



CANADA

# House of Commons Debates

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OFFICIAL REPORT  
(HANSARD)

**Wednesday, December 4, 2002**

—

**Speaker: The Honourable Peter Milliken**

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# HOUSE OF COMMONS

Wednesday, December 4, 2002

The House met at 2 p.m.

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*Prayers*

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•(1405)

[English]

**The Speaker:** As is our practice on Wednesday we will now sing O Canada, and we will be led by the hon. member for Saint John.

*[Editor's Note: Members sang the national anthem]*

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## STATEMENTS BY MEMBERS

[English]

### NATIONAL PARKS

**Mr. Peter Adams (Peterborough, Lib.):** Mr. Speaker, on November 28, 1885, Canada's first national park was established around Banff, Alberta. This was an extraordinary far-sighted fact by the government and people of Canada.

Since then our park system has spread across the country to deliberately include a wide variety of natural heritage. Also, the protection, which our national parks provide for plants and animals, has been strengthened. Our national parks are sanctuaries for plants and animals, investments in the biological diversity of Canada and the planet.

I urge all members to celebrate the establishment of Banff National Park by pledging that our generation will build on the work of our ancestors by further extending and strengthening the national park system with marine conservation areas to provide similar sanctuaries in the oceans.

The Speech from the Throne pledged that we would do this. Let us do it.

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### FIREARMS REGISTRY

**Mr. Jay Hill (Prince George—Peace River, Canadian Alliance):** Yesterday, Mr. Speaker, Canadians found out the true cost of the useless Liberal firearm registry. The Auditor General presented her report detailing a \$1 billion price tag, yet the Liberal government assured Canadian voters it would cost only \$2 million. These cost overruns were quietly swept under the carpet, hiding the waste from Parliament and taxpayers.

Now that the Auditor General has confirmed what the Canadian Alliance has claimed for years, will the government scrap the registry? Not likely.

What else is the government hiding from Canadians? We now know the Liberals are also hiding the true costs of implementing the Kyoto accord. As Canadians line up at hospitals and clinics across the country waiting for critical medical services, Liberals continue to waste billions of dollars on their pet projects. How many more gong shows do we have to sit through?

Canadians are tired of their standard of living being constantly reduced by an arrogant Liberal government that blows billions of dollars. Taxpayers deserve better.

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[Translation]

### ECONOMIC DEVELOPMENT

**Mr. Gérard Binet (Frontenac—Mégantic, Lib.):** Mr. Speaker, the town of Thetford Mines is trying to diversify its industry and open its economy to new market opportunities. To this end, various regional stakeholders are promoting a project that would make the Amiante RCM the Quebec capital of the oleochemical industry.

There is enormous potential here, and I want to acknowledge the promoters of this kind of initiative to create new and innovative sectors of activity and, in so doing, create new jobs.

On November 8, Canada Economic Development contributed \$81,500 toward the implementation of a strategic development plan for this industry.

This contribution is a good example of our interest in supporting projects which will protect and improve the environment, while repositioning this region to deal with new technologies. This is great news for Frontenac—Mégantic.

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### OTTAWA—VANIER COMMUNITY

**Mr. Mauril Bélanger (Ottawa—Vanier, Lib.):** Mr. Speaker, today I would like to pay homage to three pillars of the Ottawa—Vanier community, who have passed away recently: Laurette Roy, Paul St-Georges and Robert Madore.

They were exemplary in their dedication to our community. Ms. Roy, Mr. St-Georges and Mr. Madore were always there to lend a helping hand to individuals and organizations in need.

*S. O. 31*

They will be sorely missed at the Centre Pauline-Charron, the Canadian Legion (branch 462), the Knights of Columbus (council 5571), the Optimist Club and the Institut canadien-français d'Ottawa, among others.

It is impossible to truly honour these three citizens in one minute. Nonetheless, I wanted the House to know that the people of Ottawa—Vanier will not soon forget them.

I wish to express my sincerest condolences to the members of their respective families.

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[English]

#### FRED WARD

**Mr. Janko Péric (Cambridge, Lib.):** Mr. Speaker, last week my riding lost a former city counsellor known for his gentle nature and determination that was key in helping to establish the new City of Cambridge almost 30 years ago.

Fred Ward served with the Perth regiment during the second world war, was a member of Branch 121 of the Royal Canadian Legion, and a former member of the Galt Kinsman Club.

A lifelong resident of Galt, Ward served two terms on Galt council, served on regional government, and was elected to the first ever Cambridge city council.

I would personally like to extend my condolences to his wife Irene, his son Wayne, his daughter Sandra, and his extended family and countless friends in Cambridge.

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● (1410)

#### MEMBER FOR LASALLE—ÉMARD

**Mr. James Rajotte (Edmonton Southwest, Canadian Alliance):** Mr. Speaker, official Ottawa was all abuzz this week about the new suggestion from the member for LaSalle—Émard that the federal government should sell its share of Petro-Canada to help pay for climate change technology.

That is an interesting suggestion but it sounds familiar. It sounds familiar because this is actually not a new suggestion. In fact, the finance committee and the Canadian Alliance recommended selling those shares in the 2001 prebudget report to the then finance minister. Unfortunately, the finance minister at that time ignored the good advice in his next budget.

Who was the finance minister who ignored this advice? It was the very same member for LaSalle—Émard who now suddenly endorses this idea and expects Canadians to accept this as his new brilliant proposal.

This is one more example of this prime minister wannabe just flipping his position to suit the latest fad. The former finance minister has done so many flips and flops that it makes one wonder whether he is truly seeking to become prime minister or if he is instead practising for his new career as a performer with Cirque de Soleil.

[Translation]

#### VIOLENCE AGAINST WOMEN

**Ms. Liza Frulla (Verdun—Saint-Henri—Saint-Paul—Pointe Saint-Charles, Lib.):** Mr. Speaker, today is the National Day of Remembrance and Action on Violence Against Women. This is, first of all, a day to commemorate an act of hate and violence against women. But violence against women did not start with the death of 14 women at École Polytechnique in Montreal, and unfortunately did not end there either.

Violence against women knows no boundaries and often deprives its victims of the ability to speak up or stand up for themselves. Some women experience it daily and fear for their lives and that of their children and family members. Others, like more than 60 women from Vancouver's downtown east side, have simply gone missing, because someone thought that they did not matter or would not be missed.

We are all human beings, regardless of our social standing, race, religion or gender, and all lives are precious. We must all ensure that women are never alone or forgotten, especially on this National Day—

**The Speaker:** The hon. member for Repentigny.

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#### BERTHIER—MONTCALM BYELECTION

**Mr. Benoît Sauvageau (Repentigny, BQ):** Mr. Speaker, the tune being sung these days by the Liberal candidate in the byelection in Berthier—Montcalm is a well known Liberal tune in Quebec: silence.

While the ADQ, PLQ and PQ unanimously passed a resolution in the National Assembly of Quebec, demanding that federal health transfers be unconditional, an embarrassed Liberal candidate saw his federal Liberal friends reiterate their intention to set out conditions.

Worse yet, instead of going ahead with the health care reform, the Liberals decided the best thing was to further centralize by creating a new bureaucracy in Ottawa to deal with health.

After cutting nearly \$150 million in health alone in the riding of Berthier—Montcalm and in Lanaudière, the Liberals now want to pass themselves off as saviours. Having set the fire, they are now trying to put it out.

We have here a Liberal candidate who says he has to defend what is indefensible. It is clearer now why this candidate once was a contributor to the Bloc Québécois. Deep down, he knows full well that the Bloc is the only party in Ottawa—

**The Speaker:** The hon. member for Parkdale—High Park.

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[English]

#### LOUIS APPLEBAUM COMPOSERS AWARD

**Ms. Sarmite Bulte (Parkdale—High Park, Lib.):** Mr. Speaker, I wish to congratulate two of my constituents, Alexina Louie and Alex Pauk, who on November 29, 2002, were awarded the 2002 Louis Applebaum Composers Award.

The Louis Applebaum award was established in 1998 to recognize excellence in music composition. Alex and Alexina are the second recipients of this award for their musical compositions in film and in television.

Ms. Louie is well-known for her compositions, such as *The Scarlet Prince*, and has been recognized with a Juno Award and the Order of Ontario. I am also proud to inform the House that Alexina is one of the recipients of the Queen's Jubilee medals in my riding.

Alex Pauk founded the Esprit Orchestra in 1983 and is also its conductor and artistic director. He has written orchestral, choral, chamber and electronic music which has been performed and broadcast throughout Canada, the United States, Europe, Russia and Latin America.

Their compositions, both individually and together, have enriched the music world both in Canada and abroad.

I congratulate them on their achievements and look forward to their creations in the years to come.

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#### KYOTO PROTOCOL

**Mr. Rob Anders (Calgary West, Canadian Alliance):** Mr. Speaker, on Monday the MP for Edmonton Southeast showed Albertans his true colours. He is going to vote in favour of Kyoto, despite vowing previously to quit rather than support the accord.

Albertans have long memories and are not so easily duped by displays of debatable allegiances. One need only be reminded of the 1993 election results and the stand taken by Alberta Tory MPs who threatened to quit over the GST. Of course jumping ship and joining the Liberals is another strategy of a political shape changer.

Actions speak louder than words. This action, voting in favour of Kyoto, an accord which will cripple the economy and put Albertans and other Canadians out of work, is sheer economic suicide.

Now we learn that the only other Alberta Liberal MP will also vote in favour of the Kyoto accord.

Betraying one's constituency to hold on to a cabinet position shows where Liberal loyalties lie.

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●(1415)

#### PERSONS WITH DISABILITIES

**Mr. Tony Tirabassi (Niagara Centre, Lib.):** Mr. Speaker, during this week of activities acknowledging persons with disabilities, we should be reminded that all Canadians should have the opportunity to display their talents and their skills. Canada needs, and must have, access to these talents and skills in the knowledge based economy.

I am encouraged that the government committed in the Speech from the Throne in September to work with provinces to fast track a comprehensive labour market agreement to remove barriers to working and learning for persons with disabilities.

As we work together we are building a more inclusive society that supports independent living and sustainable livelihoods.

S. O. 31

#### FAIR VOTE CANADA

**Hon. Lorne Nystrom (Regina—Qu'Appelle, NDP):** Mr. Speaker, last week was the second anniversary of the 2000 election, an election that handed most of the power to a party for which, once again, only a minority of the Canadian people voted.

In the wake of this distorted outcome, Fair Vote Canada launched a grassroots campaign to make every Canadian's vote count.

Just an hour ago the president of Fair Vote Canada, Doris Anderson, joined with opposition members, including myself, calling on the government to take real action on electoral reform.

The last time the House of Commons voted on proportional representation was in 1923 when a cautious Mackenzie King led 20 of his fellow Liberals in supporting PR. Canadians think it is high time for another vote.

According to Environics, support for PR has risen to 62%. The success of this campaign shows what can be achieved through multipartisan cooperation, both inside and outside the House.

On behalf of my party, I salute the perseverance of Doris Anderson and Fair Vote Canada and its supporters, and I can assure them of our continued support on proportional representation in Canada.

\* \* \*

[Translation]

#### LAC-SAINT-JEAN—SAGUENAY BYELECTION

**Mr. Michel Guimond (Beauport—Montmorency—Côte-de-Beaupré—Île-d'Orléans, BQ):** Mr. Speaker, Gilbert Tremblay, the Liberal candidate in the Lac-Saint-Jean—Saguenay by-election, has stated without turning a hair to the regional press that, had he not sat on the regional sociopolitical committee, the federal government would never have been aware of the issue surrounding Agropur of Chambord.

Nothing could be further than the truth. We have proof of this in *Hansard*. The member for Roberval was the first to speak out against this situation, on October 29, and then my colleague from Jonquière carried the ball by bringing it up on November 7, 8 and 29.

The same cannot be said of the federal member for Chicoutimi—Le Fjord. A painstaking examination of *Hansard* does not yield a single instance in which the Liberal member for Chicoutimi—Le Fjord brought this situation to the government's attention publicly.

What cheek for the Liberal candidate in the riding of Lac-Saint-Jean—Saguenay to make such a statement, when there are official records which prove the contrary.

*Oral Questions*

[English]

**VIOLENCE AGAINST WOMEN**

**Ms. Anita Neville (Winnipeg South Centre, Lib.):** Mr. Speaker, December 6 is the National Day of Remembrance and Action on Violence Against Women. On this day in particular Canadians are encouraged to discover methods to deal with violence in the daily lives of many. One of the many forms of violence against women that needs to be addressed is spousal assault.

Twenty years ago this topic was brought up in this very Chamber to the apparent amusement of some of the hon. members. As was the case in 1982, the numbers today are certainly no laughing matter. In the year 2000, female victims of reported spousal assault were in the majority. There were over 28,000 of them. That number could have been twice as much since only 37% of suspected cases of spousal assault are reported when a female victim is involved. Many more women live in silence and fear.

Last year 69 women were victims of spousal homicide. This number has significantly increased in just one year. That is slightly more than one woman being killed by her current or ex-spouse every week.

It is important that Canadians take these facts to heart. We can all make a difference in taking action against violence against women today and everyday.

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**FIREARMS REGISTRY**

**Mr. Rick Borotsik (Brandon—Souris, PC):** Mr. Speaker, yesterday the Auditor General's report once again put the spotlight on the government's ill-fated gun registry program. In the report she highlights the "astronomical cost overruns" and the government's "failure to report to Parliament".

It is not at all surprising to see that the government has once again mismanaged Canadian taxpayer dollars.

Let us not forget who was the architect of this fiasco: the current Minister of Industry. There seems to be a dark cloud that follows the minister wherever he goes. Who can forget his legacy: the Airbus blunder, the hepatitis C controversy and the Cipro affair.

However, the biggest and most expensive Christmas gift of all was the \$1 billion gun registry program. It is costly, inefficient, confusing and, above all, legislation that is prepared to make honest people criminals and criminals, like the Hell's Angels Maurice "Mom" Boucher, a registered gun owner.

The way the Kyoto accord is going, the minister must have had his hand in that one too.

**ORAL QUESTION PERIOD**

• (1420)

[English]

**AUDITOR GENERAL'S REPORT**

**Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance):** Mr. Speaker, I want to return to the Auditor General's report and government mismanagement.

Last week the government denied suggestions of a billion dollar cost overrun in the firearms registry, yet the Auditor General says the government has known this for two years.

All of this sounds very familiar. The government denied the billion dollar boondoggle at HRDC, it is attempting to sweep the sponsorship scandals under the rug and it is headed toward a multi-billion dollar boondoggle on Kyoto.

My question is straightforward. What financial controls will the new finance minister put in place to end the mismanagement problems of his predecessor?

**Hon. Martin Cauchon (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, as I said yesterday, the numbers are known by the population.

The question raised by the Auditor General is basically a question of reporting: the way we should report to be accountable to the population. Numbers were known, whether through Justice Canada or other stakeholders that are involved in the program delivery and administering.

As I said yesterday, we accept the recommendations of the Auditor General. Indeed, are we concerned? Yes, we are concerned and we will fix the problems.

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**FIREARMS REGISTRY**

**Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance):** Mr. Speaker, the justice minister says the numbers are known. In his defence of the massive overspending on the firearms registry, yesterday his office put out a press release stating that the projected costs for this year were \$113.5 million. That forecast did not even include the extra \$72 million that the justice minister asked for and received from the House in supplementary estimates two months ago.

How can the justice minister's financial oversight be so incompetent that he does not even know about the current expenditures in his own department?

**Hon. Martin Cauchon (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, as I have said many times, the numbers are well known. The Auditor General recognizes that all the numbers have been approved by Parliament.

