesterday, and I would like to remind the member that the minister has announced he would go even further and place his assets in a blind trust, and divest himself of all the shares he and his family own in Morneau Shepell. This is a man of great integrity who has dedicated his last two years to public service, with great results for Canadians.

Mr. Len Webber (Calgary Confederation, CPC): Mr. Speaker, the finance minister failed to declare his offshore corporation to the Ethics Commissioner. He was required to disclose it two years ago, but he claims that he did not because of early administrative errors. No one is buying that. He hid this from Canadians until he got caught.

How can we trust anything the minister says now that we know he has been deceiving Canadians for so long?

Mr. Joël Lightbound (Parliamentary Secretary to the Minister of Finance, Lib.): Mr. Speaker, we have all the trust in the Ethics Commissioner to set the right path forward for parliamentarians and to provide good recommendations. This minister has worked with the Ethics Commissioner from the very beginning to make sure he is in full compliance with the rules and that he follows her recommendations, which he has done. Yesterday, as I mentioned, he announced that he would go even further to avoid the distractions that have resulted and to keep focusing on the real work he has been doing for Canadians for the last two years: steering our economy back in the right direction, the direction of growth and prosperity for all.

● (1150)

TAXATION

Mr. Pat Kelly (Calgary Rocky Ridge, CPC): Mr. Speaker, on Thanksgiving weekend, a CRA employee told *The Globe and Mail* that the government was going to tax employee discounts. Then, after a full day of confused and contradictory messages from the Liberals, the minister backtracked and threw her own bureaucrats under the bus. The council of retailers knew this was coming and warned the finance committee in September.

Why is the minister trying to tax the discounts of retail and restaurant workers and then blaming it all on her bureaucrats?

Ms. Kamal Khera (Parliamentary Secretary to the Minister of National Revenue, Lib.): Mr. Speaker, for the last two years, our government has been focused on helping the middle class and those working hard to join it. The document from the agency did not reflect the intentions of our government. It has been removed and is being reviewed. We will continue to ensure that our actions support the middle class. As the Prime Minister stated, we will not be going after anyone's retail employee discounts.

Mr. Pat Kelly (Calgary Rocky Ridge, CPC): Mr. Speaker, the revenue minister acts like she was the last one to know that the CRA wants to tax employee discounts. When the plan become public, she blamed the agency and accepted no responsibility.

With the finance minister attacking small businesses and hiding his assets while concealing his conflicts of interest, and the revenue minister wanting to tax the benefits of some of the lowest-paid workers in Canada, when will these ministers stand up and take responsibility for their actions instead of just blaming others?

Ms. Kamal Khera (Parliamentary Secretary to the Minister of National Revenue, Lib.): Mr. Speaker, as I just mentioned, since day one, our government has been focused on helping the middle class. The document from the agency did not reflect the intentions of our government. It has been removed and is being reviewed. We will continue to ensure that our actions support the middle class. As the Prime Minister stated, we will not be going after anyone's retail employee discounts.

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GOVERNMENT SERVICES

Ms. Sheila Malcolmson (Nanaimo—Ladysmith, NDP): Mr. Speaker, more and more Nanaimo—Ladysmith constituents face blocks getting the government services they need. My office is flooded with desperate requests from people who cannot get access to the help they need. They wait hours on the phone, only to be told to go to the website to fill out a form. Agencies are underfunded, leaving workers scrambling to deal with the growing backlog.

The Liberals promised so much more. When will they hire back the workers the Conservatives cut and get Canadians access to the services they need?

Oral Questions

Hon. Jean-Yves Duclos (Minister of Families, Children and Social Development, Lib.): Mr. Speaker, our government believes it is very important that Canadians receive the benefits and services they deserve and need. We have put in place since budget 2016 measures that are already generating significant benefits for employment insurance recipients, for instance. The rate at which Canadians are now able to connect through the call centre has increased from 29% to 82% in less than 18 months. We have a lot of work to do and will continue to do it.

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PUBLIC SERVICES AND PROCUREMENT

Mr. Gord Johns (Courtenay—Alberni, NDP): Mr. Speaker, the Phoenix pay system is creating tons of anxiety on Parks Canada, on Fisheries and Oceans, and other Government of Canada employees in my riding of Courtenay—Alberni. My office is receiving desperate pleas from workers who are still waiting to get paid.

The Phoenix fiasco has been dragging on for almost two years, and still there is no end in sight. What is the government's plan to ensure that workers get the pay they so desperately need, and when will the Phoenix backlog finally be cleared?

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. These issues have caused real hardships for many public servants and their families, and they should not have to face them.

Resolving this as quickly as possible is our priority. That is why we are focused on improving our governance, improving business processes, and increasing technical and human capacity. Rest assured, we will leave no stone unturned.

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JUSTICE

Hon. Rob Nicholson (Niagara Falls, CPC): Mr. Speaker, recently at the justice committee, we heard from a number of victims groups, including Families for Justice. They made the very reasonable proposal that anyone convicted of killing someone because of their drunken driving should go to jail for at least five years.

The Liberals were very quick to reject this common-sense proposal. Why do they think that is so unreasonable?

● (1155)

Mr. Bill Blair (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, our government is absolutely committed to improving road safety. That is why we have brought forward strong legislation to provide law enforcement with the tools they need to detect and prosecute the most serious of offenders and to keep our roadways safe.

We have gone beyond merely introducing legislation, but have ensured they also have the resources and the training, by announcing \$161 million for the training of those officers and providing those resources.

It is through those actions that we are going to save lives.

Mr. Michael Cooper (St. Albert—Edmonton, CPC): Mr. Speaker, sentences handed down for impaired driving causing death are an absolute joke, with offenders walking away with fines as low as \$1,500. Instead of standing up for victims, Liberal MPs voted to defeat a Conservative amendment to Bill C-46 to provide for a five-year mandatory sentence for impaired drivers who kill. Why does the minister think it is okay for impaired drivers who kill to walk away with a slap on the wrist?

Mr. Bill Blair (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, we absolutely do not believe that impaired drivers should be able to drive on our roadways without a reasonable prospect of getting caught. They have to know there are consequences for their actions. The legislation we have introduced provides for strong consequences, and when the evidence warrants it, appropriate sentences will be afforded to those offenders.

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TAXATION

Ms. Marilyn Gladu (Sarnia—Lambton, CPC): Mr. Speaker, Diabetes Canada is complaining that the Canada Revenue Agency is now rejecting people with diabetes from receiving the disability tax credit because their disability does not occupy more than 14 hours of their time in a week. People with type 1 diabetes have to perform 600 steps for their treatment each day.

The Liberals are now increasing taxes on disabled people. Is there anything the Liberal government will not tax, other than the Prime Minister's family fortunes and the finance minister's many corporations?

Ms. Kamal Khara (Parliamentary Secretary to the Minister of National Revenue, Lib.): Mr. Speaker, our government has committed to ensuring that the agency delivers quality service to Canadians, and that all Canadians have access to the credits and benefits they deserve.

We know the disability tax credit is an extremely important credit for individuals with severe and prolonged impairment in physical or mental functions. That is why our government is making it possible for nurse practitioners to complete the applications of their patients. These changes make it easier for Canadians with disabilities to access this extremely important credit.

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HEALTH

Mr. Neil Ellis (Bay of Quinte, Lib.): Mr. Speaker, according to The Conference Board of Canada, tobacco use in Canada costs the Canadian economy billions of dollars each year. We also know that cigarette smoking is still the leading cause of premature death in Canada.

What is the Minister of Health doing to address tobacco addiction and the use of tobacco in our country?

Oral Questions

Mr. Bill Blair (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I would like to begin by thanking the member for the Bay of Quinte for the tireless work he does on behalf of his constituents, and for his strong advocacy on this important health issue.

We have all seen the tragic statistics. Tobacco kills more than 45,000 Canadians each year. Numbers like these are precisely why our government is taking action by making tobacco use less appealing, especially to youth. We remain committed to introducing plain packaging and to reducing tobacco use in Canada to less than 5% by 2035.

Our government will work to better protect the health and safety of all Canadians.

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PARKS CANADA

Mr. Jim Eglinski (Yellowhead, CPC): Mr. Speaker, Alberta is getting eaten alive. Jasper Park is turning brown due to the pine beetle infestation. Now they are fed up with Parks Canada and are moving into the foothills region, from 40,000 trees last year to over 500,000 this year. Our previous Conservative government gave \$8 million to fight this. What is the Minister of Natural Resources going to do to stop the pine beetle from attacking our forests?

Ms. Kim Rudd (Parliamentary Secretary to the Minister of Natural Resources, Lib.): Mr. Speaker, certainly invasive species in our forest sector are something we have dealt with over the decades and centuries in this country. We are working hard with our partners in the forest sector to find solutions to some of these challenges. There are challenges on the east coast as well as in Alberta. I want to assure the member that we are seized with the issue and will continue to work with the Minister of Environment and Climate Change and the sector to come up with a solution to this challenging problem.

* * *

• (1200)

EMPLOYMENT

Mr. James Maloney (Etobicoke—Lakeshore, Lib.): Mr. Speaker, internationally trained newcomers in my riding of Etobicoke—Lakeshore need help getting their credentials recognized in the new country they now call home. Newcomers want to be productive members of society, but sometimes navigating the Canadian system for those who were trained abroad can be complicated. They need meaningful assistance so they can achieve their professional and personal potential. Can the Minister of Employment, Workforce Development and Labour update this House on measures taken to support internationally trained newcomers?

Mr. Rodger Cuzner (Parliamentary Secretary to the Minister of Employment, Workforce Development and Labour, Lib.): Mr. Speaker, I would like to thank the member for Etobicoke—Lakeshore for his strong advocacy on this particular issue. He deserves a round of applause.

As part of the targeted employment strategy for newcomers, we have launched a call for proposals for the foreign credential recognition program. This program will offer loans to help with the

recognition process. Helping newcomers get their foreign credentials recognized faster will allow them to join the Canadian workforce faster. This is critical to growing our economy and strengthening our middle class.

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VETERANS AFFAIRS

Mr. Alupa Clarke (Beauport—Limoulu, CPC): Mr. Speaker, working for veterans is not just a matter of putting together beautiful public policy, it is a matter of reaching out, giving a hand, and listening. A year ago, there was a veteran on a hunger strike on the Hill. The minister refused to go and meet him. Today, the Desmond family is on the Hill. They need the minister's compassion. Will he go and meet them today, right now, after QP in a few minutes?

Hon. Seamus O'Regan (Minister of Veterans Affairs, Lib.): Mr. Speaker, I will meet with the family at a convenient time today.

* * *

[*Translation*]

FOREIGN AFFAIRS

Mr. Mario Beaulieu (La Pointe-de-l'Île, BQ): Mr. Speaker, what is happening in Spain is truly appalling. It is no longer Catalan independence that is under attack. Spain is attacking the very foundations of democracy: the right to vote, freedom of expression, and freedom of association. Now Spain is threatening to strip Catalonia of ability to govern by withdrawing its statute of autonomy.