The question raised by the Auditor General was on the way we should report. Of course, the Department of Justice and I, as Minister of Justice, are accountable and are seen as being the single point for being accountable to Parliament. We will manage with the external audit that we have asked for. We will manage in order to make sure that we will organize the books in a manner that is supported by the Auditor General.

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#### GOVERNMENT CONTRACTS

**Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance):** Mr. Speaker, the numbers, he says, are well known. The truth is, the justice minister does not have a clue about how much this is costing.

On another issue of mismanagement, yesterday the public works minister prevented a second audit of the sponsorship scandal from seeing the light of day. He is hiding behind a police investigation to prevent this information from coming to Parliament.

Surely the minister is not suggesting that every page of a 2,500 page audit is subject to police investigation. Will the minister agree in the House to reveal the portions of the audit that the police are not using in their investigation?

**Hon. Ralph Goodale (Minister of Public Works and Government Services, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.):** Mr. Speaker, there is absolutely no second audit. There was a second sampling done after the first, which confirmed the first findings. We went through all of the ATIP release procedures to provide this information to the public, to provide the information to Canadians, and it was indeed the advice of the RCMP that we could not release it. If the RCMP changes that advice, I will release it.

\* \* \*

• (1425)

#### EMPLOYMENT INSURANCE

**Mr. Monte Solberg (Medicine Hat, Canadian Alliance):** Mr. Speaker, yesterday the Auditor General ripped the government over its failure to respect the intent of the EI act.

The finance minister and his predecessor think that workers and employers should be satisfied with thin dime reductions of EI premiums when the Auditor General and the Chief Actuary both say that the reduction should be 50¢.

How long will the finance minister perpetuate the EI rip-off started by his predecessor?

**Hon. John Manley (Deputy Prime Minister and Minister of Finance, Lib.):** Mr. Speaker, I am sure the hon. member was paying attention when the announcement was made in October 2000 to reduce a whole series of taxes and charges on the Canadian public, amounting to \$100 billion over five years. Included in that has been reduction in EI charges, and the member will know that next year alone that amounts to over \$800 million.

**Mr. Monte Solberg (Medicine Hat, Canadian Alliance):** Mr. Speaker, that is a little like the bank robber who pleads not guilty because he did not steal all the money.

#### Oral Questions

Yesterday the Auditor General said that it was Parliament's intent that the employment insurance program be run on a break even basis over the course of a business cycle. I guess the finance minister has break even mixed up a little bit with break and enter.

How much longer will the finance minister perpetuate the EI rip-off started by his predecessor, the member for LaSalle—Émard?

**Hon. John Manley (Deputy Prime Minister and Minister of Finance, Lib.):** Mr. Speaker, I know the arithmetic is really tough for the hon. member. Maybe he can try to figure it out for himself if I give him a little help.

We have a whole series of sources of revenue. Relating to EI premiums, they include taxes of a variety—

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

**Hon. John Manley:** Mr. Speaker, they do not want to listen so perhaps I should just wait.

**The Speaker:** I am having trouble hearing the minister myself because there is so much noise. The noise seems to be coming from the side of the House where the question was asked, which perplexes the Speaker on every occasion because one would have thought that if you asked the question you would want to hear the answer. I invite hon. members therefore to be duly attentive so I can hear the answer. It is the most we can do.

**Hon. John Manley:** Mr. Speaker, the point that the hon. member fails to acknowledge is that we have a variety of taxes and charges that we can reduce. If we compare Canada to the United States, we would see that on payroll taxes Canadian businesses in fact are in a rather favourable position. On income taxes, perhaps we are a little high. With—

**The Speaker:** The hon. member for Laurier—Sainte-Marie.

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[Translation]

#### GOVERNMENT CONTRACTS

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, the Auditor General has come down hard on the mismanagement of the firearms registration program. While not challenging the program's objective, she noted that, to date, the implementation of this program has cost taxpayers \$688 million, instead of the \$119 million initially anticipated.

Not only has the firearms registration program been mismanaged, but could the Minister of Justice tell us why the federal government also spent \$16 million in advertising to cover up its mismanagement, an operation that was conducted by Groupaction?

**Hon. Martin Cauchon (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, as I said on a number of occasions, I think the government's policy is a good one and it is supported by all Canadians. It is essentially a choice that we made as a society.

*Oral Questions*

The Auditor General's report, which was tabled yesterday, proposes a number of recommendations. We accepted all of them. Of course, the Auditor General refers to a number of issues, such as the program's costs, which we explained.

There was a great deal of opposition when we decided to go ahead with this program, but today we are beginning to see the benefits. We will continue with this program. Of course, this does not mean that we will not take a closer look at how it is administered—

**The Speaker:** The hon. member for Laurier—Sainte-Marie.

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, we agree on the principle of the program. This is not what we are talking about. What I am saying is that, over a period of 18 months, from April 2000 to February 2002, the Department of Justice awarded advertising contracts and paid big bucks to friends of the government, specifically \$16 million to Groupaction.

Could the Minister of Justice explain to taxpayers why he gave priority to federal visibility at the expense of good management? Why look after the friends at Groupaction, instead of ensuring sound management?

My question is for the Minister of Justice. He is the one who is responsible for this.

[English]

**Hon. Ralph Goodale (Minister of Public Works and Government Services, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.):** Mr. Speaker, as I have reported to the House before, the government took prompt action during the summer to make sure that the relationship between the government and any advertising agency whose accounts were impugned was terminated. That action has in fact been taken.

• (1430)

[Translation]

**Mr. Odina Desrochers (Lotbinière—L'Érable, BQ):** Mr. Speaker, we know that Groupaction provided advertising services for the Department of Justice for an 18 month period from July 2000 to February 2002. We now know that spending on the firearm registry program is out of control and has reached \$688 million so far.

Of this \$688 million, could the minister tell us how many millions of dollars went to advertising and to which firms the contracts were given between the time the bill was passed and now?

[English]

**Hon. Ralph Goodale (Minister of Public Works and Government Services, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.):** Mr. Speaker, a question of that detail requires information that could perhaps be more adequately provided through the order paper, but in the interests of transparency, which is always of paramount concern for me, if the hon. gentleman would like to provide me with the details that he is looking for, I will do my very best to provide him with that information.

[Translation]

**Mr. Odina Desrochers (Lotbinière—L'Érable, BQ):** Here are the details, Mr. Speaker. In addition to the \$16 million paid to

Groupaction for advertising the firearms registry, our research indicates that more than \$3 million were spent by the Department of Justice to invite hunters on an unforgettable hunting experience.

Are we to understand that this money is on top of the \$16 million paid to Groupaction for the firearms registry contract?

[English]

**Hon. Ralph Goodale (Minister of Public Works and Government Services, Minister responsible for the Canadian Wheat Board and Federal Interlocutor for Métis and Non-Status Indians, Lib.):** Mr. Speaker, the hon. gentleman has been rather vague in specifying the exact contract that he is looking at, but if it is indeed the same contract about which he and other members of his party asked questions earlier in the year, I can provide him with the same information, and that is that those relationships were in fact terminated and, where appropriate, we are seeking to recover the money.

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**EMPLOYMENT INSURANCE**

**Ms. Alexa McDonough (Halifax, NDP):** Mr. Speaker, 10 years ago 80% of employees were protected by unemployment insurance benefits when they lost their jobs. The government has shrunk that to less than 40%.

By systematically withholding benefits from workers who need them the government has generated an enormous surplus of \$40 billion. For three years running the Auditor General has pleaded with the government to explain this perversity.

What is the finance minister's explanation?

**Hon. John Manley (Deputy Prime Minister and Minister of Finance, Lib.):** Mr. Speaker, there has been a \$100 billion reduction in total taxes and charges to the Canadian public. The employers and the employees benefit from that also. That is a lot of money, even for the NDP.

**Ms. Alexa McDonough (Halifax, NDP):** Mr. Speaker, it is clear that the finance minister does not see a problem, but a lot of Canadians I know consider this to be the systematic theft of workers' money.

The Auditor General keeps asking the finance minister to justify the enormous surplus of \$40 billion and the finance minister keeps stonewalling.

The gap between what workers pay into EI and what they receive back when they need it is obscene. How does the finance minister justify sitting on this pile of cash while he leaves workers out in the cold?

**Hon. John Manley (Deputy Prime Minister and Minister of Finance, Lib.):** Mr. Speaker, first I can assure the House that I am not sitting on a pile of cash.

Second, what the hon. member ought to be recognizing is that even this year alone the Canadian economy has created over 450,000 jobs.

People do not want unemployment insurance benefits. They want jobs. That is what we have seen being produced.

### FIREARMS REGISTRY

**Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC):** Mr. Speaker, here is the Liberal legacy price tag thus far: \$1 billion wasted in the HRDC grants; hundreds of millions on an ill-conceived advertising campaign; hundreds of millions lost in a helicopter cancellation; and now it is \$1 billion wasted on the faulty firearms registry.

Almost 10 years ago the Prime Minister was quite prepared to play politics in cancelling the helicopter contract replacement for the aging Sea Kings. Will the Prime Minister today cancel a program for the right reasons and cancel this firearms registry fiasco?

**Hon. Martin Cauchon (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, as I have said many times, on this side of the House we are strongly committed to that policy. It is a valid policy. We will keep proceeding with the policy.

Having said that, of course I have some concerns after reading the report of the Auditor General. In her recommendations basically she is talking about reporting, about the way we should be accountable to Parliament. She is talking about the question of cost escalation as well, which there are reasons for, as I have explained.

We will be working hard in order to make sure that we will keep that policy and we will fix the problems.

•(1435)

**Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC):** Mr. Speaker, on that side of the House the members should be concerned.

They have wasted hundreds of millions of dollars, according to the Auditor General. She has exposed the government's shell game. Evidence shows that the registry does not save lives, but it sure can waste taxpayer dollars. What is worse, the minister is about to ask the House for millions more dollars.

I know he is between a rock and a hard place, but will the Minister of Justice withdraw his request for an additional \$71 million until this mess in his department has been cleaned up? Will he do that?

**Hon. Martin Cauchon (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, we have to be precise here. All numbers have been reported through Justice Canada or through other ministries.

The question raised by the Auditor General's report and her recommendations is that Justice Canada, being the single point of accountability, should be able to table a report that is clear about all of the spending regarding the gun registration system, which we will do.

**Mr. Garry Breitkreuz (Yorkton—Melville, Canadian Alliance):** Mr. Speaker, due to the government's cost laundering, the Auditor General found it so difficult to obtain reliable information from the justice department that she called off her audit of the gun registry before it was completed. The true cost may be even worse, more than \$1 billion.

The justice minister and his predecessors used to say that they were completely responsible and accountable for the firearms program. Obviously accountability means nothing to the government because all three are still sitting on the front bench.

### Oral Questions

Given the scope of this financial disaster, why has the Prime Minister not fired the minister responsible?

**Hon. Martin Cauchon (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, as I said, of course we have been discussing with the office of the Auditor General with regard to the way we should report, as well as to what extent Justice Canada should report. That has been the subject of many discussions between the two departments.

We have accepted the recommendations. We have asked for an external audit as well. We will make sure that we fix the problems.

The difference between those members and us is that on their side they do not believe in our policy.

**Mr. Garry Breitkreuz (Yorkton—Melville, Canadian Alliance):** Mr. Speaker, let me tell the minister about his policy.

The Auditor General reported that the gun registry has cost 500 times more than what Parliament and the public was originally promised. The RCMP has been registering handguns since 1934, but firearms homicides with handguns have doubled over the past 30 years.

Clearly, registration does not lower homicide rates. Obviously this is bad policy. Given all of this, why not just scrap the program?

**Hon. Martin Cauchon (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, what the member just said proved that those members do not believe in safe communities. They do not believe in our policy. They do not believe in gun registration.

What we are talking about here is values. It is about making our communities safer. Having said that, let us proceed with a quote from Mr. Vince Bevan, the chief of police from Ottawa-Carleton. He said, "Information is the lifeblood of policing. Without information about who owns and has guns, there is no way to prevent violence or effectively enforce the law. This law is a useful tool which has already begun to show its value in a number of police investigations".

\* \* \*

[Translation]

### TAXATION

**Ms. Pauline Picard (Drummond, BQ):** Mr. Speaker, the Auditor General has denounced Canadian companies that, for the year 2000, received \$1.5 billion in virtually tax-free dividends from their affiliates based in Barbados. In 1990, the amount was a more modest \$400 million. Clearly, the companies have got this figured out.

How can the government explain that it has done nothing to tighten its tax controls, when Barbados did not hesitate to amend its tax rules to get around Canadian legislation?

*Oral Questions*

● (1440)

*[English]*

**Hon. Elinor Caplan (Minister of National Revenue, Lib.):** Mr. Speaker, we agree with the recommendations of the auditor. We have a plan to recruit and to train auditors. We have the resources to do that. One of the problems we have is that the private sector frequently hires our international auditors and pays them three times what we are able to pay.

We continue with our efforts to ensure that offshore accounts are properly audited. The international audits are extremely important to CCRA.

*[Translation]*

**Ms. Pauline Picard (Drummond, BQ):** Mr. Speaker, I would like the minister to explain to people why she has done nothing to recover the hundreds of millions of dollars lost because of the tax treaty with Barbados, when she is so keen on us paying our taxes and does not hesitate to cut benefits for the unemployed?

*[English]*

**Hon. Elinor Caplan (Minister of National Revenue, Lib.):** Mr. Speaker, as I said, the international audit department of CCRA has tremendous expertise. We agree with the Auditor General that we need more auditors to do our job even better.

We are very aware that there are some people who move accounts offshore. We are working to use the resources that we have been given to increase our audit capacity in line with the recommendations of the Auditor General.

\* \* \*

**ABORIGINAL AFFAIRS**

**Mr. Brian Pallister (Portage—Lisgar, Canadian Alliance):** Mr. Speaker, let me quote from the Auditor General:

The resources that first nations communities must devote to preparing stacks of federal reports could be better used to meet pressing community needs.

Finally, a Sheila that makes sense.

According to the Auditor General, small first nations communities are being forced to file over 200 reports annually that the government rarely uses. Now the government is adding to the red tape burden. This week it announced plans to create four more aboriginal only agencies.

Why is the government's answer to every problem the creation of a new bureaucracy?

**Mr. John Finlay (Parliamentary Secretary to the Minister of Indian Affairs and Northern Development, Lib.):** Mr. Speaker, the Government of Canada is already taking steps to address the reporting issues raised by the Office of the Auditor General. Indian and Northern Affairs Canada agrees that reporting should be transparent, efficient and results based.

Existing program areas are being examined to determine where single window reporting could better serve the federal government and first nations in general.

**Mr. Brian Pallister (Portage—Lisgar, Canadian Alliance):** Mr. Speaker, that is illuminating. The government is choosing bureaucracy ahead of aboriginal Canadians.

Aboriginal Canadians face serious challenges, welfare dependency and a teen suicide rate that is eight times the national average. Yet the government has chosen to create a new, duplicate, expensive, separate aboriginal institution to keep statistics.

The Auditor General points out that the government is wasting scarce resources measuring the problems, rather than solving them. We are asking, why is the government investing in keeping statistical track of aboriginal teen suicide instead of preventing it?

**Mr. John Finlay (Parliamentary Secretary to the Minister of Indian Affairs and Northern Development, Lib.):** Mr. Speaker, as I have already said, steps have been taken to reduce the number of reports needed.

We are committed to improving the current reporting structure with first nations, while ensuring a balance is maintained between the accountability to Canadians on the use of public funds and coherent and consistent federal government reporting.

\* \* \*

*[Translation]***TAXATION**

**Mr. Michel Gauthier (Roberval, BQ):** Mr. Speaker, when an individual owes the federal government money, it comes after him for it, along with a fine and interest, if you please.

How can the government explain that, having gone after the unemployed for benefit overpayments, and ordinary individuals who owe it a couple of hundred dollars, it suddenly becomes so tolerant of large corporations benefiting big time from tax havens in Barbados?

*[English]*

**Hon. Elinor Caplan (Minister of National Revenue, Lib.):** Mr. Speaker, we are not tolerant or sympathetic at all to those who try to evade taxes or those who engage in fraud against Canadian taxpayers.

We are doing everything that we can to recruit university graduates who have shown an interest in auditing, particularly in the international foreign audit area which is very complex.

We agree with the Auditor General that it is an area where we can do better and we will.

● (1445)

*[Translation]*

**Mr. Michel Gauthier (Roberval, BQ):** Mr. Speaker, the minister cannot claim that the government is not tolerant, when we have been speaking out against this government and the matter of tax evasion for years. It took the Auditor General to point out the one and one-half billion dollar advantage these companies have enjoyed.

*Oral Questions*

Is not this tolerance on the part of the government, this inexplicable tolerance, related to the fact that the former finance minister and prospective Liberal leader himself owns no fewer than ten companies in Barbados? That might explain such sudden tolerance on the part of the government.

[English]

**Hon. Elinor Caplan (Minister of National Revenue, Lib.):** Mr. Speaker, that preamble is unbecoming to the member opposite.

I would say to him that it is the role of the Canada Customs and Revenue Agency to ensure that the tax laws of this country are enforced in a fair way. We do that. We ensure that all Canadians are expected to pay their fair share. We know that over 95% of Canadians comply with the law.

When we find an area such as the international tax audit where we need additional auditors who are highly experienced, we recruit them and train them.

\* \* \*

**JUSTICE**

**Mr. James Moore (Port Moody—Coquitlam—Port Coquitlam, Canadian Alliance):** Mr. Speaker, Chinese student Wei Amanda Zhao was murdered on October 9. Her boyfriend, Ang Li, reported her missing to the Burnaby RCMP the same day. The missing person report was not issued publicly until a week after her reported disappearance. A few days later, her boyfriend fled to China.

The RCMP believe that he killed Ms. Zhao. Canada does not have an extradition treaty with China. We cannot get him back.

Why did it take a week before launching an investigation? Why did the government let him leave the country? How are we going to get him back from China?

**Hon. Wayne Easter (Solicitor General of Canada, Lib.):** Mr. Speaker, all I can do is assure the hon. member that the RCMP has done its work in this particular area. There is a due process that takes place.

**Mr. James Moore (Port Moody—Coquitlam—Port Coquitlam, Canadian Alliance):** Mr. Speaker, in 1995 Darcy Bertrand murdered his wife. He also murdered his wife's mother and father. He was convicted of three counts of second degree murder and sentenced to three life terms in jail. Two weeks ago, it was announced that Bertrand will be transferred to a minimum security prison 15 minutes away from a Port Coquitlam family member of the murdered victims. The prison does not even have a fence.

Why is it that a person convicted of three counts of murder, convicted to three life sentences, is now going to a comfy minimum security prison after seven years of being in hard time?

**Hon. Wayne Easter (Solicitor General of Canada, Lib.):** Mr. Speaker, Correctional Service Canada always has the safety of the citizens of Canada at stake. There is a process established through the Parole Board and through Correctional Service Canada. The safety of Canadians is the bottom line and that is what we consider.

[Translation]

**CANADA-U.S. BORDER**

**Ms. Yolande Thibeault (Saint-Lambert, Lib.):** Mr. Speaker, the PQ government recently questioned the importance attached to the Lacolle border crossing as far as the new accelerated border crossing systems for travellers and shipments, namely NEXUS and FAST, are concerned.

Could the Minister of National Revenue reassure this House that the Lacolle border crossing is, and will continue to be, a priority for the Canada Customs and Revenue Agency?

[English]

**Hon. Elinor Caplan (Minister of National Revenue, Lib.):** Mr. Speaker, the Lacolle crossing is and will continue to be a priority for the government. Here are the facts. The fact is that the FAST program will be implemented at Lacolle at the end of this month. The fact is that there will be a registration centre opened in January for the registration of both the FAST program and the NEXUS program. We expect the NEXUS program to be implemented at Lacolle in September 2003.

As I said, some people are playing political games with this and are misinforming Quebecers, but the facts speak for themselves.

\* \* \*

**JUSTICE**

**Mr. Svend Robinson (Burnaby—Douglas, NDP):** Mr. Speaker, my question is for the Minister of Justice. It concerns the tragic death of Amanda Zhao, the young Chinese student who was found murdered in Burnaby last month. Now the RCMP have named her boyfriend, Ang Li, as the murderer.

In view of the fact that Li has returned to China, if an arrest warrant is issued by the RCMP, what action will the minister take to request that China return Li to Canada to stand trial for the murder of Amanda Zhao? What action will he take to make sure that the trial of Ang Li takes place in Canada?

● (1450)

**Hon. Wayne Easter (Solicitor General of Canada, Lib.):** Mr. Speaker, I answered a similar question previously. As I indicated previously, a due process will take place and we will follow that due process according to the law.

\* \* \*

[Translation]

**ECONOMIC DEVELOPMENT**

**Mr. Yvon Godin (Acadie—Bathurst, NDP):** Mr. Speaker, we already know that the Brunswick mine in northeastern New Brunswick will shutting down in five or six years, leaving 1,000 people without jobs.

Yesterday we learned that the Noranda smelter in Belledune will lay off 70 workers in July and cut back its operations to eight months of the year. Some people are talking about salary losses of over \$3.5 million a year.

### Oral Questions

My question is for the Deputy Prime Minister. Is the government prepared to invest in infrastructure such as roads and natural gas pipelines to offset the effects of job losses and the economic repercussions in northeastern New Brunswick?

[English]

**Hon. Gerry Byrne (Minister of State (Atlantic Canada Opportunities Agency), Lib.):** Mr. Speaker, we are aware that in several years hence there will be significant economic repercussions in northeast New Brunswick due to the closure of mines.

The Atlantic Canada Opportunities Agency is already engaged in working with stakeholders trying to find mitigation in terms of its economic development strategies. We are doing grassroots, bottom level economic development in northeast New Brunswick. I would be pleased to continue to work with the hon. member and most important, with economic development groups from the area to rebuild that economy.

\* \* \*

### KYOTO PROTOCOL

**Mr. John Herron (Fundy—Royal, PC):** Mr. Speaker, under the latest Kyoto implementation plan, the government falls short of Kyoto targets by 60 megatonnes in the first reporting period of 2012. According to the compliance accord under the Kyoto protocol, Canada will have to make up for any shortfalls in the second reporting period plus a penalty of 30%.

Can the minister advise how much of a reduction of the 240 megatonnes will be deferred and what the cost of that deferral will be, or is this something else the government has not figured out yet?

**Hon. David Anderson (Minister of the Environment, Lib.):** None, Mr. Speaker.

**Mr. John Herron (Fundy—Royal, PC):** Mr. Speaker, the leader of the government in the other place confirmed that the federal government will use federal environmental statutes to implement the Kyoto Protocol.

Could the government confirm precisely what statutes it will use and how it will use them? Specifically, is it considering the use of the Canadian Environmental Protection Act to declare greenhouse gases toxic, or is this something else the government has not figured out yet, or is trying to keep secret from the provinces?

**Hon. David Anderson (Minister of the Environment, Lib.):** Mr. Speaker, we are looking at the full range of legislation in the government arsenal because we fully intend to ensure that we meet the targets of the Kyoto agreement.

\* \* \*

### TERRORISM

**Mr. Stockwell Day (Okanagan—Coquihalla, Canadian Alliance):** Mr. Speaker, we now have new public threats from terrorist mastermind, Hezbollah Sheik Nasrallah. In a recent speech to reportedly a crowd of some 10,000 gun wielding fighters, including several hundred suicide commandos, he said, "Suicide bombing should be exported outside Palestine". It is crystal clear that Hezbollah is committed to attacks beyond Israel and on to western countries.

Will the Minister of Foreign please end his defence of Hezbollah and demand that the Solicitor General ban all Hezbollah activities in Canada? Will the foreign minister answer?

**Hon. Wayne Easter (Solicitor General of Canada, Lib.):** Mr. Speaker, I am pleased to see the hon. member opposite reads the latest headlines in the press because he comes forward with a new headline every day. We do take this matter very seriously. We do note what the hon. member says.

In terms of the legislation and our responsibility in the government, we have to make our decisions based on the facts. It is spelled out very clearly that we must take into consideration the criminal and the security intelligence reports. That is what we will do and we will come forward with other listings in the future.

**Mr. Stockwell Day (Okanagan—Coquihalla, Canadian Alliance):** Mr. Speaker, why will he not take into consideration what Nasrallah further stated on Lebanese TV. He said, "I encourage Palestinians to take suicide bombings world wide". Add that to a report in the Washington *Times* today, which says:

Of concern for anti-terror agencies is the stronghold Hezbollah has established in Canada, which is seen as a springboard for future actions...

Never mind press reports, what about the reports from CSIS? Has the minister received reports of concern from CSIS about Hezbollah and why has he not acted on them?

• (1455)

**Hon. Wayne Easter (Solicitor General of Canada, Lib.):** Mr. Speaker, I can assure members that this country will not be a staging ground for future actions. Although a list is important from the broader perspective, as indicated, we are working on the information for that list. CSIS does not need an organization to be on a list to do its work in terms of the national security of this country.

Finally, the military wing of Hezbollah is on Canada's United Nations suppression of terrorism regulations.

\* \* \*

[Translation]

### ÉCOLE DE MÉDECINE VÉTÉRINAIRE DE SAINT-HYACINTHE

**Mr. Yvan Loubier (Saint-Hyacinthe—Bagot, BQ):** Mr. Speaker, yesterday, I saw Liberal ministers and members from Quebec applaud the answer given by the Minister of Agriculture and Agri-Food when I asked a question about the École de médecine vétérinaire de Saint-Hyacinthe. They were clapping for a non-answer.

Does the Minister of Agriculture and Agri-Food seriously think that when the dean of the École de médecine vétérinaire de Saint-Hyacinthe meets with the American Association of Veterinary Medicine on December 9 he will tell them "Oh, by the way, I do not have a cent to invest, but I can guarantee that the minister is considering my file"? Does the minister think that is how we are going to save the school's accreditation?

[English]

**Mr. Larry McCormick (Parliamentary Secretary to the Minister of Agriculture and Agri-Food, Lib.):** Mr. Speaker, long before the Bloc raised this issue, the member for Shefford and other caucus colleagues brought this to the attention of the Minister of Agriculture and Agri-Food.

The minister continues to work very hard with the deans of the veterinary colleges and with provincial education officials to explore all options for increased funding.

[Translation]

**Mr. Yvan Loubier (Saint-Hyacinthe—Bagot, BQ):** Mr. Speaker, we have been raising this issue here in the House since April. If they are really so efficient, how is it that four days before the deadline they have not solved the problem?

The Liberal ministers and members from Quebec constantly drone on about how they are defending the interests of Quebec. If that is the case, then let them defend the interests of Quebec in the case of the École de médecine vétérinaire de Saint-Hyacinthe, and ensure that the \$59 million are found for the school to keep its full accreditation next week. We are simply asking the government to save the only school of veterinary medicine that is at risk in Canada right now. The three others are not.

[English]

**Mr. Larry McCormick (Parliamentary Secretary to the Minister of Agriculture and Agri-Food, Lib.):** Mr. Speaker, let me assure the hon. member that the Liberal members from Quebec have been at this issue every possible chance they get.

The member for Shefford and other members have brought it up to us continually, to all the ministers on this side, and our minister continues to work to explore every avenue possible to fix this situation.

\* \* \*

#### KYOTO PROTOCOL

**Mr. James Rajotte (Edmonton Southwest, Canadian Alliance):** Mr. Speaker, industries from across Canada have serious reservations about the Kyoto accord. Oil and gas industry in Atlantic Canada is concerned that the accord will choke off much needed investment. Approximately 100,000 jobs in the automotive, steel and mining industries in 20 Ontario ridings will be adversely affected by the accord.

Could the Minister of Industry explain why he has failed to address any of the concerns of these industries and why he has failed to voice any of their concerns?

**Hon. David Anderson (Minister of the Environment, Lib.):** Mr. Speaker, this is similar to the incorrect analysis put forward by the hon. member a couple of days ago about exploration in Alberta. The fact is Alberta exploration has gone up dramatically this year and the plan calls for a quadrupling of oil production on the offshore areas of Newfoundland and Nova Scotia.

**Mr. James Rajotte (Edmonton Southwest, Canadian Alliance):** Mr. Speaker, in the next two years Ontario faces the possible closure of four major auto assembly and component plants. Last

#### Oral Questions

week the Automotive Parts Manufacturers Association of Canada released its blueprint for Canadian automotive prosperity. It said:

It is not rational to ratify the Kyoto Protocol Accord if the result is simply to ensure that more automotive assembly and parts plants will be built in the United States and Mexico rather than Canada.

Could the Minister of Industry explain why the government is willing to jeopardize investments in an industry that is so essential to the life of Ontario and Canada?

**Hon. David Anderson (Minister of the Environment, Lib.):** Mr. Speaker, the hon. member should look a little further in his analysis of the automobile industry and the possible impact of Kyoto than he has done.

The automobile industry is so efficient in terms of reducing the amount of energy used to produce a vehicle, that it is now using less than half the amount of energy that was used 15 years ago to produce each vehicle. That is the type of energy efficiency which, if applied elsewhere in our economy, would make it easy for us to meet all our Kyoto targets.

\* \* \*

#### U.S. EMBASSY

**Mr. Mauril Bélanger (Ottawa—Vanier, Lib.):** Mr. Speaker, my question deals with the cement barricades around the U.S. embassy. I have asked the Solicitor General this question and debated with his parliamentary secretary, yet cannot get an answer to the question.

Last year cement barriers were put up to prevent or push back a car or truck bomb attack, an attack we all hope will never happen. Should it happen however, the point of impact would be five metres further away from the embassy, and by the same token, five metres closer to our own citizens who work and live across the street.

Are we not putting our own citizens at greater risk with these barriers?

● (1500)

**Hon. Wayne Easter (Solicitor General of Canada, Lib.):** Mr. Speaker, I certainly recognize the member for Ottawa—Vanier's interest and concern over this matter. Our objective is to ensure that there is safety for residents of the area as well as the people who work in the U.S. embassy. I understand that the RCMP and local police are still working with the community and the residents in the community, as well as the U.S. embassy, to reach a satisfactory solution for all who are involved.

\* \* \*

#### NATIONAL DEFENCE

**Mr. Deepak Obhrai (Calgary East, Canadian Alliance):** Mr. Speaker, while the government cannot find any new money for the Canadian armed forces before next year's budget, it has quietly spent \$11 million to build the Afghan national army. Why do our troops continue to go without while she funds the Afghan troops?

*Business of the House*

**Hon. Susan Whelan (Minister for International Cooperation, Lib.):** Mr. Speaker, we are not providing any direct support to the Afghan armed forces. In fact we are providing support for peace and security in Afghanistan of which \$4 million has been transferred through the UNDP to support disarmament, demobilization and reintegration of former combatants; \$3.8 million has been transferred to the UN law and order trust fund to support Afghan police reform; and \$3.5 million has been committed to the United Nations to support the Afghan government's reform of the judicial system.

We are clearly not supporting and not funding the Afghan armed forces directly.

**Mr. Deepak Obhrai (Calgary East, Canadian Alliance):** Mr. Speaker, we all agree we need to help in the rebuilding of Afghanistan, but the minister has not answered the question. The question still remains: Why are Canadian taxpayers paying for security for somebody else while we are not paying any money for our own armed forces?