Will the Canadian government finally stand up for democracy and tell the Spanish government that enough is enough and to stop attacking the Catalan people?

Mr. Matt DeCoursey (Parliamentary Secretary to the Minister of Foreign Affairs, Lib.): Mr. Speaker, Canada values its relationship with Spain, and we are monitoring the situation in Spain very closely.

We urge all parties to find a peaceful solution to this debate within the rule of law and in accordance with the Spanish constitution.

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EMPLOYMENT INSURANCE

Mr. Mario Beaulieu (La Pointe-de-l'Île, BQ): Mr. Speaker, every year, the families of seasonal workers in the Lac-Saint-Jean region and the entire Quebec forestry industry spend as many as 17 weeks living in poverty because employment insurance is out of touch with our reality.

There have been pilot projects to extend the benefit period for oil-producing regions, but not for Quebec. The Conservatives did away with pilot projects.

Will the Liberal government reinstate pilot projects to extend benefits for Quebec's seasonal workers?

Routine Proceedings

Hon. Jean-Yves Duclos (Minister of Families, Children and Social Development, Lib.): Mr. Speaker, I thank my colleague for his excellent question. We believe it is important to have an employment insurance system that provides income security to families, many of whom live in very difficult conditions, and that helps people transition to new jobs.

In April 2016, we implemented very important measures that reversed the previous government's ill-advised, inappropriate changes, which did not work for the community. We have done a much better job since April 2016. We know that we can do even better, and we are eager to get started.

* * *

THE ENVIRONMENT

Mr. Mario Beaulieu (La Pointe-de-l'Île, BQ): Mr. Speaker, they are still giving us the runaround.

Twelve years ago, when Quebec designated the woodland caribou as a vulnerable species, it brought in two measures to protect them, and they work. Three-quarters of the caribou are in areas where there are no forestry activities and where they co-exist with humans, and their numbers continue to increase.

Since Quebec's measures are working, why is the Liberal government rejecting them and why does it insist on throwing forestry workers from Saguenay—Lac-Saint-Jean out on the street?

• (1205)

Hon. Catherine McKenna (Minister of Environment and Climate Change, Lib.): Mr. Speaker, we are committed to working with the provinces, Quebec, the municipalities in Saguenay—Lac-Saint-Jean, and municipalities across Canada to protect and restore Canada's species at risk, including the caribou. The environment and the economy must go hand in hand, so we are working closely with the provinces, territories, and municipalities.

[*English*]

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, the offshore petroleum boards in Atlantic Canada, the Canada-Nova Scotia Offshore Petroleum Board and the Canada-Newfoundland & Labrador Offshore Petroleum Board, have legislated mandates to expand oil and gas activity in the offshore. They have never had any role in environmental assessment. If they did, it would be a conflict of interest. Now it appears that the Liberals are following through on Stephen Harper's plans to put these boards involved in environmental assessment where they should not be.

Can the Minister of Environment assure this House that she will keep the offshore boards out of environmental assessment?

Hon. Catherine McKenna (Minister of Environment and Climate Change, Lib.): Mr. Speaker, I would like to thank the member opposite for her continued advocacy on the environment.

We understand that we need to rebuild trust in our environmental assessment system, that we need to make sure that the environment and the economy go together. That is why we are working extraordinarily hard with provinces, with indigenous peoples, with civil society, with business to ensure that we have a world-class environmental assessment system that protects the environment,

supports reconciliation, and ensures that good projects go ahead in a timely way with regulatory certainty.

ROUTINE PROCEEDINGS

[*English*]

AN ACT TO CHANGE THE NAME OF THE ELECTORAL DISTRICT OF CHÂTEAUGUAY—LACOLLE

Mrs. Brenda Shanahan (Châteauguay—Lacolle, Lib.) moved for leave to introduce Bill C-377, An Act to change the name of the electoral district of Châteauguay—Lacolle.

She said: Mr. Speaker, it has been said that a rose by any other name would smell as sweet, but this is not always the case for the name of a riding.

[*Translation*]

I am proud to rise on behalf of my constituents to introduce a private member's bill to change my riding's name from “Châteauguay—Lacolle” to “Châteauguay—Les Jardins-de-Napierville”.

The reasons why are clear. The municipality of Lacolle is in the neighbouring riding of Saint-Jean. Saint-Bernard-de-Lacolle is in my riding. This causes confusion for constituents on both sides, and I thank my colleague and riding neighbour, the hon. member for Saint-Jean, for being here to support my bill today.

We are very proud that the name would include Les Jardins-de-Naperville, which is known for being the leading region in Quebec for vegetable growers and for key players in the agrifood industry.

[*English*]

I call on all members of the House to support my bill, because with the urban aspect of our riding well represented by the name “Châteauguay” and the rural aspect represented by the name “Les Jardins-de-Napierville”, the name “Châteauguay—Les Jardins-de-Napierville” sounds very sweet indeed.

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

* * *

• (1210)

MISCELLANEOUS STATUTE LAW AMENDMENT ACT, 2017

(Bill C-60. On the Order: Government Orders:)

October 3, 2017—The Minister of Justice—Second reading and reference to the Standing Committee on Justice and Human Rights of Bill C-60, An Act to correct certain anomalies, inconsistencies and errors and to deal with other matters of a non-controversial and uncomplicated nature in the Statutes of Canada and to repeal certain Acts and provisions that have expired, lapsed or otherwise ceased to have effect.

Routine Proceedings

Mr. Kevin Lamoureux (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, we have had discussions among the parties, and if you seek it, I think you will find unanimous consent for the following motion. I move:

That, notwithstanding and Standing Order or usual practice of the House, Bill C-60, An Act to correct certain anomalies, inconsistencies and errors and to deal with other matters of a non-controversial and uncomplicated nature in the Statutes of Canada and to repeal certain Acts and provisions that have expired, lapsed or otherwise ceased to have effect, be deemed read a second time and referred to a Committee of the Whole, deemed considered in Committee of the Whole, deemed reported without amendment, deemed concurred in at the report stage, and deemed read a third time and passed.

The Deputy Speaker: Does the hon. Parliamentary Secretary to the government House leader have the unanimous consent of the House to propose this motion?

Some hon. members: Agreed.

The Deputy 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, bill read the second time, considered in committee of the whole, reported, concurred in, read the third time and passed)

* * *

PETITIONS

ANIMAL WELFARE

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, it is an honour to rise today to present two petitions.

The first is from petitioners who once again are calling for the House to take action to ensure that cruelty against animals is curtailed.

We know, as many law enforcement officials will tell us, that cruelty to animals is a warning sign of criminal activity that will later take place affecting human beings and, for the rights of animals themselves, it offends our sensibilities.

The petitioners call for animal cruelty crimes to be taken from the property section of the Criminal Code and for the legislation to be strengthened.

FALUN GONG

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, the second petition deals with the ongoing persecution of practitioners of Falun Dafa and Falun Gong within the People's Republic of China.

The petitioners call for the Government of Canada to take measures to protect practitioners and to put pressure on the People's Republic of China to respect the practitioners of peaceful practices of Falun Dafa and Falun Gong.

EGG INDUSTRY

Mr. Murray Rankin (Victoria, NDP): Mr. Speaker, I have two petitions to raise today. The first is petition e-766, which is from about 1,300 of my constituents in Victoria. It calls upon the Minister of Agriculture and Agri-Food to outright ban battery cages, enriched

cages, and all other cages from Canada's egg industry, making it illegal to confine a chicken in any cage, of any size, for any period of time. The petition calls for the transition to be far shorter than the 2036 timeline proposed by the Egg Farmers of Canada.

NUCLEAR DISARMAMENT

Mr. Murray Rankin (Victoria, NDP): Mr. Speaker, the second petition raises a very important issue, not just from members of my riding of Victoria but for all Canadians. I want to begin by commending the Victoria Raging Grannies and the Vancouver Island Peace and Disarmament Network for collecting signatures on their petition, which calls for Canada's participation in, and ratification of, the United Nations treaty to abolish nuclear weapons. These constituents call upon Parliament to take a position independent of NATO and the United States and support the treaty to prohibit the development, production, transfer, stationing, and use of nuclear weapons.

IMPAIRED DRIVING

Mr. Mark Warawa (Langley—Aldergrove, CPC): Mr. Speaker, I am honoured to present two petitions. The first petition relates to impaired driving causing death. Families for Justice is a group of Canadians who have lost a loved one to impaired driving. They believe that Canada's impaired driving laws, and Bill C-46, the legislation that is being debated in this House today, are much too lenient. They want the crime to be called what it is, vehicular homicide, and believe in mandatory sentencing. They also believe that the minimum fine of \$1,000 if a driver kills someone while driving impaired is totally insufficient, and are calling upon Parliament to change that. They oppose Bill C-46.

● (1215)

FREEDOM OF CONSCIENCE

Mr. Mark Warawa (Langley—Aldergrove, CPC): Mr. Speaker, the second petition relates to the conscience protection of physicians, which is being ignored in provinces like Ontario, where physicians are being forced to perform practices that are against their conscience.

[Translation]

DEMOCRATIC REPUBLIC OF CONGO

Ms. Anita Vandenberg (Ottawa West—Nepean, Lib.): Mr. Speaker, I rise today to present a petition on behalf of close to 600 Canadians who are speaking out against the political violence and instability in the Democratic Republic of Congo. The petitioners are calling on the Government of Canada to exert diplomatic pressure on the DRC to put a stop to human rights violations and ensure free, fair, and transparent elections.

[English]

THE ENVIRONMENT

Ms. Sheila Malcolmson (Nanaimo—Ladysmith, NDP): Mr. Speaker, once again I rise in this House, bringing voices from coastal British Columbia, who are calling upon the Minister of Transport to cancel the plans for five bulk freighter anchorages off Gabriola Island. The anchorages will be in lengths of up to 300 metres long, allowing the export of American products across the Pacific Ocean, which is of no community benefit.

The petitioners note that the scouring of the seabed by anchors and the risk of oil spills will threaten herring and needlefish spawning beds, and will have a potential impact on Gabriola Island's tourism and fishing charters. They list a number of devastating impacts this could have on our community, with no benefit of jobs at all, and urge the Minister of Transport to withdraw the application.

WORKPLACE SAFETY

Ms. Sheri Benson (Saskatoon West, NDP): Mr. Speaker, I rise today to table two petitions. The first is petition e-1067, signed by over 600 Canadians. It calls for the government to raise awareness around the need to better address psychological violence in the workplace. Psychological hazards exist in the workplace, and they must be substantially addressed. I am pleased to be able to support and present this petition, and the actions of those who are trying to make Canadian workplaces safer for everyone.

ACCESS TO INFORMATION

Ms. Sheri Benson (Saskatoon West, NDP): Mr. Speaker, the second petition I want to table is petition e-1116, signed by over 1,500 Canadians. The petitioners are requesting improved access for Canadians to documents that have been published by their government. The petition seeks to improve the openness and transparency of our democracy by improving access to government information.