**Hon. John McCallum (Minister of National Defence, Lib.):** Mr. Speaker, the governments of the western countries do not want to be in Bosnia, Afghanistan and other difficult places forever. It makes eminent good sense for western governments to devote funds to train the militaries of these people so they can ensure their own security.

\* \* \*

[Translation]

**DAIRY INDUSTRY**

**Mr. Louis Plamondon (Bas-Richelieu—Nicolet—Bécancour, BQ):** Mr. Speaker, my question is for the Minister for International Trade. Contrary to what he said yesterday, the Fédération des producteurs de lait du Québec contends that the reserves of medium cheddar cheese are at unprecedented levels, to the point where, last spring, in the central Quebec region, they had to dump 460,000 litres of milk. Therefore, the imports were unjustifiable.

How does the minister explain his decision to allow an additional 500 tonnes of medium cheddar cheese to be imported from the United States, unless it is that he yielded to the pressure from Ontario?

[English]

**Mr. Pat O'Brien (Parliamentary Secretary to the Minister for International Trade, Lib.):** Mr. Speaker, the reality is that every other option was looked at by the minister and this was done on an emergency basis only. The supplemental imports were allocated to the Canadian Dairy Commission. It will do the allocation on a fair and equitable basis.

\* \* \*

[Translation]

**ECONOMIC DEVELOPMENT**

**Mr. Gérard Binet (Frontenac—Mégantic, Lib.):** Mr. Speaker, unfortunately, the Agropur plant in Chambord, which used to process millions of litres of milk produced by farmers in the Saguenay—Lac-Saint-Jean region, has shut down.

Does the Secretary of State responsible for the Economic Development Agency of Canada intend to come to the assistance

of stakeholders in the Saguenay—Lac-Saint-Jean, so that they can keep production and processing operations in their region?

**Hon. Claude Drouin (Secretary of State (Economic Development Agency of Canada for the Regions of Quebec), Lib.):** Mr. Speaker, I thank the hon. member for his excellent question.

On Monday, I met with the employees of the Agropur plant, and with stakeholders from the region's dairy industry. At that time, I confirmed that the Economic Development Agency of Canada would help them with their recovery project for the processing plant, and I assured them of our financial participation in a study to determine the best options to promote the plant's recovery.

We on this side of the House are looking for solutions, not people to blame, as the other side is doing.

\* \* \*

• (1505)

[English]

**CANADA PENSION PLAN INVESTMENT BOARD**

**Mr. Peter Stoffer (Sackville—Musquodoboit Valley—Eastern Shore, NDP):** Mr. Speaker, my question is for the Deputy Prime Minister. Last week in committee Mr. MacNaughton, the CEO of the Canada Pension Plan Investment Board said very clearly that the pension dollars of Canadians were going into supporting tobacco companies. The reason this is done is because there is no ethical screen at the pension board.

Will the Deputy Prime Minister invoke his cabinet to tell the Canada Pension Investment Board to put in an investment screen so that Canada's pension dollars do not go to aiding and abetting the killing of thousands of Canadians on a yearly basis?

**Hon. John Manley (Deputy Prime Minister and Minister of Finance, Lib.):** Mr. Speaker, the hon. member will know that we do not direct the Canada Pension Plan Investment Board's investments. Any policies of that nature that would be adopted would need to be agreed upon by all ministers of finance, including provincial ministers, prior to any such policy being adopted.

This is a matter which can be discussed among ministers when we next review the Canada pension plan investment policy.

\* \* \*

[Translation]

**BUSINESS OF THE HOUSE**

**The Speaker:** It is my duty, pursuant to Standing Order 81(14), to inform the House that the motion to be considered tomorrow during the consideration of the business of supply is as follows:

That the federal government give the provinces the additional money for health unconditionally, with the promise of the provinces to use all of it for health care.

This motion, standing in the name of the hon. member for Hochelaga—Maisonneuve, is votable. Copies of the motion are available at the Table.

[English]

**Hon. Don Boudria (Minister of State and Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, there has been consultation among parties in the House and I think that you would find unanimous consent for the following motion. I move:

That, on Thursday, December 5, 2002, all questions required to be decided pursuant to Standing Order 81(17) shall be put, commencing at 5:15 p.m.

**The Speaker:** Does the hon. government House leader have the unanimous consent of the House to propose the motion?

**Some hon. members:** Agreed.

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

**Some hon. members:** Agreed.

(Motion agreed to)

**The Speaker:** The Chair has notice of a question of privilege from the hon. member for Yorkton—Melville.

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### PRIVILEGE

#### QUESTIONS ON THE *ORDER PAPER*

**Mr. Garry Breitkreuz (Yorkton—Melville, Canadian Alliance):** Mr. Speaker, I rise on a question of privilege regarding a grave matter relating to information that I requested through a question on the Order Paper. Recent events have led me to believe that there has been a deliberate attempt by the Department of Justice to deny me a correct answer.

My question of privilege will charge the parliamentary secretary who delivered the answer to the House and the Minister of Justice who is responsible for his department with contempt for sending me misleading information with regard to Question No. 131 from the last session.

I will present four points, Mr. Speaker, that you will need to consider together before a prima facie case of privilege can be made. I would ask that the Speaker examine, first, the question that I submitted to the government; second, the response given by the parliamentary secretary; third, the Auditor General's report and her comments following the tabling of her report; and fourth, the perception created in the public's mind through the media.

I will begin by laying out the procedural grounds on which this question of privilege is based.

I refer to a Speaker's ruling from December 16, 1980, at page 5797 of *Hansard*. The Speaker said:

While it is correct to say that the government is not required by our rules to answer written or oral questions, it would be bold to suggest that no circumstances could ever exist for a prima facie question of privilege to be made where there was a deliberate attempt to deny answers to an hon. member,...

On page 141 of the 19th edition of Erskine May, it states:

Conspiracy to deceive either House or any committees of either House will also be treated as a breach of privilege.

I refer to Erskine May's 21st edition which describes contempt as:

### Privilege

—any act or omission which obstructs or impedes either House of Parliament in the performance of its functions, or which obstructs or impedes any Member or officer of such House in the discharge of his duty, or which has a tendency, directly or indirectly, to produce such results may be treated as contempt even though there is no precedent of the offence.

I would place much emphasis on the word omission in that citation.

I requested information in accordance with Standing Order 39(1), which states:

Questions may be placed on the *Order Paper* seeking information from Ministers of the Crown relating to public affairs; and from other Members, relating to any bill, motion or other public matter connected with the business of the House, in which such Members may be concerned;...

This request of mine was done under our rules and is considered a proceeding of Parliament for the purpose of privilege. Joseph Maingot's first edition of *Parliamentary Privilege in Canada* defines a proceeding in Parliament on page 70. It states:

Since two of Parliament's constituent elements, the House of Commons and the Senate, were established for the enactment of laws, those events necessarily incidental to the enactment of laws are part of the "proceedings in Parliament". However, Parliament has also always been a forum to receive petitions, and the Crown's satisfying the grievances of members before granting supply eventually led to straightforward requests for information. Therefore, the events necessarily incidental to petitions, questions and notices of motion in Parliament in the seventeenth century and today are all events which are part of "proceedings in Parliament".

Mr. Maingot went on to state:

Privilege of Parliament is founded on necessity, and is those rights that are "absolutely necessary for the due execution of its powers." Necessity then should be a basis for any claim that an event was part of a "proceeding in Parliament," i.e., what is claimed to be part of a "proceeding in Parliament" and thus protected should be necessarily incidental to a "proceeding in Parliament."

On page 72 there is a quote from the Report of the Select Committee on the Official Secrets Act in 1939, which stated:

(A proceeding in Parliament) covers both the asking of a question and the giving written notice of such a question,...

• (1510)

The question I asked was the following:

With regard to the Canadian Firearms Program: (a) what is the proposed budget allocation for fiscal year 2002-03; (b) what are the line-item cost projections for fiscal year 2002-03; (c) what are the cost projections by department and agency for 2002-03; (d) what is the total cost of the program since its inception in 1995; and (e) what is the projected annual cost for each of the next 10 years?

On Wednesday, April 24, 2002, the Parliamentary Secretary to the Minister of Justice responded. He said:

(a) The Canadian Firearms Centre's, CFC, proposed budget allocation for fiscal year 2002-03 is \$113.5 million.

(b) The CFC line item cost projections for 2002-03 are as follows:

Vote 1—Operating Expenditures: \$97.3 million

Vote 5—Contributions: \$10.4 million

Statutory—Employee Benefits: \$5.8 million

(c) The cost projections by department and agency that will receive funding through the Canadian Firearms Centre in 2002-03 are as follows:

Department of Justice—CFC: \$109.5 million

Solicitor General—RCMP: \$3.0 million

Canada Customs and Revenue Agency: \$1.0 million

(d) The total cost of the program since inception in 1995 is:

### Privilege

From 1995-96 to 2000-01 the net cost of the program incurred by the Department of Justice—CFC is \$484.1 million. This consists of \$551.5 million in gross expenditures minus \$23.1 million in C-17 expenditures minus \$44.3 million in net revenue.

As of March 31, 2002, period 12, the net cost of the program incurred by the Department of Justice—CFC for fiscal year 2001-02 is \$88.6 million. This consists of \$102.9 million in gross expenditures minus \$14.3 million in revenue.

(e) The projected annual costs for the next 10 years are as follows:

- i. For 2002-03 the net costs are projected to be \$101.2 million (this consists of projected gross expenditures of \$113.5 million minus \$12.3 million in revenue);
- ii. For 2003-04 the net costs are projected to be \$59.8 million (this consists of projected gross expenditures of \$95.0 million minus \$35.2 million in revenue);
- iii. For 2004-05 the net costs are projected to be \$44.8 million (this consists of projected gross expenditures of \$80.0 million minus \$35.2 million in revenue);
- iv. Funding has not yet been finalized for fiscal years 2005-06 through 2011-12, but is expected to continue to decrease.

Yesterday the Auditor General tabled her report in Parliament. It states:

In 1995, when the program was introduced, the Department of Justice told Parliament that the program would cost taxpayers about \$2 million after cost recovery from license and registration fees. The Department now estimates that by 2004-05 the cost will be well over \$1 billion and only about \$140 million in fees will have been collected. What's really inexcusable is that Parliament was in the dark. I question why the Department continued to watch the costs escalate without informing Parliament and without considering the alternatives.

She made the comment that: "Even though the department has many explanations for this ballooning of costs, it never shared any of them with Parliament".

She points out in her report that:

The information the Department provided states that by 2001-02 it has spent about \$688 million on the Program and collected about \$59 million in revenues after refunds. We believe that this information does not fairly present the cost of the Program to the government. The Department also did not report to Parliament on the wider costs of the Program as required by the government's regulatory policy. Furthermore, the entire Program was designated as a Major Crown Project. Treasury Board policies require departments, at a minimum, to annually report the following types of information to Parliament: description of the program, total expenditures to date and planned expenditures to future years to the completion of the project, etc.

● (1515)

She then states:

The Department has not fully reported this information.

Finally, the Auditor General reports:

The financial information provided does not fairly present all costs. 10.48 in our view, the financial information provided for audit by the Department does not fairly present the cost of the program to the government. Our initial review found significant shortcomings in the information the Department provided. Consequently we stopped our audit of this information that because we did not believe that a detailed audit would result in substantially different findings.

The second edition of Joseph Maingot's *Parliamentary Privilege in Canada* at page 234 explains that in order for the Speaker to find a prima facie case in a matter involving a deliberate misleading statement there must be "an admission by someone in authority, such as a Minister of the Crown or an officer..."

The Auditor General is a very senior officer of Parliament. If information was withheld from her, then that too is inexcusable, but information being withheld from Parliament is contempt. It was not as if no one asked the government for this information. Clearly my question did ask for that information and I was given unreliable and bogus information.

When I received my answer to Question No. 131 I had no choice but to take those figures the government provided as the answer. Had I known that the department either really did not know, which would have been a better answer, at least I would know the truth and not use information that was misleading.

There is a chain reaction of using misleading information. The department misleads the parliamentary secretary who misleads Parliament who then misleads the members. Sometimes the right answer is "I don't know". The other possibility, and this is the position of the Auditor General and the media, is that the government knew and did not share that information, deciding instead to provide me with numbers for the sake of providing me with numbers, perhaps to avoid the 45 day review of a committee, I do not know, but it is clear it did not provide the correct numbers and it was deliberate.

Whether you are of the opinion personally, Mr. Speaker, that the government did or did not deliberately mislead or withhold information from Parliament, there is the perception out there that it did. On that basis only this House must take action and get to the bottom of this issue for, if nothing else, preserving the dignity and authority of this institution and its members.

I refer you, Mr. Speaker, to the headline in the *Globe and Mail* which says, "Lies and contempt for Parliament at root of scandal in gun registry". What impression does that give? I have never seen that in all my years as a member of Parliament.

The *Ottawa Citizen* reads, "Government accused of hiding secret audit. Different issue but same AG report and same theme".

The *Winnipeg Sun* states, "Liberals lied".

There was a case in 1973 when the member for Northumberland—Durham received a letter from the then solicitor general stating that the RCMP did not make a practice of opening mail. Subsequent questions in the House by the same member on November 9, 1977, to the then solicitor general regarding mail openings by the RCMP provided a sufficient and direct relation with the proceedings in Parliament for the purpose of privilege. Later remarks before a royal commission by a former commissioner of the RCMP "the practice was very often ministers' letters were not exactly drafted on precise statements of fact".

● (1520)

The sum of this evidence permitted the Speaker in 1978 to find a prima facie case of contempt where the RCMP were alleged to have deliberately misled a minister of the crown and the member for Northumberland—Durham, resulting in an attempt to obstruct the House by offering misleading information.

Whereas, Mr. Speaker, the case of the member for Northumberland—Durham dealt with the matter of an official deliberately misleading a member, this case that I bring to your attention is a case where a department is deliberately trying to interfere with me as a member of Parliament by deliberately not being forthright with resources and causing information to be withheld.

*Privilege*

In summary, I established that the government was asked this information through a proceeding of Parliament. I have provided the bogus answer to the Speaker. The Auditor General has confirmed that the government withheld this information from Parliament, and the impression in the public domain is that the government lied to Parliament.

Mr. Speaker, I ask that you review this matter and I trust that you will find that there is a prima facie question of privilege here.

**Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, as you know, I have the responsibility to ensure that answers to written questions are tabled in the House. I want to assure hon. members that I will endeavour to look into this particular matter and check into what has happened in this case. I am sure there was no intention to mislead the House on the part of the government.

I want to make it clear that in my role I try to get answers as quickly as possible for hon. members in the House. I think it is very important that those answers be given quickly. It is my expectation of all departments that those answers be accurate and complete.

**Mr. John Reynolds (West Vancouver—Sunshine Coast, Canadian Alliance):** Mr. Speaker, I rise to make a further point and add to the member's fourth point regarding the perception in the public domain.

There is also an article in the *Ottawa Citizen* stemming from the report of the Auditor General about the government withholding information in the form of an audit from Parliament's other watchdog, the Standing Committee on Public Accounts.

Its chairman, the very capable member for St. Albert, is quoted as saying:

I find this very curious. The minister says she wants to be open and transparent on the matter, but it appears the government is hiding behind the police and keeping us in the dark...finding out about this second audit through the media adds fuel to the fire.

Mr. Speaker, in the context of the member's fourth point, I ask you to consider this ruling from March 16, 1983. Mr. Mackasey raised a question of privilege in order to denounce accusations made in a series of articles appearing in the *Montreal Gazette* to the effect that he was a paid lobbyist.