* * *

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.

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[English]

CRIMINAL CODE

The House resumed consideration of Bill C-46, An Act to amend the Criminal Code (offences relating to conveyances) and to make consequential amendments to other Acts, as reported (with amendment) from the committee, and of the motions in Group No. 1.

The Deputy Speaker: When the House last took up the debate on the motion, the hon. member for Victoria had three and a half minutes remaining in the time for his remarks will go to resuming debate.

The hon. member for Victoria.

Mr. Murray Rankin (Victoria, NDP): Mr. Speaker, in the short amount of time I still have available, I simply want to repeat where I started, which was the fact that in Canada impaired driving was the leading cause of criminal deaths. We have one of the worst impaired driving records in the developed world. It is not surprising that the bill attempts to address the scourge of impaired driving.

Government Orders

We heard from Mothers Against Drunk Driving and other countless witnesses at the justice committee, telling their heart-breaking stories of the loss they had suffered. However, the bill poses serious concerns, particularly in the area of mandatory alcohol screen. There are also problems with the bill, which time will not allow me to address, with respect to minimum sentencing provisions, something which the government said it opposed, yet brought it up again in the bill.

What is the concern with mandatory alcohol testing? The new police powers enacted through the legislation would remove the reasonable suspicion requirements for roadside inspection by peace officers that presently exist in the Criminal Code, instead moving to a mandatory system by which, at the discretion of the patrolling officer, motorists must submit to random breath samples without any justification whatsoever, in other words, on a whim.

The leader of the NDP, Mr. Jagmeet Singh, told the *Toronto Star* that he had been pulled over 11 times because of the way he looked. He said:

I've been stopped by police multiple times for no other reason than the colour of my skin. "It makes you feel like you don't belong, like there's something wrong with you for just being you."

That is why he has worked so hard to address racial carding and the like in the province of Ontario.

Vancouver lawyer Ms. Kyla Lee from Acumen Law testified to the committee as follows:

As a Métis I am very concerned about how this is going to affect people from the aboriginal community. We see in B.C. already basically an offence of driving while native, and that's only going to get worse.

We have grave concerns about the bill, as do many witnesses, including the Canadian Civil Liberties Association that brought its concerns to the committee. It said:

Since some individuals will often be pulled over "randomly" five, ten, a dozen times in a few months, for no obvious reason other than their age, the colour of their skin, or the neighbourhood they were driving in, RBT will often be humiliating and degrading to individuals who are subject to search.

Despite bringing forward many amendments, the NDP managed to get at least one that will make a difference. We commend it to the House and hope it gets enacted in the final bill. As well, we succeeded in getting the proposed section 31.1 added to the bill. It states that the government must table a report in Parliament within three years after these controversial sections come into force, and that the Attorney General, "must undertake a comprehensive review of the implementation and operation of the provisions at question".

This is a complicated bill. We will take the time over the next while to consult and ensure that the balance that has been struck has been struck properly for all Canadians.

● (1220)

Hon. John McKay (Scarborough—Guildwood, Lib.): Mr. Speaker, I thank the hon. member for his usual thoughtful speech. He is a law professor, but he is a recovering law professor, I think.

Government Orders

His core analysis is that replacing the reasonable suspicion test with the mandatory test will, in effect, create more difficulties for people who already feel victimized by the way police officers target, for want of a better term, particular groups of people in our society. I represent a riding that possibly has one of the most, if not the most, numerous varieties of races, ethnicities, religions, etc., and this is a point of acute sensitivity for me.

I am concerned. He makes a good point, but I am not convinced that replacing reasonable suspicion with mandatory will actually address the scourge he is most concerned about. I am interested in his thoughts on that matter.

Mr. Murray Rankin: Mr. Speaker, I know the member's riding to be one of the most racially diverse ridings in the country, so I know he comes to this with the same concerns I do.

At committee, I asked the famous Prof. Peter Hogg exactly this question. How can this be constitutional? He said he had done a legal opinion and that mandatory breath testing, etc. is fine, but if there were evidence that there had been, in a sense, the use of this in the inappropriate way we are concerned about, namely, racial profiling, that would give him pause.

If the evidence were, in the next three years, that it was indeed being abused in this fashion, then we, in the bill, would have the ability to have it changed. It would have to be a report to that effect in this place, and hopefully, members like the member for Scarborough—Guildwood and I would be the first to blow the whistle on those abuses.

That is why the section has been added. We hope it will be effective. However, we are still concerned that the bill is unconstitutional. I suggest that it be referred in a reference to the Supreme Court of Canada, given all the testimony we heard that it was unconstitutional. The government rejected that proposition.

We will have to see. We do not know what the government will finally do with this bill at this stage, but one hopes that it will take these concerns as seriously as the hon. member and I do.

• (1225)

Ms. Sheila Malcolmson (Nanaimo—Ladysmith, NDP): Mr. Speaker, regarding Bill C-46 and the concerns raised by NDP leader Jagmeet Singh and many others, we already have a problem in Canada with people of colour being pulled over by police simply because of the colour of their skin. In relation to this bill, the Canadian Civil Liberties Association has highlighted that this could deepen the problem Canada already has with racial profiling and an understandable mistrust of police enforcement.

I would like to hear the member's thoughts about going deeper into that problem, as opposed to acceding to some of the police justice requests to have better resources for better training to deal with the laws we have already in relation to recognizing impaired driving, whether that be from alcohol or marijuana.

Mr. Murray Rankin: Mr. Speaker, I thank my friend from Nanaimo—Ladysmith for her question and for reminding this House that although I have spoken primarily about the alcohol issue in this bill, the other aspect is, of course, cannabis and driving under the influence of other drugs. This is the first time we have had a bill like this that would have these powers available.

She asks that we drill deeper into the issue of racial profiling. I think Jagmeet Singh, the leader of the NDP, put it very well. He said that as prime minister, he would enact a federal ban on racial profiling to end it once and for all. He talked about how, since he was 17 years old and began driving, he had been pulled over 11 times by police for no reason except his colour.

We know a lot of Canadians are experiencing that. We have heard the Métis lawyer Kyla Lee, who I mentioned earlier, talk about this notion of driving while native. We have all heard the expression, in Toronto particularly, "driving while black". This is a real issue. It affects real Canadians.

Reasonable suspicion requires just that. That is what the law says now. If we are now giving the police these new powers to pull someone over on a whim, then obviously, we have a right to be concerned. Does this bill strike the correct balance?

On the other hand, we also have serious problems with impaired driving, and having more people driving under the influence of cannabis and other drugs is only going to exacerbate that. The NDP completely understands that, and we want to make sure, in the time available before the vote, that we have this balance right.

Hon. John McKay (Scarborough—Guildwood, Lib.): Mr. Speaker, I am entering this debate from a position of disadvantage in that I do not sit on the justice committee and therefore have not listened to the testimony that came before it. I am therefore dependent on what is going on here this morning and also upon my friend from Scarborough Southwest, the only double-hatted parliamentary secretary in this chamber, the Parliamentary Secretary to the Minister of Justice and Attorney General of Canada and to the Minister of Health. He brings to this debate unique expertise, having been the former chief of police in the city of Toronto, and has, in some respects, seen it all. We are fortunate to have his contribution to this debate.

When I did sit on the justice committee, we looked at this issue several times in several different ways. What always stopped us from moving forward on drug-impaired driving was the issue of a test, a test that somehow or other would provide a definitive statement as to whether the individual was or was not impaired. What is being suggested is that a saliva test will be administered, which would give an indication of impairment.

The public good here is obvious, because numerous deaths are caused on our roads by drivers impaired by alcohol, drivers impaired by drugs, and sometimes drivers impaired by both. It is right that this government focus on those levels of impairment, and it is particularly right that this government focus on a test for drug impairment in anticipation of cannabis legislation being the law of the land come this time next year.

Government Orders

Drug-impaired driving is currently a criminal offence. Bill C-46 would create new ways by which to determine impairment. Currently, there is a standardized set of tests that every police officer can give to someone who is suspected of impaired driving by means of drugs. These are sobriety tests. A driver may be asked to walk a straight line, stand on one leg, or demonstrate some form of physical or motor skill to lead the police officer either toward the conclusion that there is some impairment or away from the conclusion that there is some impairment.

If, in fact, the police officer concludes that there is some form of impairment by drugs, he or she is then authorized to take the driver to the station to see whether the driver is in fact impaired. At the station, there is a 12-step protocol to determine whether the person is impaired by drugs. It includes balancing, such as whether the driver can walk a straight line or stand on one leg. They look at pupil size and take the person's blood pressure. These tools have been useful, although time-consuming, in increasing the number of convictions for drug-impaired offences. However, the incidence of drug-impaired driving has gone up quite dramatically. Even though the current use of these tools is effective in securing convictions, it is still not sufficient.

• (1230)

Bill C-46 proposes a better or improved solution. I do not think anyone would say that this is the final solution. A core proposal is providing an oral fluid sample that would be analyzed if a police officer had a reasonable suspicion, which is well understood in criminal law, from observing the suspect. Things like red eyes, muscle tremors, abnormal speech patterns, and of course, simply the smell of cannabis, would precipitate the request for an oral fluid screen that would provide information to the officer as to whether he or she had the grounds to believe that impaired driving had occurred.

The next stage would be that the police officer would be entitled to demand a blood sample from the driver. If the blood sample met the test, there would be a presumption that would set in, the presumption being that impaired driving had occurred. The crown would then be relieved of the burden of proving impairment and the onus would, therefore, shift to the accused. It would be enough to prove that the driver had an illegal level of drugs in his or her body.

It is proposed that this would be framework legislation. It would be setting things up so that when the cannabis law eventually passed, there would be a framework in place. People will observe that the levels at this point have not been set, but there is a proposal as to what the levels might be. The lowest level would be two nanograms to five nanograms of THC per millilitre of blood within two hours of driving. On the hybrid offence, which could either be summary or indictment, it would be over five nanograms of THC per millilitre of blood, again within two hours. Then there is a proposed combined offence for both THC and alcohol. It would be 0.5 milligrams of alcohol combined with 2.5 nanograms of THC per millilitre of blood within two hours of driving.

A number of members have said that it is almost certain that this will be challenged in court, and I agree with them. I can recollect when the 0.8 level for alcohol impairment was first proposed. Prior to that, a determination of drunk driving was made through the tests I outlined earlier, namely, walking a straight line, balance tests, and

breath tests. They were always subject to cross-examination and challenge by the accused, but once the 0.8 level was set, after a great deal of litigation, it became the accepted standard and brought much more certainty to the prosecution, and defence, for that matter, of drug-impaired driving.

From time to time, people ask how much cannabis they could consume or how much of any other drug, for that matter, they could consume. The only answer is none.

• (1235)

If people intend to drive, do not take drugs. It is about that simple. Similarly with alcohol, if people intend to drive, do not take alcohol. They should make some other arrangement to get home. We have a scourge in our society, a serious problem. One of the previous speakers said that in the case of the Germans, they drank a lot more but drove a lot less. We have it exactly reversed.