On March 22, 1983, on page 24027 of *Hansard*, the Speaker ruled that he had a prima facie question of privilege. The reasons given by the Speaker from page 29 of Jeanne Sauv e's Selective Decisions states:

Not only do defamatory allegations about Members place the entire institution of Parliament under a cloud, they also prevent Members from performing their duties as long as the matter remains unresolved, since, as one authority states, such allegations bring Members into hatred, contempt or ridicule.

• (1525)

On page 214 of Joseph Maingot's *Parliamentary Privilege in Canada* there is a reference to reflections on members. It states:

The House of Commons is prepared to find contempt in respect to utterances within the category of libel and slander and also in respect of utterance which do not meet the standard. As put by Bourinot, "any scandalous and libelous reflections on the proceedings of the House is a breach of privileges of Parliament..."

I would think that headlines talking about lies and contempt could be considered utterances, which do not meet the standard. I think this

institution deserves more respect than that unless of course it is true, which is why we are raising the issue. We must either punish those who are responsible for bringing the authority and dignity of Parliament into disrepute or exonerate members and this House.

Consider, Mr. Speaker, the reputation of the member for LaSalle— mard, who was the finance minister for most of the years the gun registry has been in existence. His very future as Prime Minister may be at risk by this billion dollar boondoggle and disrespect for Parliament. He of all people would want to get to the bottom of this issue.

Who is to blame and who should take responsibility? The Minister of Justice and his parliamentary secretary are clearly responsible for the possible misleading statements to the House, and the Minister of Finance and the former minister of finance are responsible for the sloppy financing and the boondoggle itself.

Mr. Speaker, I hope you will rule on this and send it to the procedures and House affairs committee so we can get to the bottom of this whole issue.

**Mr. Geoff Regan:** Mr. Speaker, I wonder if I might ask you for the opportunity to make a further submission at a later time.

**The Speaker:** I certainly intend to take the matter under advisement. Obviously, if members wish to come back I will probably hear them on this point.

**Mr. Bill Blaikie (Winnipeg—Transcona, NDP):** Mr. Speaker, I will be very brief because you have indicated that you intend to take this matter under advisement. I would just like to express my shared concern with the point that was raised by the hon. member for Yorkton—Melville.

If you could find, and certainly persuasive arguments have been offered, that questions were asked in the House and incomplete or misleading answers were given, this would in fact be a very serious breach of that very rare and privileged opportunity that members of Parliament have to ask the government questions. It is one of the things that members of Parliament can do. Some members of Parliament use it more than others but it is there for all of us to use. We should be able to take it for granted that when we put a question on the order paper, sometimes it takes forever to get an answer, but that when we get that answer it is something that can be relied upon, that it is not the usual, you know what, from the government. When we put a question on the Order Paper, we should be able to rely upon the information that we get in response to that question.

I would just like to register my own concern and that of my colleagues on the procedural point, on the theoretical point and on the parliamentary point that if you find when you look into this that there is indeed evidence, as it seems abundantly clear there is, that the government has not provided the kind of information that was requested, and that the government in fact has abused this particular parliamentary procedure, then I would urge you to use whatever powers you feel you have at your disposal to discipline the government on this particular matter.

*Privilege*

● (1530)

**Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC):** Mr. Speaker, this is simply to support the position that has been taken by my friend from Yorkton—Melville and to reiterate, as has been clearly stated, that members of Parliament, in relying upon that information, not only should and do expect that information to come in a timely fashion, but that the answers themselves must be accurate and reliable.

The irony of course is that within this context of the gun registry, one of the complaints about the evidence that is to be registered is that it is not accurate and reliable. That is the exact point here to be concentrated on. If the information that comes forward is not complete and not fulsome it is the same as giving a false answer.

Members of Parliament have to be able to rely on that information as completely accurate and pristine. It is, I would suggest to the Chair, akin to the evidence that must be adduced in a court of law. It is no different from the expectation that one would have in a court of law that the information received under oath is accurate and fulsome.

**The Speaker:** The Chair wants to thank the hon. member for Yorkton—Melville for a very well researched submission to the Chair on this point. I will probably be asked to hear further suggestions or points about it. I thank the hon. member for Winnipeg—Transcona and the hon. member for Pictou—Antigonish—Guysborough for their suggestions.

I know the member for Winnipeg—Transcona mentioned the need for the Chair to discipline members but the Chair's powers of discipline are sadly lacking. What the Chair can do is allow the hon. member for Yorkton—Melville, as he knows, to move a privilege motion that would then be debated in the House, which could refer the matter to a committee where a detailed study of the issue could be undertaken.

However I think the hon. member knows that my powers to discipline, until there has been a committee report, are quite useless. Even when the committee reports I am not sure how effective the disciplinary powers of the Chair are, but I am always happy to try and to listen to advice from the hon. member for Winnipeg—Transcona, among others, on this point.

However the matter will be taken under advisement and either I will get back to the House or I will hear further submissions as the case may be.

I have notice of another question of privilege from the Secretary of State for the Status of Women arising out of question period.

## ORAL QUESTION PERIOD

**Hon. Jean Augustine (Secretary of State (Multiculturalism) (Status of Women), Lib.):** Mr. Speaker, my question of privilege arises out of question period. I know you are conscious of the respect that is given to women in the House and I also know that the member for Portage—Lisgar is someone who is also very respectful of women in the House, but there was a bit of a slip-up today and I want to bring it to your attention. I know the member is here and might want to respond.

A statement was made in his question, "Finally a Sheila that makes sense". Using Sheila as a generic word shows disrespect, not

only for a very capable woman but also very capable women who go by the name Sheila. However the point is that those of us who are in the House and who want to experience a fair measure of respect know that the sentence used and the reference made was one that showed disrespect. I know my colleague would not want to do so. Also, that reference, I would imagine, to the Auditor General, at this point in time, was one that I feel that the member, given the opportunity, would want to take back.

**Mr. Brian Pallister (Portage—Lisgar, Canadian Alliance):** Mr. Speaker, I can understand a certain amount of defensiveness on the part of the government as a consequence of the question that I raised today in question period regarding the issue of aboriginal teen suicide. In the context of that question, I referenced comments made by the Auditor General, Sheila Fraser. Her name is Sheila and I referenced her comments by saying, "Finally a Sheila that makes sense", to speak favourably of the comments she made in her report yesterday referencing the issues about which the government would nationally be defensive.

The Auditor General yesterday raised specific concerns about the onerous burden of red tape that is imposed by the federal government on aboriginal people and on band councils.

I am attempting to clarify just so the member opposite has the chance to make additional comments. I think she knows she has a chance to make those comments later and I encourage her to do that.

However, when I made the comment, I was heckled by a member opposite, the heritage minister. I suppose, in anticipation of that possibility and recognizing that is something that does not happen infrequently in the House, I specifically made my comments in reference to her as an individual whose name is also Sheila, though in the House I cannot refer to her by name nor would I.

I think it was apparent to all here, who are reasonable people, to whom I was directing that comment. The member opposite me is not an infrequent participant nor a thin-skinned person, I believe, in terms of engaging in debate in the House.

It would be apparent to all observers that I was not making any blanket condemnation of any particular person. I was referring specifically to one. I do not apologize for that. Nor would I expect that the Minister of Canadian Heritage would ask me to apologize. Because it is so painfully obvious to any observer that I was not referring to the Minister of Canadian Heritage in my comments, I do not think any apology would be necessary, and I certainly will not make one.

● (1535)

**Ms. Paddy Torsney (Burlington, Lib.):** Mr. Speaker, I am not sure the member for Portage—Lisgar actually understood the point. There are only two ways this could be interpreted. He either referred to the Auditor General by her first name, which I have trouble believing that he would have done for the previous auditor general and said, "finally a Denis who makes sense" or second, he was suggesting that everybody named Sheila or all women do not make sense.

It would be in his interest to suggest that he appreciates that some people were offended and he should withdraw or apologize for those remarks.

*Routine Proceedings*

**The Speaker:** It seems to me the hon. member for Portage—Lisgar gave an explanation that—

**An hon. member:** That did not make any sense.

**The Speaker:** I thought he made the statement to the Minister of Canadian Heritage, in response to her heckle he said, saying “Finally a Sheila that makes sense”. In other words, I think he was suggesting that perhaps the minister did not and the Auditor General did. That is my sense of what he just said.

If that is the case and if that is what he meant, and I think it is what he said, this might end the matter but I will review the question and answer. I will review statements made by the hon. secretary of state, the hon. member for Burlington and the hon. member for Portage—Lisgar on the question of privilege this afternoon. If necessary, I will get back to the House on this matter at another time.

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## ROUTINE PROCEEDINGS

[English]

### GOVERNMENT RESPONSE TO PETITIONS

**Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, pursuant to Standing Order 36(8) I have the honour to table, in both official languages, the government's response to 15 petitions.

\* \* \*

### VETERANS AFFAIRS

**Hon. Rey Pagtakhan (Minister of Veterans Affairs and Secretary of State (Science, Research and Development), Lib.):** Mr. Speaker, I am pleased to announce today, on behalf of a grateful nation, that the Government of Canada will be making an ex gratia payment to retired Lieutenant Colonel Elmer (Al) Trotter and other prisoner of war veterans, POWs, found to be in similar circumstances.

As I had earlier alluded to in the House, Mr. Trotter has received the full benefits available to him under the current law.

This ex gratia payment will be made in recognition of lost opportunity for these very special Canadians and will not exceed \$20,000 tax free per individual.

In announcing this decision, I would like to thank in particular the member for Kamloops, Thompson and Highland Valleys for first bringing Mr. Trotter's case to the attention of the House. Likewise, I thank all others who directly and indirectly also called this case to my attention: other colleagues from both the government caucus and the opposition; former members of both Houses of Parliament; citizens at large; and the media. I sincerely thank all for the participation in the public debate. This is part of the freedoms for which our veterans fought.

Prisoner of war veterans have always been a very special group of veterans for both the Parliament and the Government of Canada, for all veterans organizations and for all Canadians. Canada is the only country in the world, in addition to France, which provides pensions

for POWs. This is why Mr. Trotter's case is so compelling and why I have taken this course of action.

From time to time, parliamentarians are called upon to deal with difficult issues. Such situations are very challenging for all of us and call for a solution that is fair to the veterans concerned and to the citizenry at large on the issue at hand.

The tenet of ex gratia payment provides us with the needed solution. It presupposes that the payments set reflect responsible public spending. Indeed, the principle of ex gratia payment is to be invoked only in exceptional circumstances.

Many words have been written on behalf of Mr. Trotter; many more have been spoken. I quote from a member of the Privy Council for Canada, the former Senator Leonard S. Marchand who, referring to Mr. Trotter, wrote, “He is a kind, intelligent, unassuming individual who cares deeply for his country and little about himself”. He is truly a hero.

I would like to add that he flew 44 missions over Europe during the second world war as a pathfinder for Lancaster bombers, was shot down, taken prisoner of war and tortured.

Now I quote from Mr. Trotter himself. He wrote:

I believe...my record proves that I served my country well over my 26 years in our Armed Forces, both in war and peace, and to suddenly find myself being treated like I was an alien hurts very deeply...

One can fully appreciate why his case was heart-rending for me and for all of us until now.

I conclude on this note. Once more we can say we have listened to the challenge of the human conscience. Moments like this one make politics a truly noble calling and the House of Commons, and Parliament as a whole, a truly noble institution.

Retired Lieutenant Colonel Al Trotter served with gallantry when the nation called more than half a century ago. Today he has reinforced in us who we would like to be: servants of the people.

● (1540)

**Mrs. Betty Hinton (Kamloops, Thompson and Highland Valleys, Canadian Alliance):** Mr. Speaker, I would like to thank the Minister of Veterans Affairs for this long awaited announcement. Although this sum is half the amount stated in Mr. Trotter's grievance, it is a positive recognition for Mr. Trotter and others like him. What they have accomplished and the trauma they have gone through in service to our country is something that cannot go unrecognized.

I am pleased to see the minister properly regarding Mr. Trotter's situation as an exceptional circumstance with an ex gratia payment.

In the year that I have worked with Mr. Trotter on this issue I have grown very fond of him. Al is an exceptional man who during and peace conducted himself with integrity and honoured his contract with Canada. He was recognized with the Distinguished Flying Cross and other medals too numerous to mention for his courage and his devotion to duty. He served his country and lives his life with passion and valour. I am pleased to see that his fellow countrymen supported his efforts to right this wrong.

*Routine Proceedings*

Al will be proud to know that through his efforts the veterans affairs minister is committed to provide to prisoners of wars and others who find themselves in similar circumstances recognition for their service.

On behalf of Al Trotter, I would like to thank all the Canadians who wrote, e-mailed and called the minister and to the newspapers, television and radio stations who took this issue from coast to coast. It is heart-warming to see this issue, one wrapped in Canadian values, history and honour, resonate with the Canadian public. Without their help and support, I do not believe I would be making this statement in the House today.

As I stated, this ex gratia payment, while not fully recognizing Mr. Trotter in accord with the intent of the original POW benefit, does give us hope that the government holds our military in high esteem and that it does acknowledge the important part these men and women played in our today and in our children's future.

• (1545)

[*Translation*]

**Mr. Louis Plamondon (Bas-Richelieu—Nicolet—Bécancour, BQ):** Mr. Speaker, I want to add my voice to those of all parliamentarians in telling the minister that we congratulate him on his decision and that we thank him. I think that this was a unique situation that called for a unique solution.

It took too long since some people associated with this case will not be able to take full advantage of the money that will be paid because of the time it took to make this decision. However, better late than never. The minister did the right thing.

I was saying earlier that it is a unique solution to a unique situation. Other government ministers should be inspired by this courageous decision by the Minister of Veteran Affairs. Indeed, each department has these kinds of problems that cannot be addressed without taking specific action. In this case, the minister took action.

In other departments, there are sometimes problems that have to do with taxes or with industry. There are refunds and various situations that do not meet any specific criteria. Just as was done in this case, concrete measures should be taken in these unique situations.

I thank the minister and I extend my best wishes to all those who will benefit from this act of generosity and recognition.

[*English*]

**Mr. Peter Stoffer (Sackville—Musquodoboit Valley—Eastern Shore, NDP):** Mr. Speaker, I rise on behalf of the New Democratic Party of Canada to recognize and thank the hon. Minister of Veterans Affairs for his statement today in the House, and what this must mean for Lieutenant Colonel Elmer Al Trotter.

I also want to thank the hon. member for Kamloops, Thompson and Highland Valleys as well for bringing this very serious and sensitive issue to the House.

The \$20,000 figure which has been granted, although no small figure in any way and is tax free, has been arbitrarily calculated. It is the same sort of compensation received by our merchant mariners and our aboriginal veterans, and now Mr. Trotter. For one reason or

another the \$20,000 seems to be the figure that veterans affairs is using to settle outstanding concerns.

It would be a worthy debate in the future to ask the minister on a separate day why that particular figure has come forward in these various compensation packages. Again, I cannot help but thank the hon. minister for his comments today in the House.

My father was a prisoner of war with the Dutch Resistance during World War II. I know Mr. Trotter and other former prisoners of wars know what it was like to be taken away and held captive. He served his country with bravery. He is an honourable and decent gentleman. We are proud to call him a fellow Canadian. I am proud today to stand in the House and thank the hon. minister and other members in the House of Commons. Mr. Trotter's recognition is finally due.

We wish him the very best of luck and continued health in his future years.

• (1550)

**Mrs. Elsie Wayne (Saint John, PC):** Mr. Speaker, I am proud to rise in the House today on behalf of the Progressive Conservative Party of Canada and commend all persons concerned for the decision of Veterans Affairs Canada to compensate Colonel Trotter and other war heroes like him.

I would like to single out the tireless efforts of the member for Kamloops, Thompson and Highland Valleys. My hon. friend was unwilling and unable to accept anything short of the recognition that Colonel Trotter has received today and she should be commended.

Any day when we honour our war veterans is a very good day. It is for this reason that we should be proud of what the minister said only a few moments ago, but the unfortunate reality is that too many of our national heroes have been forced to take legal action against the government for compensation and recognition. In particular, I am thinking of my dear close friends in the Merchant Navy who were forced to come up here to Ottawa on a hunger strike.

Ossie MacLean, arguably the most colourful of those who came to protest, as we all know is no longer with us. He has since passed away. I know that his family is deeply proud of the selfless sacrifice he offered in the name of all of those with whom he served.

I am thinking also of veterans like the late Joseph Authorson, whose assets the federal government seized and who was denied the interest of the investments made on his behalf. Mr. Authorson and his family were forced to turn to the courts to continue their battle and thus far they have been proven right. The courts have been quick to recognize their call to justice and the wrongdoing of the government. The government has sought leave to appeal a groundbreaking judgment of the Ontario Court of Appeal. We will now wait to hear whether its decision will be overturned. Although Mr. Authorson himself is no longer with us, like Ossie MacLean, there are still thousands of Canadian veterans and their families who are suffering through this senseless legal battle.

Finally, my thoughts cannot help but turn to those brave veterans who were used by the Canadian government of the day to test chemical weapons like mustard gas. The government has recognized but never compensated those great Canadians whose patriotism and sense of duty were abused in the name of science. To this day, I have the honour and the privilege of working with great men like Mr. Bill Tanner to try to correct this terrible injustice.

The truth is that for every case like that of Colonel Trotter or that of the Merchant Navy which we bring to light, there are countless others that remain undecided, often even litigated before the courts. In times of great need, this country turned to its young citizens to fight for the ideals of freedom and democracy for the world over. In their golden years, those brave soldiers, now heroes, have been forced to take on the very government that they served so proudly two generations ago.

It has often been said that a journey of a thousand miles begins with a single step. I see the minister's wonderful announcement today as a single step in the right direction. Our thoughts and prayers go out to Colonel Trotter, his family and all those brave prisoners of war who will finally receive their due. On behalf of the Progressive Conservative Party of Canada, I thank the Minister of Veterans Affairs for taking this position.

\* \* \*

[*Translation*]

#### COMMITTEES OF THE HOUSE

##### INDUSTRY, SCIENCE AND TECHNOLOGY

**Ms. Paddy Torsney (Burlington, Lib.):** Mr. Speaker, on behalf of the chair of our committee, the hon. member for St. Catharines, I have the honour to present, in both official languages, the first report of the Standing Committee on Industry, Science and Technology concerning Bill C-15, An Act to amend the Lobbyists Registration Act, as reported without amendment from the committee.

\* \* \*

[*English*]

#### STATUTORY INSTRUMENTS ACT

**Mr. Jim Pankiw (Saskatoon—Humboldt, Ind.)** moved for leave to introduce Bill C-321, an act to amend the Statutory Instruments Act (regulatory accountability).

He said: Mr. Speaker, it is a pleasure to introduce the bill. It would ensure that all proposed regulations must be laid by the designated minister before each House of Parliament in order to give the appropriate committee of each House of Parliament the opportunity to conduct inquiries or public hearings with respect to the proposed regulation and report its findings to that House.

As much as 90% of a bill's legislative impact comes in the form of regulations put in place by departmental bureaucrats acting on the delegated authority of a minister. As a result, parliamentary review of regulations takes place after they are in place and even then they only come before the scrutiny of regulations committee if there is a problem. This proposal would ensure transparency and fairness in the regulatory process.

#### *Routine Proceedings*

I urge all members of the government and opposition parties to support this measure because it would improve the democratic and legislative process.

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

\* \* \*

● (1555)

#### CRIMINAL CODE

**Mr. Kevin Sorenson (Crowfoot, Canadian Alliance)** moved for leave to introduce Bill C-322, an act to amend the Criminal Code (elimination of conditional sentencing).

He said: Mr. Speaker, I rise today to reintroduce my private member's bill which, if enacted, would repeal sections 742 to 742.7 of the Criminal Code. These sections allow the courts to impose conditional sentences which are to be served in the community in respect of convictions for offences for which a minimum term of imprisonment is not prescribed.

Since the introduction of conditional sentences by the current government, numerous violent criminals, including rapists, have served no jail time for their heinous crimes.

If the guiding principle of our justice system is the protection of society, then all violent criminals should spend an appropriate period of time behind bars.

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

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#### CORRECTIONS AND CONDITIONAL RELEASE ACT

**Mr. Kevin Sorenson (Crowfoot, Canadian Alliance)** moved for leave to introduce Bill C-323, an act to amend the Corrections and Conditional Release Act and the Prisons and Reformatories Act (conditional release).

He said: Mr. Speaker, I rise again to reintroduce my private member's bill which, if enacted, would amend the Corrections and Conditional Release Act to provide that any person who receives a sentence as a result of being convicted of an indictable offence while on conditional release is obliged to serve the remainder of the original sentence and at least two-thirds of the new sentence.

In addition, it provides that if a person has been convicted on more than one occasion of an indictable offence committed while on conditional release, the person is not eligible for conditional release in respect of any new sentence.

This private member's bill is introduced out of respect and to honour the hard work of the Canadian Police Association, representing 26,000 members. The Canadian Police Association diligently endeavours to make this country a safer place.

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

\* \* \*

#### LOUIS RIEL ACT

**Mr. Reg Alcock (Winnipeg South, Lib.)** moved, seconded by the member for Rimouski—Neigette-et la-Mitis, for leave to introduce Bill C-324, an act respecting Louis Riel.

*Routine Proceedings*

He said: Mr. Speaker, I am joined in the presentation of the bill by the member for Rimouski—Neigette-et-la Mitis, the member for Regina—Qu'Appelle, the member for South Surrey—White Rock—Langley and the member for Dauphin—Swan River.

Members from all parties in the House have been involved in the development of the bill. It is a reintroduction of a bill that we had before the previous Parliament. It seeks to reverse the conviction of Louis Riel for the crime of high treason.

It is an extraordinary move to attempt to undo what the courts have done. There is limited precedent for this in the Commonwealth, but I think all members will agree, to paraphrase a letter that was in the *Ottawa Citizen* recently, “Why do we study history if not to learn from it?”

The bill seeks to remove the stain of treason from one of the founders, a person who has been recognized as one of the fathers of Canadian Confederation.

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

\* \* \*

●(1600)

**COMMITTEES OF THE HOUSE**

## SPECIAL COMMITTEE ON NON-MEDICAL USE OF DRUGS

**Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, following discussions among the parties, if you were to seek it I think you would find unanimous consent for the following motion. I move:

That members of the Special Committee on Non-medical Use of Drugs be authorized to travel to Vancouver, Montreal and Halifax from Sunday, December 8, 2002, to Monday, December 9, 2002, in relation to its mandate and to publicize the release of its interim report across the country, and that the necessary staff accompany the committee.

(Motion agreed to)

**Mr. Keith Martin:** Mr. Speaker, after consultation with the House leaders of all parties, I hope to find unanimous consent for Motion No. 316, which I am proposing in an effort to stop the genocide in Zimbabwe. I propose: That, in the opinion of this House, the government should approach the United Nations to establish a criminal tribunal in the Hague to charge and prosecute President Robert Mugabe and other individuals from Zimbabwe for crimes against humanity.

**The Speaker:** Does the hon. member for Esquimalt—Juan de Fuca have the unanimous consent of the House to propose this motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

\* \* \*

**PETITIONS**

## IRAQ

**Mr. Peter Adams (Peterborough, Lib.):** Mr. Speaker, I rise to present a petition from people of the greater Peterborough area who are concerned about the sanctions against Iraq. They point out that

the ongoing UN sanctions against Iraq are regarded as the most stringent ever imposed by that body and that they have devastated the Iraqi economy, resulting in the deaths of 5,000 children a month.

The petitioners also point out that far from helping to destroy the oppressive government of Saddam Hussein, these sanctions have actually strengthened that government and destroyed any useful opposition. They also point out that the Standing Committee on Foreign Affairs and International Trade of this Parliament has recommended the de-linking of economic from military sanctions and the lifting of all other sanctions.

These petitioners call upon the Parliament of Canada to accept the recommendation of the Standing Committee on Foreign Affairs and International Trade for the lifting of sanctions, demand an immediate cessation of bombing, and call for serious peace negotiations. They urge that Canada and the United Nations vastly increase efforts to provide food, medicine and funds in Iraq. Further, they ask that the compensation fund taken from the oil for food program be suspended.

## STEM CELL RESEARCH

**Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC):**

Mr. Speaker, it is my honour, pursuant to Standing Order 36, to present on behalf of constituents and Nova Scotians a petition to the House of Commons with respect to the hundreds of thousands of Canadians who suffer from debilitating diseases such as Parkinson's, Alzheimer's, diabetes, cancer, muscular dystrophy, spinal cord injury and others. The petitioners call upon Parliament to focus its legislative support on adult stem cell research to find cures and therapies necessary to treat the illnesses suffered by these Canadians. I table this on behalf of individuals from Antigonish, Old South River and Dartmouth, Nova Scotia.

[Translation]

## THE INUIT COMMUNITY OF NUNAVIK

**Mr. Guy St-Julien (Abitibi—Baie-James—Nunavik, Lib.):** Mr. Speaker, I wish to submit three petitions on behalf of Inuit from the Nunavik communities of Inukjuak, Puvirnituq and Kangiqsujuaq.

The petitioners wish to draw the attention of the House of Commons to the fact that the federal government, through one of its departments and the Royal Canadian Mounted Police, ordered the killing of Inuit sled dogs from 1950 to 1969 in New Quebec.

The federal government did not hold public consultations with the Inuit communities in New Quebec, and we are asking for a public inquiry into the federal dog killing policy that was implemented in Nunavik.

Lastly, the Inuit point out that no effort was made by the federal government to put in place corrective measures to help the Inuit of Nunavik maintain their way of life.

*Routine Proceedings*

[English]

## CHILD PORNOGRAPHY

## EMERGENCY PREPAREDNESS COLLEGE

**Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, Canadian Alliance):** Mr. Speaker, I rise once again to present yet another petition from the people of Renfrew—Nipissing—Pembroke requesting that Parliament recognize that the Canadian Emergency Preparedness College is essential to training Canadians for emergency situations, including that of nuclear disaster, that the facility should stay in Arnprior and that the government should upgrade the facilities in order to provide necessary training to Canadians.

## CHILD PORNOGRAPHY

**Mr. John Cummins (Delta—South Richmond, Canadian Alliance):** Mr. Speaker, I have three petitions to present today.

The first one deals with child pornography. In it, the petitioners note that the creation and use of child pornography is condemned by the clear majority of Canadians. They note that the courts do not appear to be applying the laws in a way that is acceptable to the community at large. They call on Parliament to protect our children by taking all necessary steps to ensure that child pornography activities are outlawed and that those laws are enforced by our courts.

• (1605)

## FISHERIES

**Mr. John Cummins (Delta—South Richmond, Canadian Alliance):** Mr. Speaker, the second petition has to do with the protection of wild fish. The petitioners draw to the attention of the House of Commons the fact that the Minister of Fisheries and Oceans has a constitutional obligation to protect wild fish and their habitat. They point out that he is not doing his job and they call on Parliament to require that the Minister of Fisheries and Oceans fulfill his constitutional obligation to protect wild fish and their habitat from the effects of fish farming.

## COAST GUARD

**Mr. John Cummins (Delta—South Richmond, Canadian Alliance):** Mr. Speaker, the third petition has to do with the Coast Guard. The petitioners note that the government is no longer providing the Coast Guard with the necessary funds to fulfill its obligations, either with regard to the hovercraft at Vancouver or for search and rescue operations. They call upon Parliament to separate the Coast Guard from the Department of Fisheries and Oceans and provide it with adequate funding.

## BANGLADESH

**Mr. John Cannis (Scarborough Centre, Lib.):** Mr. Speaker, pursuant to Standing Order 36, I would like to present to the House a petition regarding the latest series of organized and sustained violent attacks on Hindus in Bangladesh.

The petitioners request that the Government of Canada undertake a review of the foreign aid it provides to the Bangladesh government in view of that government's record of recurring violent attacks and human rights violations and to do everything it can to protect Hindus and the various minorities as well.

**Mr. John Cannis (Scarborough Centre, Lib.):** Mr. Speaker, the next petition has to do with the very important issue of child pornography.

The petitioners from my constituency and others draw to the attention of the House that child pornography is condemned by the clear majority of Canadians. They feel the courts have not applied the current child pornography law in a way which clearly protects our children.

Therefore the petitioners request that Parliament take all necessary steps to ensure that all materials that promote or glorify pedophilia or sado-masochistic activities involving children are completely outlawed.

## PARTHENON MARBLES

**Mr. John Cannis (Scarborough Centre, Lib.):** Mr. Speaker, I present this petition on behalf of hundreds of Canadians, not just from Toronto but from all over.

The petitioners call upon the government to request that the marbles from the Parthenon be returned to Greece. The petitioners are asking that these marbles which belong in their original form on the Parthenon be returned. They were taken away under questionable circumstances and they would like them to be returned prior to the 28th Olympiad in 2004.

\* \* \*

[Translation]

## QUESTIONS PASSED AS ORDERS FOR RETURNS

**Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, if Starred Question No. 29 could be made an order for return, the return would be tabled immediately.

**The Speaker:** Is it agreed?

**Some hon. members:** Agreed.

(Return tabled.)

S. O. 52

[Text]

\*Question No. 29—**Mr. Guy St-Julien:**

Can the Minister(s) responsible for the Canada Elections Act and/or Elections Canada and/or the Federal Electoral Boundaries Commission for Quebec provide the following information: (a) according to the information insert and the Supplement to the Canada Gazette, Part I (August 31, 2002), what is the exact population of each city, town, village, non-designated area, Indian reserve, etc., included in each of the proposed new federal ridings of (1) Abitibi, (2) Ahuntsic, (3) Anjou, (4) Arthabaska, (5) Aylmer, (6) Beauce, (7) Beauport, (8) Berthier, (9) Bourassa, (10) Brossard, (11) Chambly, (12) Charlesbourg, (13) Charlevoix, (14) Châteauguay, (15) Chicoutimi, (16) Chomedey, (17) de l'Outaouais, (18) des Mille-Îles, (19) Deux-Montagnes, (20) Drummond, (21) du Saguenay, (22) Duvernay, (23) Gaspésie, (24) Gatineau, 925 Hochelaga, (26) Hull, (27) Joliette, (28) Labelle, (29) Lachine, (30) Lac-Saint-Jean, (31) Lac-Saint-Louis, (32) La Pointe-de-l'Île, (33) LaSalle, (34) Laurentides, (35) Laurier, (36) Laval, (37) Lévis, (38) Longueuil, (39) Lotbinière, (40) Louis-Hébert, (41) Manicouagan, (42) Mégantic, (43) Memphrémagog, (44) Missisquoi, (45) Montcalm, (46) Montmagny, (47) Mont-Royal, (48) Nunavik, (49) Outremont, (50) Papineau, (51) Pierrefonds, (52) Portneuf, (53) Québec, (54) Repentigny, (55) Richelieu, (56) Rimouski, (57) Rivière-du-Loup, (58) Rosemont, (59) Saint-Hubert, (60) Saint-Hyacinthe, (61) Saint-Jean, (62) Saint-Lambert, (63) Saint-Laurent, (64) Saint-Léonard, (65) Saint-Maurice, (66) Salaberry, (67) Samuel-de-Champlain, (68) Shefford, (69) Sherbrooke, (70) Terrebonne, (71) Trois-Rivières, (72) Vaudreuil, (73) Verchères, (74) Verdun, (75) Westmount; (b) what is the area (in square km) of each of the 75 ridings listed above; (c) in which newspapers was the information insert included for distribution; (d) what was the cost of producing the insert; (e) what was the cost of distributing the insert; (f) what method (software or other) was used by the Commission to define the population of each of the proposed ridings; and (g) did Elections Canada participate in the process of defining the population of each of the proposed ridings?