Mr. Michael Cooper (St. Albert—Edmonton, CPC): Mr. Speaker, one of the things I was very disappointed about in Bill C-46 was that it would not increase penalties for the most serious impaired driving offence, namely, impaired driving causing death. On this side, we put forward a reasonable common-sense amendment at the justice committee to provide for a five-year mandatory sentence for impaired driving causing death in the face of the fact that individuals convicted of this very serious offence, in some cases, were walking free with nothing more than a \$1,500 fine.

Does the hon. member think it is fair and just that individuals accused and convicted of this offence walk away with a \$1,500 fine?

• (1240)

Hon. John McKay: Mr. Speaker, on the face of it, those seem to be irreconcilable concepts, namely, that \$1,500 slap-on-the wrist kind of idea for impaired driving. It speaks to the larger issue of minimum mandatories and substituting in effect parliamentary judgment on each individual case for a judge's judgment. A judge will sit in a court, hear evidence from both sides, look at the law, and apply the law according to the facts.

In my view, I am much more confident that the judiciary will fashion a just sentence rather than a punitive sentence. Necessarily, Parliament is quite crude because we have not heard the facts of every individual case.

Mr. Gord Johns (Courtenay—Alberni, NDP): Mr. Speaker, I want to thank my hon. colleague from Scarborough—Guildwood not just for his great understanding of this issue, but also for being a great mentor to new MPs. He has a lot of experience in the House.

Government Orders

We know the exercise of police authority can and does disproportionately affect visible minorities. The experience of carding or street checking, disproportionate arrests, and charging of visible minorities for marijuana offences makes that clear. When our new leader, Jagmeet Singh, was in the Ontario legislature, he raised this repeatedly.

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

Hon. John McKay: Mr. Speaker, the hon. member raises a very legitimate question, one that had some debate earlier in the day, to which I do not think there is any really good answer. I represent a community that has pretty well every racial ethnic group known to mankind in it. I have sat in my office and listened to people who feel they have been unfairly discriminated against by police officers.

A statement by this Parliament to the issue of mandatory breath samples versus reasonable suspicion breath samples would be in order, that this is not tolerable. Professor Hogg as well was given pause in concern to this. I do not think there is a great answer to his question.

Mr. Bill Blair (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, we actually have the answer. I heard the member for Victoria earlier suggest that the police could stop somebody on a whim. That simply is not the law being put before Parliament today.

I would draw the member's attention to the act, which states, "If a peace officer has in his or her possession an approved screening device", and this is the important part in the answer to the question that has been asked, "in the course of the lawful exercise of powers under an Act of Parliament or an Act of a provincial legislature or arising at common law", it has to be according to the law. A stop motivated by any form of bias, and in particular racial profiling, would be by its very definition an unlawful stop and therefore there would be no authority under the legislation for a officer to administer and demand such a test.

The law provides a very clear protection for all citizens. The police must be bound by the law and the law requires that before an officer can make a demand for mandatory screening, the stop must be lawful, according to a federal act, a provincial act, or in the common law—

The Deputy Speaker: The hon. member for Scarborough—Guildwood, a short response please.

Hon. John McKay: Mr. Speaker, when I started my speech, the hon. member for Scarborough Southwest was out. He said that he had forgotten more about this area of practice than I will ever know. With the greatest respect to my colleague, the issue is not so much what the law says; it is the practice. We have to take seriously the concerns that have been repeatedly expressed by various people, both in his riding and mine and around the country, about profiling. While I appreciate that the police officer should have and has to have a reasonable and probable ground to cause an investigation, I also appreciate that some people feel they have been targeted. That is just simply not right.

●(1245)

Mr. Michael Cooper (St. Albert—Edmonton, CPC): Mr. Speaker, it is a privilege to rise to speak to Bill C-46, the government's alcohol and drug-impaired driving legislation. I had the opportunity to study Bill C-46 at the justice committee. One thing was very clear, coming out of the justice committee and based upon the evidence from a number of witnesses. Law enforcement is not ready to implement aspects of Bill C-46 related to drug impairment in time for the government's arbitrary and rushed July 1, 2018, timeline to legalize marijuana.

Once Bill C-46 is passed, it will require that some 65,000 police officers across Canada get trained and understand Bill C-46. That will take time and it will be costly. We heard the need for some 2,000 drug recognition experts. At present, only 600 drug recognition experts are in Canada. In answer to a question I posed to Department of Public Safety and Emergency Preparedness officials at the justice committee, it appears that only approximately 100 more drug recognition experts will be trained by July 1, 2018.

There are issues surrounding per se limits for THC, whether these per se limits are appropriate and what the per se limits should be. The government has not addressed that yet. There are nine months until the July 1 rollout. There are serious questions about the correlation between THC levels and drug impairment. On the question of public awareness, the marijuana task force, as part of the public health approach that it took, called upon the government to launch an immediate and sustained public awareness campaign. Where is the campaign? It has not been sustained. It has not been fully rolled out. We are just nine months away.

Therefore, given these and other reasons, no wonder the law enforcement community has called upon the government to delay the legalization of marijuana beyond July 1, 2018. After all, law enforcement will not have the tools, resources, and time to deal with the multiplicity of issues that will arise from legalization. Quite frankly, it is really frustrating that notwithstanding that very resounding message, the government refuses to back down and is moving full steam ahead with legalization, even though law enforcement will not have the tools, will not have the resources, and will not have the time to keep our roads safe.

What will that mean for the health and safety of Canadians?

When legalization occurs, more and more Canadians are going to use marijuana. That is a fact. As a result, there will be more drug-impaired drivers. Without the tools, resources, and training to enforce the laws, including laws that would come onto the books once Bill C-46 is passed, it will mean more injuries, more deaths, and more carnage on our roads. The government will bear partial responsibility for those injuries, those deaths, and the carnage that is sure to ensue.

With respect to part 2 of Bill C-46, which deals with alcohol-impaired driving and makes a number of changes to the Criminal Code respecting alcohol-impaired driving, I congratulate the government for some of the measures it has introduced.

Government Orders

•(1250)

Bill C-46 would eliminate certain defences that have been abused by impaired drivers. It would increase the maximum penalty for impaired driving causing bodily harm from 10 years to 14 years. That is welcome. However, I am disappointed that Bill C-46 does not tackle the most serious offence related to impaired driving, and that is impaired driving causing death.

Bill C-46 does absolutely nothing to strengthen penalties for impaired driving causing death. One might say, if we look at the Criminal Code, the maximum sentence for impaired driving causing death is life behind bars. That sounds pretty good. It sounds appropriate that that should be the maximum penalty. The only difficulty is that very few individuals convicted of impaired driving causing death are sentenced to life behind bars. In fact, I am not aware of a single case. There may be one or two, but I am not aware of one and, if there are any cases, that is a rare exception to the rule. What we see instead are impaired drivers who get behind a 2,000-pound or 3,000-pound weapon and take the life of one or more human beings as a result of their choices to drink and drive, and they get off with a slap on the wrist.

There was a case in Saskatchewan involving a mother and her son who were killed by an impaired driver. The individual responsible got a \$4,000 fine and not one day behind bars. There have been cases where individuals have walked free with as little as a \$1,500 fine for taking the life of another human being. That is an absolute joke. It is fundamentally unfair and fundamentally unjust. It is why more than 100,000 Canadians have signed a petition calling for Parliament to act. It is why the families of victims who came before the justice committee called upon Parliament to take steps to move forward with mandatory sentences. It is why our previous Conservative government introduced Bill C-73, which would have provided for a six-year mandatory sentence for impaired drivers who kill. It is why I introduced an amendment to Bill C-46 at the justice committee to provide for a mandatory sentence of at least five years, which was the minimum sentence that the victims who appeared before our committee asked for.

Sadly, every single Liberal MP voted against that common-sense amendment. It is one thing to vote against an amendment, but they did not even try. They did not even put forward an alternative. They just shrugged their shoulders and accepted the status quo. The victims and their families deserve better from the government on Bill C-46.

I am hopeful that once the bill is passed through the House, which it inevitably will be given that we have a majority government, that the Senate can get to work to try to fix the bill and help ensure that the victims will finally have some justice.

•(1255)

Mr. Bill Blair (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, when the national president of Mothers Against Drunk Driving, Patricia Hynes-Coates, appeared in committee and was asked about mandatory minimum sentences, this is what she said:

As a mom, as a stepmom, as a victim, I can't support it. There's no evidence to support that this will actually make a difference. We know once we bury our children or bury a loved one, it's too late. We need to focus on deterring it before it actually happens.

I also want to quote Mr. Andrew Murie, who is the CEO of MADD Canada. In earlier testimony with regard to a previous Conservative bill that proposed to bring in six-year mandatory sentences, he said, "penalties that only happen after somebody is dead don't stop drunk drivers from getting behind the wheel. It will have zero effect." He went on to emphasize that his organization would rather see an emphasis on deterrence, and that is precisely what Bill C-46 has focused on.

I would also remind the member that the mandatory minimums he quoted as applying only to impaired driving causing death were robustly discussed by the justice committee applying to all impaired offences. We know that where the evidence supports an appropriately severe sentence for someone who has taken a life, the courts have all the authority they will require in this legislation to make sure that justice is done.

Mr. Michael Cooper: Mr. Speaker, MADD certainly has its position, but there have been numerous witnesses who have lost sons and daughters and implored the committee to move forward with mandatory sentences. It is why more than 114,000 Canadians signed a petition that was organized by mothers who lost their loved ones to impaired drivers. That petition of more than 114,000 Canadians came together in a matter of just weeks, because Canadians see the injustice, and victims see the injustice.

With respect to mandatory sentences, in addition to deterrence, which I would beg to suggest would have an impact on deterrence, mandatory sentences are consistent with other sentencing principles under the Criminal Code, including denunciation and promoting responsible behaviour.

Mr. Gord Johns (Courtenay—Alberni, NDP): Mr. Speaker, I want to thank my friend and colleague from St. Albert—Edmonton for his passion. This is very important legislation, which needs to be held under the greatest scrutiny. I appreciate his energy and efforts.

His party has stated that there is no good test for marijuana-impaired driving. Mothers Against Drunk Driving Canada has endorsed the idea of per se limits. Does the member agree that per se limits should be based on a scientific approach?

Mr. Michael Cooper: Mr. Speaker, absolutely, any per se limit should be based upon science. One of the real issues is that there is not a clear correlation between drug impairment and THC limits. For example, long-term habitual users of THC will tend to have higher levels of THC because THC will remain in their bodies; whereas someone who may have just consumed marijuana but is not a habitual user and gets behind the wheel may record relatively low levels of THC. Therefore, one of the difficulties is the fact that someone who is impaired might not be caught by the per se limit, whereas someone who is not impaired might be caught, and that is a problem.