\* \* \*

[Translation]

#### QUESTIONS ON THE ORDER PAPER

**Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I would ask that the remaining questions be allowed to stand.

**The Speaker:** Is it agreed?

**Some hon. members:** Agreed.

\* \* \*

[English]

#### MOTIONS FOR PAPERS

**Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I ask that all Notices of Motions for the Production of Papers be allowed to stand.

**The Speaker:** Is it agreed?

**Some hon. members:** Agreed.

\* \* \*

#### REQUEST FOR EMERGENCY DEBATE

##### FIREARMS REGISTRY

**The Speaker:** The Chair has a notice of an application for an emergency debate from the hon. member for Pictou—Antigonish—Guysborough.

**Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC):** Mr. Speaker, I gave notice to the Chair with respect to this request.

My request arises from the Auditor General's report yesterday in which the Auditor General gave the House a damning report on the abuse of Parliament and the taxpayers of Canada by officials of the Department of Justice in their incompetent handling of the gun registry program.

I will quote directly from chapter 10 of the December 2002 report of the Auditor General of Canada. That chapter deals directly with the Department of Justice costs of implementing the Canadian firearms registry. The Auditor General said:

Accountable government requires that the members of Parliament be able to approve the government's plans for spending and scrutinize the results of that spending. To do this properly, Parliament needs sufficient information about costs and expected results.

• (1610)

**The Speaker:** This is an application for an emergency debate. I am not going to hear readings on this. The member will have to put his point very quickly as to why we should have an emergency debate on the topic he is choosing. I am going to have to hear that.

I am not going to hear long readings from reports that have been tabled in the House. That is for the speech if the debate is granted, which we would all look forward to, I am sure. In the meantime I want to hear why he thinks we should have an emergency debate and that is all I really want to hear.

**Mr. Peter MacKay:** Thank you for your patience, Mr. Speaker. I will go directly to the quotations of relevance. The Auditor General said, "Even though the department has many explanations for this ballooning of costs"—this is the underlying part—"it never shared any of them with Parliament". The Auditor General went on to say, "What is really inexcusable is that Parliament was in the dark".

In botanical bureaucratic terms, this means that it was like mushrooms on a manure pile, the strategy in short being that it grows until somebody notices the smell.

Tomorrow the House will be asked to approve more than \$62 million in additional funds for the gun registry, a program that is already estimated to be in the range of \$1 billion. The government has failed to justify in any way this raid on the pockets of the taxpayers of Canada. The minister has yet to come before the House to justify this additional spending.

An emergency debate, I suggest to the Chair, is the only vehicle left for the House of Commons to hear an explanation on this issue. The minister has not made a ministerial statement. The time for committee examination and supplementary estimates is over. They have been returned to the floor of the House. The government has no initiatives or mechanisms in the House to shine light on this \$1 billion mismanagement of public funds.

In conclusion, Mr. Speaker, I ask that you order this debate to take place so the House can be fully informed of the situation through a full debate before we pour millions more into this \$1 billion cesspool. Canadians need to know why Parliament was kept in the dark and where the money is going. The Chair obviously knows the criteria for this type of debate. To do anything less, I would suggest, is to ratify the grossly improper actions of the Department of Justice.

*Points of Order***SPEAKER'S RULING**

**The Speaker:** I thank the hon. member for Pictou—Antigonish—Guysborough for his comments. I know he would like to have made them longer and I appreciate the fact that he showed judicious restraint.

In the circumstances, I fail to see how this particular request for an emergency debate meets the exigencies of the standing order. Accordingly I am not disposed to grant it at this time.

The Chair has notice of a point of order from the very patient and hon. member for Winnipeg—Transcona.

\* \* \*

**POINTS OF ORDER**

BILL C-10

**Mr. Bill Blaikie (Winnipeg—Transcona, NDP):** Mr. Speaker, I almost rose on a point of order as to why points of order could not have been heard earlier, but we will leave that for another day.

My point of order has to do with the fate of a particular piece of legislation in the other place that was passed by the House. I am referring to Bill C-15B which in this session became Bill C-10 and was passed by order of the House on October 9, 2002 and received by the other place subsequent to that.

Ironically Bill C-15B which became Bill C-10 has now been broken up into two bills in the Senate. Bill C-15B itself was the product of fragmenting of an earlier piece of omnibus legislation. We might want to have a debate sometime in the House about the advisability of omnibus legislation given the fact that the House itself, and now the other place although illegitimately in my view, have chosen to fragment further omnibus legislation.

Mr. Speaker, I know that you may want to argue that we should not be having a point of order on this until we receive word from the other place with respect to the bill. It seems to me that if that is the case, then we could have another point of order about whether or not we should take preventive action and whether the House should send a message to the other place before the other place sends a message to us, suggesting that the other place should not behave in the way that it has.

I would want to argue, Mr. Speaker, that the House should be very concerned about what has happened in the other place with respect to Bill C-10.

Bill C-10 was accompanied by a royal recommendation which stated:

Her Excellency the Governor General recommends to the House of Commons the appropriation of public revenue under the circumstances in the manner and for the purposes set out in a measure entitled "An Act to amend the Criminal Code (cruelty to animals and firearms) and the Firearms Act.

On November 20, 2002 the Senate passed, on division, the following motion:

That it be an instruction to the Standing Senate Committee on Legal and Constitutional Affairs that it divide Bill C-10, an act to amend the Criminal Code (cruelty to animals and firearms) and the Firearms Act into two bills in order that it may deal separately with the provisions relating to firearms and provisions relating to cruelty to animals.

The effect of this motion, Mr. Speaker, has seen the creation of two new bills in the Senate, Bill C-10A and Bill C-10B.

Last night the hon. Speaker of the Senate upheld the reporting back of the so-called Bill C-10A, which I realize we have not received, and the continued examination of Bill C-10B, which now risks being lost in some procedural maze in the Senate.

It seems to me, Mr. Speaker, that it is this House that should decide what pieces of legislation are divided up and in what way they are dealt with. I say this without prejudice to the fact that I can quite understand the desire of the Senate to deal with these matters separately. I share, as I have already indicated, a concern that a lot of members of Parliament have and obviously a lot of senators have with respect to the nature of omnibus legislation.

Nevertheless, it should be up to the House of Commons to do this because the way in which the Senate has dealt with Bill C-10 has infringed on the financial initiative of the Crown and on the privileges of the House of Commons.

• (1615)

**The Speaker:** I have now heard from the hon. member the point that he wants to make. We have got to the meat and potatoes of the issue.

The difficulty we face in the House is that there has not been a message received from the Senate that has indicated that the bill has in fact been split. It is entirely possible that the Senate could plaster the bill back together again before it sends it back to this House. That is why I am concerned that the argument advanced by the hon. member at this point in time is purely academic. Interesting, yes, and delightful for the Chair to hear an argument on this sort of thing, but academic. I would not want to take up the time of the House arguing about something that might or might not happen. Until we have received a message, it seems to me it is inappropriate.

I know the hon. member said that we could send a message back, but there is no motion on notice to send any message to the Senate regarding this matter. It would have to be introduced on notice or with the unanimous consent of the House. In the absence of such consent, and in the absence of any proposal for a message, the Chair is unable to deal with the point of order that the hon. member is raising because it would be pointless for the Chair to make any ruling on this matter when no message has in fact been received, and where the House, itself, might choose to accept what the Senate does.

That is a matter for the House to decide. The Chair may have some input on the decision in saying how it will be decided, but it is a matter ultimately for the House to decide.

In the circumstances, I would suggest to the hon. member that we leave this matter for the time being until such time as we receive a message from the Senate. Having received notice from the hon. member that he intended to raise this matter, I have kept a close eye on the usual channels through which messages come to ensure that no message had in fact been received before the hon. member got to his feet. I am assured that one has not yet arrived.

*Government Orders*

I will also undertake to indicate to the hon. member at the earliest opportunity the arrival of such a message and, if necessary, come back to hear his arguments on this important issue. I do not discount the importance, but I think we need to wait until we have concrete evidence of the final result of the Senate's deliberations on this matter. I understand that the discussion is continuing in the other place, the last I heard, as we speak.

I invite the hon. member to refrain from further comment at this time until we have an actual message that indicates that something has happened about which he might want to raise an objection and which, of course, I would be happy to hear. I trust that will be satisfactory.

**Mr. Bill Blaikie:** Mr. Speaker, I do not want to argue an earlier point of order on a second point of order, but if I did I would say that the matter is hardly academic. There has been an event in the Senate.

However, given that the event in the Senate, an empirical procedural event I might add, has happened, and given your suggestion, Mr. Speaker, just minutes ago, I would seek the unanimous consent of the House to send a message to the Senate asking it to reverse the decision taken yesterday to split Bill C-10 into two different bills.

● (1620)

**The Speaker:** Does the hon. member for Winnipeg—Transcona have the unanimous consent of the House to propose a motion as outlined?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Speaker:** I wish to inform the House that because of the ministerial statement, Government Orders will be extended by 15 minutes.

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## GOVERNMENT ORDERS

[*Translation*]

### NUCLEAR SAFETY AND CONTROL ACT

The House resumed from December 3 consideration of the motion that Bill C-4, An Act to Amend the Nuclear Safety and Control Act, be read the third time and passed.

**The Speaker:** At the last sitting day, the hon. member for Matapédia—Matane had 19 minutes remaining to complete his remarks.

**Mr. Jean-Yves Roy (Matapédia—Matane, BQ):** Mr. Speaker, I want to remind the House that the bill before us, which I began speaking about briefly yesterday, is the former Bill C-57. After prorogation of the House, it became Bill C-4. This is essentially the same bill granting businesses wanting to invest in nuclear energy a privilege that we consider excessive and that exempts them from any responsibility.

From the outset, we completely disagree with this bill for one simple reason. I strongly believe that the current government should have invested more in clean energy such as wind energy, instead of once again giving nuclear energy another chance. I am convinced

that the community and most citizens—and my hon. colleague from Sherbrooke mentioned public consultation on this issue yesterday—would like to get rid of this energy and see it eliminated from the Canadian and Quebec landscape.

The second reason, which I alluded to earlier, is that the Bloc Québécois believes that, if backers find this investment too risky, there is no reason why it should be any different for society.

I am having trouble figuring out where the government is going with this bill. It absolves investors of any obligation by saying “What we want as a government is to ensure that people can invest in nuclear energy without having to get involved if there is a problem”. If there were a disaster and the site needed to be decontaminated, it would again be up to the people, in other words the government, to clean up the mess. I am convinced that, because of the high costs of site remediation, the companies responsible would probably go bankrupt and disappear into thin air. Again, the government would have to deal with the problem. The State and its citizens would have to pay to have the site decontaminated. This bill leaves the door wide open to this kind of abuse.

The third reason is that, despite everything being said, we believe that there are significant risks associated with nuclear energy. The main risk of course has to do with waste disposal. We could remind the House of the Chernobyl disaster. Some will say “Yes, but our nuclear power plants are different. They do not use the same technology. Candu reactors are used at our plants”.

We have exported our Candu technology throughout the world. In fact, we have even gone as far as selling it to dictatorships when Eastern Europe was still under Soviet rule.

In spite of all that, I believe that nuclear energy is dangerous. We saw that a few years ago, two or three years ago, when we toured Canada's nuclear generating stations, whether in Ontario or in New Brunswick, where the Pointe-Lepreau nuclear generating station is located. We realized that nuclear generating stations, particularly in Ontario, were not well maintained and could pose significant risks for society as a whole and for those living near these stations. Of course, because of the size of our continent and because of the dominant winds, if ever there were a nuclear accident in one of these stations—and I could also talk about nuclear generating stations located in the state of New York—we would be affected in Quebec. And the same goes for all of central Canada and even for the east coast.

These are the three reasons why we will oppose this bill. However, I would like to go back to the treatment of nuclear waste. Investing \$6 billion in Atomic Energy of Canada without knowing how nuclear waste will be disposed of is a typical example of a society's failure to think.

*Government Orders*

•(1625)

As a society, it is irresponsible to produce this type of energy without knowing what we will do when the time comes to treat nuclear waste, to dispose of it in an appropriate manner and to decontaminate the sites where these generating stations are located.

I would like to quote from the press release that was put out by the former Minister of Natural Resources when he introduced the bill. It accurately reflects the spirit of the bill as well as our fears:

These companies must have access to commercial credit to finance their needs, like any other enterprise, said Minister Dhaliwal. This amendment will allow the nuclear industry to attract market capital and equity. At the same time, we can continue to ensure that nuclear facilities are managed in a safe and environmentally sound manner.

Continuing:

The Act's current wording has been interpreted to extend site remediation liabilities beyond the owners and managers to also include lenders—

I would stress, these are the minister's own words.

creating for them unknown financial obligations that may exceed by far their commercial interest. The consequence has been to discourage private sector interest in lending to the nuclear industry.

Here we have the minister introducing a bill and making such an incredible statement. He is telling us "Yes, but the private sector does not want to invest in nuclear energy, because the risk is too great and is an unknown".

So, we are just going to absolve them of responsibility. Is the risk not also a major one for society as a whole? Is what is now being done not just bringing the risk here, before this House, so that the entire community will have to assume that risk, rather than lenders?

We cannot in any way support such a bill. In my opinion, this is a mistake that must be corrected. I am convinced anyway that, if we were to require businesses, lenders, to be liable for an accident, none of them would invest in nuclear energy.

What point is there in this, if the private sector refuses to invest in nuclear energy, in this type of energy?

In recent days there has been much talk of the Kyoto protocol. The government wants to see it passed, but we could also talk about this government's past record as far as clear energy is concerned. If we no longer invest in nuclear energy, a replacement must be found. In my opinion, it will need to be replaced by new energies, and there must be heavy investment in these energies.

I would describe the federal government's track record, as far as investment in new energy is concerned, as shabby and irresponsible.

Simply consider the proposed investments in wind power. I was telling you earlier that more than \$6 billion was invested in the Atomic Energy of Canada program. What is the federal government doing to help develop wind power, particularly in our regions? We know that regions like the Gaspé are great places to develop this kind of energy.

The existing federal government program gives us access to \$17 million per year over 15 years to develop wind power. This is simply ridiculous, if you compare it to the \$6 billion invested in atomic energy.

We could also look at other sectors when fossil fuels are concerned. The Hibernia project in Newfoundland alone received \$3.8 billion in assistance. Currently, we are discussing the Kyoto protocol. We are being told that it is essential to ratify Kyoto and reduce greenhouse gas emissions. The government invested \$3.8 billion in the Hibernia project for oil and gasoline, which is a highly polluting fossil fuel energy and a big producer of greenhouse gas.

Direct subsidies of \$1.22 billion, \$1.66 billion in loan guarantees and a \$300 million interest assistance loan were granted to the Hibernia project in Newfoundland. Ottawa also financed 65% of the total project cost, and now look at how much currently goes toward developing wind power.

•(1630)

Did the federal government do the same with hydroelectricity? It did not invest one penny in this sector. Fossil energies were developed, when we had the capacity to develop clean energies such as hydroelectricity. This government never invested one penny in hydroelectricity in Quebec, when it was pouring huge amounts of money into the other provinces.