Government Orders

Mr. Todd Doherty (Cariboo—Prince George, CPC): Mr. Speaker, I want to speak from the perspective of a family that lost someone because somebody chose to get behind the wheel and drive while impaired. My brother Fabian was killed 27 years ago by a drunk driver. I can speak with some authority in knowing the pain that families go through. People never recover. There is always a loss in their lives. I know that the person who got behind the wheel has to live with killing my brother every day.

I want to speak to the fact that the Liberals are rushing the bill and have not thought it through. We know that the municipalities and the provinces are going to be on the hook for paying for this, as the costs will be downloaded. This is a major concern. We are seeing time and again that they are not really thinking things through. They are going to download the responsibility to the provinces and municipalities to enforce these laws. I would like to hear the member's comments on that.

• (1300)

Mr. Michael Cooper: Mr. Speaker, I want to thank my friend from Cariboo—Prince George. I know about the tragic circumstances surrounding his brother being killed by an impaired driver. The member is a passionate advocate around this issue.

My colleague is right on the question of implementation and enforcement, and the fact that costs are being downloaded on to the provinces and municipalities. It speaks again to the fact that the Liberal government does not have a plan. It is also why not only is the law enforcement community asking for the government to delay the legalization of marijuana, but many provinces and municipalities are calling on the government to slow down, to consult, and develop a plan before ramming this through by July 1.

Mr. Ron McKinnon (Coquitlam—Port Coquitlam, Lib.): Mr. Speaker, I am pleased to speak today in favour of Bill C-46, an act to amend the Criminal Code (offences relating to conveyances) and to make consequential amendments to other acts.

We have heard moving testimony about this issue, both here in the House and before the Standing Committee on Justice and Human Rights. Impaired driving impacts us all, and we need to do our part to reduce such preventable deaths and injuries on our roads.

As we have heard already, Bill C-46 proposes many major changes to strengthen the drug-impaired driving laws, as well as a thorough updating of the alcohol-impaired driving provisions. The overarching goal of these changes is to reduce the incidents of impaired driving and to save lives.

One of the main proposals in the bill to achieve this goal is mandatory alcohol screening, a tool used worldwide to deter and detect alcohol-impaired driving. This would authorize an officer to demand a roadside breath sample on an approved screening device without the current requirement of suspicion that the driver has alcohol in his or her system.

Research suggests that up to 50% of drivers with a blood alcohol concentration above the legal limit are not detected through current practices such as check stops and random traffic stops. This is an unacceptable number of drivers who are impaired and are able to drive away after having interacted with the police.

We heard testimony of this sort at the Standing Committee on Justice and Human Rights, including from Dr. Jeff Brubacher, a medical doctor and researcher with the University of British Columbia; and Dr. Douglas Beirness, a subject matter expert on impaired driving with the Canadian Centre on Substance Use and Addiction.

Dr. Brubacher said that his study indicated that police officers do not always recognize impairment in drivers in the amount of time they have to interact with the driver, and Dr. Beirness confirmed that police officers vary considerably in their ability to detect alcohol and assign the symptoms of alcohol use. He clarified that this is not because police officers are unable to do their job effectively, but rather that detecting impairment is simply very difficult. It varies from person to person, and some individuals are able to effectively mask their physical symptoms.

Both Dr. Brubacher and Dr. Beirness expressed support of mandatory alcohol screening and asserted their confidence that this measure could help to reduce the number of impaired drivers on our roads.

Mandatory alcohol screening will be a strong deterrent factor for those who drive after drinking. With mandatory alcohol screening, such risky behaviour would be less likely, as every driver would know that he or she could be tested at any time and could not expect to avoid detection by masking or hiding symptoms.

This has proven to be the case in other jurisdictions where mandatory alcohol screening has been implemented. According to MADD Canada, more than 40 countries worldwide authorize mandatory alcohol screening, including several Australian states, New Zealand, Austria, Belgium, Denmark, Finland, France, Germany, Ireland, the Netherlands, and Sweden. In fact, mandatory alcohol screening was credited with reducing the number of people being killed on Irish roads by almost one-quarter, 23%, in the 11-month period following its introduction compared to the previous 11-month period.

Many concerns were raised relating to the constitutionality of mandatory alcohol screening, both in the House and at committee. I would like to spend the remainder of my time addressing these concerns. Many of the concerns related to the potential for mandatory alcohol screening to violate sections 8 and 9 of the charter.

Mandatory alcohol screening would only apply to a person who is lawfully stopped pursuant to other laws, such as provincial highway traffic acts. The police currently have the power, both in statute and common law, to stop any driver at any time to determine whether that driver is complying with the rules of the road, including to check for sobriety. This power has been upheld by the Supreme Court of Canada on several occasions.

• (1305)

Furthermore, the information revealed from a breath sample, like the production of a driver's licence, is simply information about whether a driver is complying with one of the conditions imposed in the highly regulated context of driving, including sobriety.

Government Orders

I would also note that a breath sample does not reveal any personal or sensitive information and the taking of the sample is quick and not physically invasive. Furthermore, simply blowing a “fail” on an approved instrument does not in itself constitute an offence. This is just a step that could lead to further testing to determine whether a driver is impaired.

We are all aware that the Minister of Justice tabled a charter statement on May 11, in which she affirmed her confidence that mandatory alcohol screening was compliant with the charter. Many shared the minister's confidence that mandatory alcohol screening would be charter compliant when the bill was studied at committee, including the leading constitutional law expert Dr. Peter Hogg. He expressed an opinion that mandatory alcohol screening would withstand any charter challenges, as it aims to prevent dangerous activities and promote public safety. As such, it was his view that it would be found justifiable under section 1 of the charter, and I agree with this position.

The Privacy Commissioner of Canada, Mr. Daniel Therrien, also testified that after reviewing the charter statement, any concerns he had regarding the proportionality and the necessity of the legislation were satisfied.

Members of the defence bar, as well as civil liberties groups, expressed concern that mandatory alcohol screening would result in an increase in police targeting of visible minorities.

Racial profiling is unacceptable. All law enforcement must exercise their powers in compliance with the charter, including the right to be free of discrimination of any kind. However, as I previously stated, the police already have the power to stop any driver at random to determine their sobriety. Nothing in the mandatory alcohol screening provisions would promote or condone the targeting of racialized individuals. It is restricted to cases where a peace officer is acting “in the course of the lawful exercise of powers.”

There is also nothing in these provisions that alters the current responsibility of police and other law enforcement officials to ensure that the powers of the police are exercised in a fair and equal manner, in accordance with the charter.

At the Standing Committee on Justice and Human Rights, we amended the preamble of the bill to reflect that police powers must be exercised in a manner that is consistent with the charter. While it is implicit that all police must always do this, this will be a further signal that racial profiling will not be tolerated.

At committee, we heard testimony from Dr. Barry Watson and the assistant commissioner of road policing command, Doug Fryer, both from Australia, where mandatory alcohol screening has been in place since the 1980s. Both witnesses testified that mandatory alcohol screening was actually a way to overcome any concerns about racial profiling. This is because police officers in Australia have much less discretion to choose who will be tested when the screening is mandatory.

Mandatory alcohol screening has had a strong track record in saving lives in other jurisdictions. Canada continues to have the highest percentage of alcohol-related deaths among 20 high-income countries. It is incumbent on us to do better and mandatory alcohol

screening saves lives. Therefore, I am pleased to support Bill C-46 and its proposal to save lives.

• (1310)

Mr. Richard Cannings (South Okanagan—West Kootenay, NDP): Mr. Speaker, the member talked a lot about alcohol testing and its importance, but we also heard from the government side today that it would be ready with roadside THC tests that would meaningfully test for impairment, yet at the Standing Committee on Justice and Human Rights, we heard there was no way to relate roadside tests for THC with impairment in any way at all.

Could the member comment on that and what method the government will recommend for roadside THC impairment tests, not for THC levels, but impairment?

Mr. Ron McKinnon: Mr. Speaker, the contemplated roadside testing for THC is not to test for impairment but for THC levels. It is a legislated requirement under this bill that one of the requirements for exercising the right to operate a motor vehicle is to have a blood alcohol level below a certain level of THC. That is a legislated requirement. That is what per se limits are all about.

It is not a statement of impairment, although the scientists we talked to at committee said there was no safe level of THC in the blood. We need to establish a level that we can measure in a reasonable way to set a bar under which we can operate in a legal manner.

Mr. Robert Kitchen (Souris—Moose Mountain, CPC): Mr. Speaker, the member talked a lot about drunk drivers and not a lot about marijuana and its effects on drivers.

What my hon. colleague does not know is that I was the victim of a hit and run by a drugged and drunk driver when I was 16 years of age. I was left for dead by that driver on the side of the road. They caught the man afterwards, and he was let go on bail and skipped the country. There was no punishment.

When the member talks about this legislation and putting it in place, why does he want to put in legislation before the rules are there? We are going to allow stoned drivers to be on the road driving, putting people's lives at risk? What does the member say to a parent who has to deal with a phone call late at night that their 16-year-old child is lying dead on the road or dying on the side of the road? How would the member respond to those people?

Mr. Ron McKinnon: Mr. Speaker, this legislation does not legalize driving under the influence of any drug. It is already illegal to drive in any impaired state.

What this law does is to provide additional tools for police officers to detect such driving circumstances. I think we would all be naive to believe that people are not driving under the influence of marijuana or other drugs. It is happening now.

This bill provides excellent tools for police to engage that problem, and to do so in a meaningful way.

Government Orders

• (1315)

Mr. Ken Hardie (Fleetwood—Port Kells, Lib.): Mr. Speaker, I want to recognize my hon. friend from Coquitlam—Port Coquitlam for the work he did on the good Samaritan law, which is also saving lives.

Does the member think we have done a disservice over the years by focusing on impairment levels, even with respect to alcohol? Is it something we are avoiding with the per se approach we are taking with marijuana? With alcohol use, there is the argument, “I am a big guy, I can drink more and not be impaired.” It is a rather subjective argument that goes back and forth about impairment, when what we are really trying to do is to limit the presence of something in a person's system.

Mr. Ron McKinnon: Mr. Speaker, the objective or goal here is not necessarily to limit the amount of a substance in a person's system, but to prevent people from driving while they are impaired by any substance.

It is absolutely difficult for us to ascribe particular levels of individual impairment to particular THC or alcohol levels, although with alcohol it is much easier. However, we cannot just throw up our hands and say that it is tough, so we are not going to do it. We have to establish a legal minimum, some legal standards on which we can operate. We may refine them later on and lower them, but for now it is certainly unacceptable for people to be driving with more than the prescribed levels of THC in their bloodstream.

Mrs. Cathy McLeod (Kamloops—Thompson—Cariboo, CPC): Mr. Speaker, we are debating something that is very important and that really has an impact on the lives of Canadians, namely, impaired driving.

What is concerning to me first is that this is being partnered with Bill C-45. The government's attitude is, let us legalize marijuana and then talk about impaired driving. Clearly, the government members know that when legalization of marijuana occurs, we are going to have more impaired drivers on the road. Although I know it is an important discussion and that we need to have better laws for impaired driving, it is very upsetting and concerning that the bill is being rushed through in partnership with another bill that would increase impairment.

Members of the House come from all sorts of legal backgrounds. We have heard some dry facts, but almost everyone in this House has been touched in his or her life by impaired driving. I just want to put some personal perspective on this before I get into some of the details of the legislation, some areas that could be improved and some areas of concern.

I worked in a rural emergency health centre and clearly remember being on call one night and getting called into the health centre. There had been a single father and his young four-year-old daughter on a motorcycle. He had pulled over to the side of the road to make some adjustments, and then an impaired driver, in this particular case a drug-impaired driver, had struck the motorcycle. The vehicle had careened off the road and struck the motorcycle, killing the dad and leaving the daughter standing on the side of the road. At that point the impaired driver took off, and then, many miles farther on, went into a ditch. I was called in to deal with a deceased young dad and a four-year-old girl who had lost her father and had been left at the side

of the road for a long time beside the body of her father before someone had passed by and called an ambulance. This is what we are talking about. This is about young girls losing their fathers. It is about mothers and sons. It is about family members and friends. Everyone is affected by this, so we have to be very serious and careful with this legislation.

This brings me to my first disappointment. The amendment that my colleague suggested was for a mandatory minimum sentence when impaired driving causes death. The member was not calling for life imprisonment or 30 years. The member suggested that an appropriate mandatory minimum sentence would be five years. If we lose a relative because someone chooses to take a substance and drive impaired, causing a death, the member sees a five-year mandatory minimum sentence as being perfectly appropriate. In our system, we also have to remember that this does not mean the individual would spend five years in jail. It means that in perhaps two or three years, that person would resume his life. It is a huge disappointment. It is so wrong, and it fails the sensibilities of so many Canadians who wonder how we could say that a five-year mandatory minimum sentence for impaired driving causing death is appropriate. That really is a failure.

As has been noted, impaired driving causing death is one of the leading criminal causes of death in Canada. These are not statistics that we should be proud of. As we look at other comparable countries, Canada's statistics are not very good. Again, I have to say that we already have statistics that are very concerning, and now we have two partner pieces of legislation that will inevitably increase our concerns in those terms.

There are three specific issues that point to the rushed state of this legislation. By Canada Day in 2018, the Liberal government wants Canadians to be able to celebrate by getting high on marijuana. Perhaps the Liberals believe it will help the fireworks look a little brighter; I do not know.

• (1320)

They are in a rush and have Canada Day as their target, which to me is a bit appalling. In their rush to deal with Bill C-45, the legalization of marijuana, they are rushing Bill C-46 without the proper due diligence in three areas: testing ability and levels, training and resources, and education.

We have talked a lot about testing levels. The presence of something like THC in someone does not actually measure impairment. I have heard the argument that we are just measuring levels, and impairment does not matter. I would argue that with alcohol, we tend to know that .08 is a level that is consistent with impairment in most individuals, whereas with THC, there is a much bigger disconnect. The association of police chiefs agrees with that.

The Canadian Society of Forensic Science, which has been tasked by the federal government, has suggested it is a controversial exercise to set a limit and that “there is not currently substantive and consistent scientific evidence upon which to base [those] limits.” These are the experts who have some concerns about the ability of a roadside device to test limits and to test impairment, which again is a bit of an issue.

Private Members' Business

The next area of concern is the police officers who will be asked to move forward with this legislation. I think there are about 65,000 police officers in Canada. They will all require training. From everything I understand, the witnesses who testified at committee indicated very clearly that they will not be able to have all our officers trained, nor do they have the resources to do so, by this arbitrary Canada Day 2018 date that has been set by the government.

The other area of particular concern is that everyone agrees on the importance of an education campaign. They talk about \$2 million. Where is that campaign? If they are going for 2018, that is not a lot of months. It takes a long time. Anyone in the public health field knows that to penetrate and actually effect change, we need a public health approach that has had time to actually penetrate the consciousness of Canadians. I am not seeing anything. Perhaps I could be challenged on that. I would love to be challenged on that. However, if I am not seeing anything, and I tend to look at what is happening in the area, we can bet that nothing has penetrated the consciousness of the 20-year-olds, the 17-year-olds, the new drivers, and the 22-year-olds in terms of the new regulations and limits. The government is severely lacking in terms of any education or public health campaign.

Tackling impairment in a more robust way is an important thing to do. However, what is the rush? Let us get Bill C-45 right. Let us make sure we get the proper training done. Let us make sure things are in order. If they have to wait another bit of time to get Bill C-45 through, so be it, but what we will be doing is protecting the health and safety of Canadians.

• (1325)

Mr. Bill Blair (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada and to the Minister of Health, Lib.): Mr. Speaker, I want to first respond to what the member said she very much wanted to hear. The government has committed a substantial amount of money for public education, particularly around drug impaired driving. She will begin to see evidence of that made public in November, in the coming weeks.

Back in the 39th Parliament, in 2007, the government of the day introduced legislation that introduced the concept of the drug recognition expert and standardized field sobriety testing. That law was enacted some six months later and came into effect almost immediately, on July 2 of that year. The government of the day allocated \$2 million for training of all law enforcement and drug recognition experts. Our government has been working with the law enforcement community for over two years on this. We have given them more than 14 months to prepare, and we have allocated not \$2 million, but \$161 million, for the training of police officers, for the training of additional drug recognition experts, and for the training of those thousands of officers who require training in standardized field sobriety testing. Not only are we providing training for the new technologies that are being made available, we are making sure that we are going to pay for those technologies. We have made available the resources they asked for.

I would like to ask the member for Kamloops—Thompson—Cariboo if she is reassured by the knowledge that this time, we have listened to what law enforcement has asked of us. We listened when they said they needed the resources and they needed the training, and we have responded according to their requests.

Mrs. Cathy McLeod: Mr. Speaker, I am just going on what I understand was testimony at committee, and testimony at committee was saying that the police forces across this country will not be ready in time for July 2018.

The other point that the member talked about is the public health program, which is going to start in November. I look forward to seeing that program start, but as I understand it, the budget that has been put in place for this public health program is very meagre and, to be effective, it should have started many years ago or many months ago. Again, I am just going on testimony at committee and knowledge in terms of effectiveness of a prevention public health program.

Mr. Jim Eglinski (Yellowhead, CPC): Mr. Speaker, we have been hearing from members across that having a fixed penalty for impaired driving causing death is not a deterrent.

I will put this in simple terms so that maybe my hon. friends across the way can understand. I hate to make this analogy, because impaired driving causing death is very serious, but imagine if a speeding ticket was worth \$10. Would people stop speeding? However, if it was worth \$250, \$300, or \$400, which is where it is in some areas, I think people would think about it. If we take that analogy and apply it to impaired driving, if people know there is a consequence, will it be a deterrent?

Mrs. Cathy McLeod: Mr. Speaker, not only if they know that there is a consequence will it be a deterrent, but, importantly, some of our most habitual, chronic, drug and alcohol abusers who drive impaired, who have the fines and a penalty, get out and drive again. If we have them off the road with a mandatory minimum, then it might be two years or five years when they are not out there using their vehicle to kill or injure other people.

• (1330)

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

PRIVATE MEMBERS' BUSINESS

[English]

EXCISE TAX ACT

The House resumed from June 8 consideration of the motion that Bill C-342, An Act to amend the Excise Tax Act (carbon levy), be read the second time and referred to a committee.

Mr. Erin Weir (Regina—Lewvan, NDP): Mr. Speaker, the bill before us identifies a real issue, but proposes the wrong policy response.

Private Members' Business

My colleague from Langley—Aldergrove is correct to point out that the GST will apply on top of carbon pricing, and he is correct to be concerned that this cost will have a disproportionate impact on lower-income Canadians. However, the proposal to remove GST from carbon pricing is impractical. A far better solution would be to use those additional GST revenues to finance a rebate targeted to lower-income Canadians to offset the impact of carbon pricing.

Why do I suggest that it is impractical to remove the GST from carbon pricing?

I would first point out that the GST already applies on top of provincial fuel taxes. For example, my home province of Saskatchewan has a provincial fuel tax of 15¢ a litre on gasoline. My neighbour province of Alberta charges a very similar tax on gasoline, but it is divided up between a 13¢ provincial fuel tax and a 4% provincial carbon tax. Essentially, what the bill proposes is that the GST would continue to apply to the fuel tax, but for some reason, it would not apply to the carbon tax.

I do not think we have heard an explanation from the member for Langley—Aldergrove as to why we should apply the GST to a tax that is labelled a “fuel tax”, but not apply it to a functionally-identical tax called a “carbon tax”. If the bill were adopted and passed into law, provincial governments could all exempt their fuel taxes from the GST simply by renaming them “carbon taxes”. I think that is clearly not the intention of the member for Langley—Aldergrove, but it is a consequence of the proposed bill.

Even if there were a solution to that issue of existing excise taxes versus carbon taxes, there is absolutely no way to remove the GST that would apply to price increases arising from a cap-and-trade system. Carbon pricing is being rolled out in different ways across the country. Some provinces have enacted carbon taxes, which the bill addresses, other provinces have decided to put a price on emissions through cap and trade, which the bill does not address.

Therefore, again, it is unclear why we would seek to remove the GST from a price increase that results from a carbon tax, while continuing to apply the GST to price increases that arise from cap and trade.

Therefore, I think it is clear that it is not really feasible or desirable to try to remove the GST just from this one type of carbon pricing.

A far better solution would be to recognize that the government will inevitably collect additional GST when consumer prices are increased by climate change policies and then to use that money to provide a rebate to lower-income Canadians to offset the cost of carbon pricing. This is a practical solution that is already in effect in other jurisdictions.

For example, the progressive government of Rachel Notley in Alberta has enacted a very generous rebate program along with the carbon tax. In fact, the rebate in Alberta is so generous that many lower and middle-income Albertans actually have more money in their pockets now than they did before the carbon tax was enacted. Therefore, if the goal of the Conservatives is to help lower-income Canadians and shield them from the burden of carbon pricing, the way to do that is to transfer money to them directly. The Alberta government has already shown us how to do that.

●(1335)

I would also note in this vein that our new federal leader, Jagmeet Singh, ran on a platform that would “ensure that carbon pricing is twinned with rebates to make it more affordable and fair for low and middle income Canadians.” The solution is already there, and it is a better solution than the one proposed in this bill.

I would like to put a few numbers on the type of rebate we are talking about, because the GST that the federal government will collect could fund a significant amount of assistance to lower-income Canadians. By the year 2022, the federal government will be requiring a carbon price of at least \$50 a tonne. Canada's current emissions are about 700 megatonnes, so we are talking about \$35 billion of carbon pricing. Apply the 5% GST to that carbon pricing, and we are talking about additional revenues of \$1.75 billion. That is a significant amount of additional GST revenue that will inevitably be collected on top of carbon pricing, frankly with or without this bill. If we use that money to boost the existing GST credit, we could increase it by one-third. The federal government needs to take advantage of the fact that it has this additional GST coming in from carbon pricing, and increase the GST credit, which is already based on income and already very well targeted to lower-income Canadians.

Once again, to sum up, we have a bill before us today that identifies a real issue, the application of GST on top of carbon pricing, as well as the disproportionate effect that could have on lower-income Canadians. However, the bill proposes an impractical solution. It talks about trying to take the GST off carbon taxes when the GST already applies to excise tax on gasoline, which is in effect the same type of tax. We should not be basing GST policy on the name of the tax; we should base it on real economic factors.

Furthermore, the bill does not even pretend to be able to address the GST that is collected on top of a cap and trade system. A far better solution is to accept the reality that if consumer prices increase as a result of putting a price on emissions, the federal government will collect more GST as a result. That will put the Government of Canada in a position to fund a rebate to lower-income Canadians to ensure they are not adversely affected by carbon pricing.

I would speak in opposition to the bill before us, but very much in favour of using the GST revenues from carbon pricing to fund a progressive rebate that would help to ensure we can use carbon pricing to reduce emissions while, at the same time, boosting the fortunes of lower-income Canadians.

[*Translation*]

Mr. Jacques Gourde (Lévis—Lotbinière, CPC): Mr. Speaker, I am pleased to rise today to take part in the debate on Bill C-342, which was introduced by my colleague, the hon. member for Langley—Aldergrove.

Private Members' Business

I have had the great privilege of representing my riding in the House since January 23, 2006, and my colleague and I have had the opportunity to work together in the interest of all Canadians in a way that respects the principle of tax equity, a principle that seems to have been forgotten since this Liberal government took office.

I want to begin by telling the people of Lévis—Lotbinière that the Conservatives will continue to fight the tax hikes imposed by this Liberal government, a government whose hypocrisy knows no bounds and that keeps breaking the promises that it made to honest, hardworking Canadians.

Bill C-342 will amend section 154 of the Excise Tax Act to exclude the collection of GST and HST on provincial carbon pricing systems. From now until the next election, the Conservatives will be the voice of the taxpayer, and we are proud to stand up for Canadians against this tax on the carbon tax.

This is no surprise to anyone. Our party has always opposed high taxes on Canadian taxpayers, and we oppose the Liberal government's unprecedented deficits and spending.

It is no secret that those who voted for a party other than ours are now looking at another option, and that option is the Conservative Party. Our previous Conservative government made it clear that the party respects taxpayers, our wallets, and each person's ability to pay. Our party does what it says and says what it does, in addition to helping Canadians make ends meet. Not only do we do all of that, but we also do so fairly, at no one's expense, and without mortgaging future generations to the hilt.

We hope that the Prime Minister is the only one in his generation to think that the world will end in 25 years and that Canadians will not have to pay down this massive deficit. Unlike the Liberal government, a Conservative government knows, in no uncertain terms, how to balance a budget and eliminate deficits.

The Liberal government's proposal shows the Liberal Party up to its old tricks. This is just another one of these Liberal shell games where Canadians always lose out. Does anyone believe the Prime Minister's claim that the government's new price on carbon will be revenue neutral? It is absolutely shameful that he should have the nerve to try to make the public believe this. He must always be looking for new ways to fill government coffers on the backs of hard-working Canadians so he can outspend our borrowing capacity by a factor of two, if not 10.

What does the Prime Minister take us for? Fortunately, not all of us blindly swallow everything the Prime Minister says in the House. It is patently obvious that by charging GST on top of the price of carbon, the Liberal government will be collecting billions in new tax dollars. Too bad they will not be able to make even more money off this revenue by stashing it in a tax haven, as their Minister of Finance is currently doing. Granted, that scandal is another matter altogether, but it is just one more in a long line of crooked Liberal manoeuvres that, sadly, always end with us losing out or getting the shaft.

This hidden tax is totally unconscionable, obscene, and unfair to Canadians. What is even more appalling is that it represents one more broken promise from this Prime Minister. Instead of taxing Canadians, and taxing the tax, as this unscrupulous government

currently wants to do, the Conservatives believe that we need to lower taxes for Canadians, including taxes for businesses, families, and individuals. This is an integral part of the Conservative vision, a vision of prosperity and opportunities for all Canadians.

This bill's objective is very noble and laudable. We want two main things: we want to help the Prime Minister, as a matter of urgency, to keep his promise, and we want to prevent the Liberal government from collecting GST/HST on provincial carbon taxes.

● (1340)

Let us look back at the untruthful comments the Prime Minister falsely made on October 3, 2016:

Provinces and territories will be able to have a choice in how they implement this pricing. They can put a direct price on carbon pollution, or they can adopt a cap-and-trade system....

Whatever approach is chosen, this policy would be revenue-neutral for the federal government. All revenues generated under this system would stay in the province or territory where they are generated.

Budget 2016 included a 21% increase of GST revenue from 2015-16 to 2020-21, despite the fact that federal GST would stay at 5%. The amount of GST the federal Liberal government is currently collecting through carbon taxes for the 2017-18 fiscal year amounts to \$65 million from Alberta and \$65 million from British Columbia. In 2018-19, it is projected to be \$140 million from Alberta and \$110 million from British Columbia, and that is for just two provinces. Imagine how much the government will collect from across Canada. This will mean billions of dollars more unfairly taken away from Canadians through this double taxation.

Halfway through their mandate, the Liberals have an abysmal track record. According to a report by the Fraser Institute, 81% of middle-class families are paying more taxes under the Liberals. These are families that pay on average \$840 more per year. That is a significant sum.

The Liberal tax hikes are hurting Canadian families and businesses. Among other things, they scrapped the universal child care benefit, fitness and children's art tax credits, post-secondary and textbook tax credits, as well as income splitting for families.

With respect to small businesses, it is thanks to the pressure applied by the official opposition that they will be paying less taxes, as set out in the Conservative plan.

The Liberals also halved the TFSA's contribution limit, scrapped the public transit tax credit, introduced an Uber tax, and raised taxes on beer, wine, and spirits.

They then tried to tax health and dental insurance benefits, as well as employee discounts.

Now the Prime Minister, in true hypocritical fashion, is asking middle-class Canadians to pay more to cover his reckless spending, all while his family's fortune remains intact. For shame.

Private Members' Business

The Prime Minister is failing in his duty and wasting Canadians' hard-earned money. So far he has used these massive tax hikes to pay for luxury vacations to tropical islands at the taxpayers' expense and to pay for a lovely book cover for the Liberals last budget.

Those who still believe that he is not going to raise taxes on Canadians are a rare breed, and they are tending to keep quiet on the issue. Canada does not have the luxury to pay for another Liberal government. This Prime Minister does not deserve to be reelected because he has already lost the confidence that many Canadians placed in him.

Next year, all my colleagues across the way will be allowed to smoke marijuana, but they will not be able to stonewall our ideas on this side of the House. Conservatives are strong, solid, lucid, and determined. Day after day, we will do what this Prime Minister and the Liberal government do not know how to do and that is work hard in the interest of all Canadians to build a strong, stable, and prosperous country.

* * *

● (1345)

[English]

ECONOMIC STATEMENT

Mr. Chris Bittle (St. Catharines, Lib.): Mr. Speaker, there have been discussions among the parties and if you seek it I think you will find unanimous consent for the following motion:

That notwithstanding any Standing Order or usual practice of the House, at 4:00 p.m. on Tuesday, October 24, 2017, the Speaker shall interrupt the proceedings to permit the Minister of Finance to make a statement; after the statement a Member from each recognized party, a Member of the Bloc Québécois and the Member for Saanich—Gulf Islands may reply for not more than 10 minutes; after each Member has replied, or when no Member rises to speak, whichever comes first, the House shall proceed to the consideration of Private Members' Business.

The Deputy Speaker: Does the hon. member for St. Catharines have the unanimous consent of the House to propose this motion?

Some hon. members: Agreed.

The Deputy 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)

* * *

● (1350)

[Translation]

EXCISE TAX ACT

The House resumed consideration of the motion that Bill C-342, An Act to amend the Excise Tax Act (carbon levy), be read the second time and referred to a committee.

Mr. Joël Lightbound (Parliamentary Secretary to the Minister of Finance, Lib.): Mr. Speaker, I am pleased to rise in the House today to speak to the bill introduced by the hon. member for Langley—Aldergrove.

Bill C-342 seeks to amend the Excise Tax Act to provide that any tax paid to a province in respect of carbon is excluded from the total

purchase price for the purpose of calculating the goods and services tax. Even though I have no doubt that the hon. member has the best intentions in the world, this bill will not only not have an impact on Canadians' taxes, but it will also unnecessarily complicate our tax system.

Experience tells us that passing tax-related private members' bills can undermine the budgetary process and impede the Government of Canada's ability to prioritize public policy issues and urgent expenses when drafting a balanced series of budgetary measures.

Ideally, any changes to tax laws should be made as part of the larger budget process to ensure that they are consistent with the fiscal framework and the tax system. Before I provide a more detailed explanation of the steps and measures that the government has taken in this regard, I would like to talk about the implications of Bill C-342.

A key component of the government's pan-Canadian framework on clean growth and climate change is the commitment to put a federally regulated price on carbon pollution across the country in 2018. This commitment is based on the very basic principle of fairness under which every person or their representative must pay for what they use.

The provinces will be able to choose between two great options for implementing this initiative. The first is an explicit price-based system, for example, the carbon tax that is in place in British Columbia, or a hybrid system made up of a carbon levy and production-based pricing like in Alberta. The second option is a cap-and-trade system like those used in Quebec and Ontario.

The bill before the House would complicate things. Separating carbon taxes and levies from the total purchase price would make tax compliance more complicated and make the total purchase price less transparent.

Above all, this bill weakens our commitment to protect the environment more responsibly and fight climate change. The Government of Canada wants the tax system to be as fair and efficient as possible. If we want strong and sustainable economic growth that benefits Canadians as a whole, we must have in place a tax system that is fair for everyone, especially the middle class.

The GST/HST was always meant to be a consumption tax. Applying that tax to a broad range of goods and services not only makes it equitable, but also gives it the additional advantage of being simpler to manage and more efficient, which is undeniably of benefit to Canadian businesses and consumers.

Here is how the GST/HST works: it is calculated on the final sale price of many goods and services that Canadians consume and use every day. The final amount to which the GST applies generally includes other amounts charged, such as duties, the tobacco tax, and other gas and fuel taxes.

The main advantage of this general approach is that it is simple and predictable, which is better for Canadian consumers and makes it easy for Canadian businesses to calculate and collect the tax.

Private Members' Business

The final reason this bill does not achieve its goal is a financial one. When we look at the savings this bill would generate, we can see that not charging GST/HST on carbon taxes would have a negligible impact in the case of most fuels and little impact on buyers.

For example, eliminating the GST on the existing carbon tax, which is 6.67¢ per litre of gas sold in British Columbia, would bring the price of a litre of gas down by about 0.37¢, which is about 0.03% if the retail price is \$1 per litre.

In Alberta, not charging the GST on the natural gas carbon tax, which will be an estimated \$205 in 2018 for a couple with two children, would save about 85¢ per month, which adds up to \$10.25 for that year.

Let us compare that to the major tax cuts we have introduced since December 2015. Nearly nine million Canadians are benefiting from the government's middle-class tax cut, and the new Canada child benefit means that about 300,000 fewer children are living in poverty now than in 2013.

• (1355)

That works out to a roughly 40% drop in Canada's child poverty rate. We also took non-tax measures to help Canadians retain more of their hard-earned money and plan for their future.

A year ago, the government took action to help people retire with dignity by strengthening the Canada pension plan. Thanks to a historic agreement between the federal government and the provinces, the maximum benefit will increase by about 50% over time. This real and meaningful action has a major impact on the lives of Canadians. This is in addition to our government's unprecedented investments announced in the last two budgets to help clean up communities and reduce their dependence on energy sources that cause air pollution, have harmful effects on the environment, and jeopardize our health.

We are continuing to work to develop a single, consistent, and comprehensive plan to improve the lives of the middle class and all Canadians, a plan that will yield better results than an ad hoc approach like the one proposed in this bill.

The tax treatment provided for in the bill we are discussing today is neither fair nor efficient. Furthermore, this plan is not consistent with the objectives and priorities we have set with respect to environmental protection. For these reasons, the government opposes this legislation.

[*English*]

Mr. Jim Egliniski (Yellowhead, CPC): Mr. Speaker, I am pleased to rise in support of the bill by the member for Langley—Aldergrove. Bill C-342 would amend the excise act so that the government cannot collect GST or HST on provincial carbon pricing systems.

Last year, the Prime Minister imposed a national floor price on carbon that would require all provinces and territories to have some form of carbon pricing by the year 2018. British Columbia, Alberta, Ontario, and Quebec have already introduced carbon pricing systems. Most other provinces are working to do the same before the 2018 deadline.

The Liberals have claimed that putting a price on carbon pollution is the best means of reducing greenhouse gas emissions. Before I go on, I want to remind everyone of a recent report tabled by the Commissioner of the Environment and Sustainable Development, titled "Progress on Reducing Greenhouse Gases". It concludes that the minister's department did not make progress toward meeting Canada's commitments to reduce greenhouse gases. This brings into question the effectiveness of the carbon pricing scheme.

The fact is that the Liberals did not introduce carbon pricing to reduce the emissions. They introduced it to fund their excessive spending habits. I believe that Canadians are willing to pay their fair share of taxes. However, the government is demanding so much money from hard-working Canadians that soon there will not be any more money for them to take.

Despite promising that carbon pricing would be revenue neutral, the Liberals' 2016 budget projected a 21% increase in GST revenues from the 2016 to 2021. Why? The GST rate didn't change in those calculations. What did change was the massive growth in taxable consumption of carbon, via carbon pricing.

The carbon tax is just that, simply another tax. The carbon pricing scheme isn't revenue neutral because it increases costs down the line and will increase the cost of the GST and HST on consumers and businesses. That is exactly why I believe this bill is necessary.

If the government wants to keep its promise to make carbon pricing revenue neutral, it needs to support this bill. Otherwise, it will be taking billions of dollars from hard-working Canadians because of this tax on a tax. Canadians are being taxed enough. This is just another Liberal tax grab designed to make Canadians pay for the Prime Minister's out-of-control spending habits and his resulting legacy of deficits that our grandchildren and children will have to pay.

Consumers and businesses are finding it more and more difficult to survive under the Liberals. The Liberals say that carbon pricing will force businesses to be more environmentally friendly by raising their operating costs. However, those costs will just be passed down to the consumer.

If someone wants to take their family on a Christmas vacation, it will be more expensive because airlines will pass that cost down to the consumer. Carbon pricing will not change how many gallons of fuel it takes to get from one city to the next. If it does, it will probably be because they have invested in more fuel-efficient technology. That is already in their interest to do because it saves them money. They do not need a carbon tax imposed on them to tell them to be more efficient. They are already trying to be.

Private Members' Business

A carbon tax targets generally taxes emissions from the burning of fuels like coal, petroleum, and natural gas in the hope of discouraging their use. While these fuels produce emissions, they are needed by us to drive our cars, heat our homes, and produce our electricity. The problem is that it does not matter how much these fuels cost us, because we still need to consume them every day, and winter is coming. It does not matter how much it will cost to fill up a gas tank, because many of us still have to drive. It is a half-hour from one end of my riding to the other. I am definitely not going to walk.

● (1400)

It does not matter how much our electricity bills go up, we still have to heat our homes. I have to plug in my vehicle in the wintertime or I will not get back to the house. My riding of Yellowhead is full of oil and gas fields. It is not like in those questionable documentaries where we see a massive hole dug into the earth with no signs of life for miles. The oil and gas leases are scattered throughout the forests and farmland, and are most often just a small teardrop of gravel with a small building or shack on top of the well.

Each company has an operator that has to check on each of these leases every day to make sure they are functioning properly. Additionally, they have to bring in water trucks and other service vehicles to maintain these leases. This is all necessary to ensure compliance with environmental regulations and the safe functioning of wells. Even though carbon tax makes it more expensive to operate and drive to each of these leases every day, the companies cannot decrease their safety oversight and well maintenance. They have to pass the cost on to the consumer at the pump.

As well, a carbon tax is a huge hit to the Canadian farm sector, which relies on these fuels to plant the crops that grow the food we eat. CIBC noted that some experts say that the total additional cost to a farm would be \$6 an acre. For someone who has planted 1,000 acres of oats, that is \$6,000 more in fuel costs to that farmer. When the cost to farmers goes up, so does the cost of food to consumers. Again, we are just paying again.

I also want to draw everyone's attention to another issue. I have said that the cost from carbon pricing is passed down to the consumer, making the cost of living more expensive. However, some businesses are forced to absorb the blow at the bottom line, jeopardizing the future of these businesses and jobs they provide, all while doing nothing to impact their emissions.

For example, in the auto body industry, companies do not set their own prices. If a person gets their car into accident and needs to get it fixed, their insurance company decides how much it should cost and dictates that to the auto body shop. They tell the auto body shop how much to charge, even though the insurance company does not know the overhead costs of that body shop. This is unfortunately the way insurance systems are set up.

In speaking with one owner near my riding, I learned that suppliers have passed the cost of carbon pricing on to his company. The insurance companies dictate how much he can charge and there has been no increase provided to offset the costs of the carbon tax. It is out of his pocket, the bottom line. Considering that about 90% of his work comes from insurance, his operating costs have increased

by 12%, and that comes completely off his bottom line. What does that mean? It means choked growth and maybe staff cuts.

When the Alberta carbon pricing took effect in January, it just so happens that there was an increase in gas prices at the same time. The gas bill for this person's shop went from \$500 a month to almost \$1,600 a month. He went to his MLA to find out why, and found out that GST collected on top of the provincial carbon tax was the major factor. That is exactly why this bill is important. Small businesses and consumers alike are seeing their costs skyrocket under this Liberal government.

As representatives, it is our duty and responsibility to ensure each of our constituents can afford their groceries, to heat their homes in the middle of January, and to keep providing jobs for their communities. No one should ever have to be let go from a job because their company is being taxed to death.

The Liberal government will collect billions in new tax dollars as a result of charging GST on their mandatory price on carbon. This shameless tax grab is unfair to Canadians, and it is not what the Prime Minister promised, which was to keep the price on carbon revenue neutral. I call on those sitting across from me today and to all of their colleagues to support this bill and help the Prime Minister keep his promise to Canadians.

● (1405)

Mr. Mark Warawa (Langley—Aldergrove, CPC): Mr. Speaker, I want to thank God for this opportunity to have a private member's bill. I was number 71. A vast majority of members of the House do not get a chance to present a bill. It is around 45 bills a year. Two years and I now have the opportunity to close debate on this important bill.

I also want to thank Megan, Liat, MacKenzie, and Maksym in my office in Ottawa for their support in preparing for today. I want to thank Annette, Rebecca, and Jane who are in my riding for their support. Of course, I want to thank my wife, Diane. We have been married 45 years this month. I could not do this job without her wisdom and her support.

It is important to have a bill that means something. I consulted with my constituents and overwhelmingly I heard support for Bill C-342, which fundamentally states that it is wrong and it is unfair to charge taxes on taxes. Canadians understand that. Unfortunately, many in the House do not.

Private Members' Business

The government has a legacy of broken promises, saying one thing and doing something else. We just heard that the tax would have negligible effect on the tax burdens of Canadians. That is not true. This year, \$130 million are being taken out of the economy of British Columbia and Alberta through GST on the carbon taxes in those provinces. The Prime Minister said that it would be federally revenue neutral and that this was good for the environment. We all want to do our share for the environment. We all want to be fair. However, what we were told and what actually is the truth are two different things.

This year \$130 million will be sucked out of Alberta and British Columbia. Next year, it will be \$250 million, and that is just for the western provinces. When this carbon tax, as mandated by the Prime Minister, comes into effect, billions of dollars every year will be sucked out of the economy just in GST.

The Liberals say that we need fairer taxes and that it will not be fair to not tax a tax on tax. That is really hard for me to grasp, and I really do not even want to try to grasp the fact that it is fair to charge taxes on taxes and that to stop this will be unfair. The GST is a tax on goods and services. Is a carbon tax goods? No. Is it services? I guess in the mind of Liberals a tax is a service to Canadians. However, Canadians do not believe that. It is unfair to charge a tax on tax.

The Prime Minister promised it would be revenue neutral. This is what Canadian media is saying.

Tim Powers of *Power & Politics* said that it was not revenue neutral when applying a second tax, that more money actually would come into the federal coffers. We have seen that in the budget. We are talking billions of new dollars coming into the federal coffers in the GST. The GST would be charging tax on tax. Rosemary Barton from CBC said that it was not really about what it would cost the

consumer; it was about the government's claim that it would be revenue neutral, and it was not. Ian Capstick said that it was not neutral, that it was profitable to the federal government.

Canadians get it. The media get it. Unfortunately, my colleagues across the way do not get it. It is not fair to charge a tax on tax. I hope the House will do the right thing and support Bill C-342.

•(1410)

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

Some hon. members: Agreed.

Some hon. members: No.

The Deputy Speaker: All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Deputy Speaker: All those opposed will please say nay.

Some hon. members: Nay.

The Deputy Speaker: In my opinion the nays have it.

And five or more members having risen:

The Deputy Speaker: Pursuant to Standing Order 93 the recorded division stands deferred until Wednesday, October 25, immediately before the time provided for private members' business.

It being 2:13 p.m., the House stands adjourned until next Monday at 11 a.m. pursuant to Standing Order 24(1).

(The House adjourned at 2:13 p.m.)

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