I could also have talked about what happened regarding the Athabasca tar sands. Since 1970, the federal government has invested \$66 billion in fossil energies such as oil and gas. Let us try to imagine what would have happened if, in addition to the \$6 billion invested in atomic energy, that money had been invested in clean energies. If we had had \$72 billion to develop clean and alternative energies, today the Kyoto protocol would be a mere formality. We would probably be ahead of the other countries of the world. We would produce a lot less greenhouse gases.

I want to go back to wind energy. We talk about it a lot right now because of the Kyoto protocol, but we could also do it because of what the government is proposing. Over the past six years, wind energy has experienced an annual growth of 30% worldwide.

Germany is the number one user of this form of energy. It has 40 times more installed power than Canada. Europe alone has almost 75% of the world's wind generators. Yet, we all know that, at one time, Europe was a major developer of atomic energy. Today, it is doing everything it can to get rid that form of energy, because it is not, in its opinion, a truly cost-effective form of energy, considering the costs involved and its end result, namely the waste that it produces. Moreover, current technology does not allow us to get rid of the waste produced by atomic energy.

Consequently, the European Union wants 22% of its electricity generation to come from renewable sources, wind energy in particular. A large part would come from this type of energy, as I mentioned. Denmark is currently meeting 13% of its energy needs through wind energy. Even the United States has significant incentives, including a 2.7 cent per kilowatt-hour subsidy, to meet an objective of over 500,000 watts.

*Government Orders*

Let us look at what the current government is offering in the area of wind energy. This \$17 million per year comes from a program that spans several years and sets out a 1.2¢ per kilowatt-hour contribution for projects set up in 2002, a 1.1¢ per kilowatt-hour contribution for those started in 2003, and so on, all the way to a 0.8¢ per kilowatt-hour contribution in 2007. This is being called an incentive, this \$17 million a year to develop clean energy here. Personally, I do not think that this amounts to much. I think the government has the responsibility to invest more in wind energy.

The Bloc Québécois proposed a \$700 million federal wind energy investment program. That may seem like a lot of money, but I remind those listening that if we look at the amounts that were given to the oil and nuclear industries in recent years, it adds up to more than \$72 billion. We are talking about \$700 million compared to \$72 billion. I do not think that it is too much to ask for a real program to promote wind energy. It would be fully in line with ratification of the Kyoto protocol.

We know very well that wind energy is a clean source of energy. It produces no greenhouse gases. Therefore, it does not constitute a danger for our society, nor for the society we will leave for our children.

We, in the Bloc Québécois, are proposing a \$700 million program over five years. I might add that this is a minimum. If we decided tomorrow morning to develop wind energy just in eastern Quebec and particularly in the Gaspé Peninsula, we could create 15,000 jobs in short order, including on the North Shore and along the Lower North Shore. Nuclear energy could never do that. It could never do that for our regions.

●(1635)

Fifteen thousand jobs could be created in Quebec if \$700 million was invested in the development of wind energy. This would involve developing a made-in-Canada technology rather than an imported one. It would be all ours, adapted to our climate, adapted to our environment. We would be creating a high tech industry, with worthwhile jobs, and could later export the technology. We have a particular climate and therefore need to develop technology that is tailored to that climate.

As I said, this is what the Bloc Québécois is proposing. When we first proposed this, the objective was to create a minimum wind power capacity of 1,000 megawatts in Quebec alone, mainly the Gaspé region. That is why the program we are proposing would target component manufacturing plants. As I said, it is not just a matter of setting up wind generators, or of just purchasing the technology and sticking up some poles with blades on them on some mountain. That is not what will create jobs. That is not what will help us make technological advances over other countries. That is not what will allow us to develop, particularly in a region like the Gaspé.

I should perhaps point out at this time, given the local socioeconomic situation, and the possibility of a cod moratorium, that we stand to lose another thousand jobs in the Gaspé. In Newfoundland alone, there will be 11,000 jobs lost. If a substantial investment were made in wind power, the economies of these regions could be given a real boost. These regions could develop by

turning to high tech, instead of being totally dependent on natural resources.

It is important for this government to realize that this would be a major input for developing our economy. In recent days, moreover, what has been called for unanimously, in Quebec, in the Gaspé, on the North Shore, in Newfoundland and the maritime provinces as well, is a true program to jump start the economies affected, particularly those that will be hit by the potential cod moratorium. Some economies were virtually totally destroyed by the 1992 moratorium. By adopting measures in favour of developing clean energies, energies to replace fossil fuels or nuclear energy, we have an opportunity—

**The Acting Speaker (Ms. Bakopanos):** I am sorry to interrupt the hon. member, but I must tell him that the 17 minutes which he had left are now over.

The hon. member for Peterborough.

[*English*]

**Mr. Peter Adams (Peterborough, Lib.):** Madam Speaker, I listened with great interest to what my colleague said about the development of clean energy technology. I recognize his passion and great interest in this matter.

I was interested in what he said about not importing technology, but having clean technology which would be suitable to our conditions and climate. I would like to ask the member about a couple of examples of that.

First, it is my understanding that for a number of years one of the granting councils in Ottawa has been funding research, I think in the Lac-Saint-Jean area, on wind turbines at very high levels and particularly on the problem of frost on the turbines. I believe he would agree with me that it is very important for the whole country in terms of adapting that technology. I would welcome his comments on that.

Second, he mentioned the St. Lawrence estuary and those areas. One problem we have in our sea areas is ice. Ice is a serious problem in terms of wave energy. Once the ice forms, the waves cease and it is impossible to extract the wave energy. However on the west coast wave energy has considerable potential.

On the other hand, ice does not affect tidal energy. On our east coast we have some tremendous tides, even though parts of the sea are covered by ice. It seems to me that there is great potential, not for tidal energy such as putting a dam across the Bay of Fundy as has been suggested in the past, but for putting multi-directional turbines in the water so that the tides, going in both directions, can turn them.

These are examples of the sorts of things the member means, clean technology adapted to our climate. I would be grateful for his comments on those.

*Government Orders*

• (1640)

[*Translation*]

**Mr. Jean-Yves Roy:** Madam Speaker, I fully agree with the hon. member and I thank him for his comments.

Of course, we could develop tidal energy in those regions where there is no ice, as in the gulf during the winter. The ice forms a little more upstream. So, it would be possible to build windmills on platforms, including around Anticosti Island and in that area, because this is where the winds are strongest.

Just like we had offshore oil-drilling rigs, we could set up windmills on platforms, right where the winds are strongest. This is a technology that we could develop, because it is currently not being developed elsewhere in the world.

I want to tell the hon. member what wind energy represents in terms of jobs. In Europe, it is expected that, by the year 2010, there will be 960,000 jobs that will depend on wind energy. Imagine what we could create by investing here, by having a true program to develop wind energy. In 1996, there were 72,000 jobs related to wind energy in Europe. By the year 2000, 512,000 jobs related to wind energy had been created.

Imagine if the government had invested anything like the \$6 billion that was invested in atomic energy, a form of energy that we know we have to leave behind. Certainly we cannot manage its waste.

Even if some may claim that it is a clean form of energy that does not release greenhouse gases, the fact is that nuclear waste is a source of problems and will remain so until we develop an adequate technology to process this waste.

But we do not have this technology. Therefore, what is the point of spending money to develop nuclear energy, to continue to develop this type of energy? It is pointless. It will only create additional environmental problems when the time comes to process the waste.

Wind energy, on the other hand, does not produce waste. We should invest more in this type of energy and, as the hon. member suggested, in tidal energy.

**Mr. Robert Lanctôt (Châteauguay, BQ):** Madam Speaker, first I want to thank my colleague from Matapédia—Matane for explaining so clearly why this amendment, which seems quite simple—there is only one clause in the bill—could have huge repercussions in the future. It absolves of any responsibility several third parties that could be required to decontaminate nuclear sites, and this could mainly be lending institutions. The previous provision said this:

—any other person with a right to or interest in, the affected land or place take the prescribed measures to reduce the level of contamination.

The new proposed provision reads as follows:

—any other person who has the management and control of—

Nuclear energy is very difficult to control; we do not yet know all the potential impacts of decontamination.

Instead of protecting society—and I mean society as a whole, the people and our environment—the government is absolving third parties, such as banks, of any responsibility with regard to decontamination.

In other words, the bank lobby, among others, is asking that such a change be made so that banks can lend money to develop a fossil energy that is very difficult to control, when we have wind energy and solar energy as alternatives.

In Quebec, we can still increase our hydroelectricity production, and my colleague was right to mention that. The federal government is said to have invested in excess of \$66 billion in fossil energies and has not invested one cent in the development of hydroelectricity in Quebec. And yet, as you know, Quebecers pay taxes, 50% of which go to the federal government, and it has not invested one cent in the development of our clean energy in Quebec.

Not only do we have hydroelectricity, but we also have the possibility of developing wind energy. As my colleague so rightly said, we could even be a world leader in this field if we developed wind energy on platforms in the Gulf of St. Lawrence.

What kind of investments could the federal government make in this type of clean energy not only for Quebec but in the context of the ratification of the Kyoto protocol, which, I think, has the same goal in mind?

• (1645)

**Mr. Jean-Yves Roy:** Madam Speaker, I touched on it a little in my remarks. In fact, I talked briefly about how much money would be needed for investment. It is not a large sum. We are talking about \$700 million that could be invested according to the Bloc Québécois' proposal. This would create 15,000 jobs. It would allow for the development of our own technology. However, it is \$700 million over five years. In my view, this is not a large amount compared to what has been invested in nuclear energy and the oil industry.

I provided the numbers earlier: \$66 billion in petroleum energy and \$6 billion in atomic energy, for a total of \$72 billion. What we are asking for is not even 10% of what has been invested in these two energy sectors, 10% to create 15,000 jobs and to develop new technology and alternative energy. That is what we are asking for to develop a country like ours—that is pretty simple—and to give it hope for the future in terms of new technology and energy.

[*English*]

**The Acting Speaker (Ms. Bakopanos):** Before we resume, it is my duty pursuant to Standing Order 38 to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Terrebonne—Blainville, Correctional Service Canada; the hon. member for Saskatoon—Humboldt, Public Service; the hon. member for Nanaimo—Alberni, Health.

**Mr. David Chatters (Athabasca, Canadian Alliance):** Madam Speaker, I am pleased to rise once again to take part in this debate on Bill C-4.

*Government Orders*

As I sit and listen to the debate I am amazed at how muddy the water can become on a filibuster and how irrelevant some of the arguments are to what is before us. I am amazed that the self-interest of the Bloc Quebecois does not seem to have any bounds. The development of fossil fuel energy in Canada has been one of the major reasons for our standard of living and our prosperity. Certainly Quebecers enjoy driving their cars and moving their goods as much as anybody else in Canada. It just blows me away. However, I do not want to get carried away on that kind of debate because I want to stay more focused on what we are dealing with here today.

It is a seven word amendment to the Nuclear Safety and Control Act. It seems to me that the amendment before us is clear and simple. It would remove the responsibility of liability from the lending institution, not all responsibility of liability, but liability over and above the investment that the lending institution makes in the project. It, like in any other project or any other loan that the institution would make, would be liable for the amount of the loan and the loss of that loan should the project fail. However, this particular act as it existed when we passed it back in 1997, and I will address that a little later, held the lending institution responsible for the negligence of an operator in a contamination of a site over and above the amount that institution had invested in the project. That seems ludicrous to me.

When a mine, coal-fired power plant, or a wind farm goes out and looks for financing for a project and puts together a financing package, no one would expect that the lending institution that helps to finance that project would be held liable over and above the amount of the loan for negligence on behalf of the operator of that mine, wind farm or coal-fired generating station.

So why then would anybody, the NDP, the Bloc or a few members of the Liberal Party, believe that the lending institution should be liable in the case of a nuclear facility over and above the amount of the loan that it would be writing for a project? It seems straightforward and simple, yet it has become complicated and the target of such a filibuster in the House. I find it quite amazing.

I want to hold the government responsible in some measure for what is happening with this simple bill. The government has known about this anomaly in the act for some time. It was aware of it when Parliament was recalled around the beginning of October of this year. It did nothing about it until the bill was introduced not that long ago. It expressed this concern that the refurbishing of the Bruce Power facility could not proceed until the bill was passed and so we have some urgency here.

The government could have put this into the mix and we probably could have passed it a long time ago. However it did not. The government is responsible for the fact that we only have a week and a half to go before the Christmas break and the only way it will get the bill through is to use closure once again, which is unacceptable. I feel the government is in some way responsible for this filibuster and what is going on here.

• (1650)

We dealt with the bill in committee where various interest groups made representations to me. Everyone I spoke to, including Bruce Power, the Canadian Nuclear Association and others, said it was a simple oversight. When we considered the bill in 1997 nobody

caught that. In committee the Canadian Nuclear Safety Commission and the Canadian Nuclear Association reiterated that it was just an oversight that needed to be corrected and we could get on with it.

The director general and the legal counsel for the department were at committee deliberations. It was disturbing that the director general was less than forthcoming with his explanation of why the phrase "or any other person with a right or interest in" was in the bill. The director general did not express the same opinion that I heard before that it was simply there because it was an oversight and was missed.

When the legal counsel was asked the lady said the department was very much aware of the meaning of the phrase and its consequences. She was the legal counsel but was not prepared to offer an opinion. If it was aware of it, why was it in the bill? Why was it not removed when we debated and passed the bill back in 1997? That concerns me. The government could have helped the bill through the process by being a bit more forthcoming on that issue, but it was not.

The NDP and the Bloc brought in all kinds of other issues that muddied the water in a major way. It was educational in a sense because I learned a lot about the genuine issues concerning nuclear power. The House needs to take the time to study the whole issue of nuclear power and how it fits into the mix of energy in this country and how we can best protect Canadians from the dangers of nuclear power.

All that was very interesting but it was terribly irrelevant to the whole thing. We spent a half a day in committee listening to a filibuster about the financial situation of British Power. The weak financial position and the danger of bankruptcy in British Power was enough reason for us to deny this seven word amendment in the bill. Surely, if we were to pass the bill and remove that extraordinary liability from the lending institution, that lending institution would have enough brains to look at Bruce Power, and how its financial situation related to British Power. The bank could then decide whether the liability on its money was too great to lend it. We do not need to do that as parliamentarians. It is a bit outrageous for us to go down that road and have that debate.

Another interesting issue that came forward endlessly was the issue of the Nuclear Liability Act. Issues were raised that I was not familiar with and that we need to deal with. The Nuclear Liability Act limits the level of liability in a nuclear accident to \$75 million. That may not have been a big issue when the only people in the entire country who owned and operated nuclear plants were governments. Ultimately no matter what the cap was, when that cap was bypassed, the government of the day would end up being responsible. When the government was responsible from the very beginning, it was not as big an issue.

*Government Orders*

●(1655)

Now with the introduction of this bill and the opening up of the industry to private sector financing, the question is how liable should a private sector operator be in the case of a nuclear spill? This is a much bigger issue than just the contamination of the reactor site. This is about liabilities for off-site contamination, the health of Canadians, et cetera.

It is a really important issue. Clearly \$75 million is nowhere near a high enough cap on the liability. We need to go back at some point to the Nuclear Liability Act, study it and set an appropriate cap either in the act as this is or a cap that is part of the licensing approval process by the Nuclear Safety Commission in the application for the licence to operate a plant. There needs to be a bond or something in place to ensure that the money is there, if there is contamination or an accident, to will protect Canadians, particularly those Canadians living in the vicinity of the nuclear facility.

Those are valid arguments. We need to at some point in this Parliament or in committee or somewhere go back and look at these things. They were not relevant to Bill C-4 and I was very disappointed at that. I can only imagine the frustration experienced by Bruce Power, while it waits for the bill to go through the House, having watched the filibuster which has gone on for weeks on this. It knows that until the amendment is passed, the entire project of refurbishing the reactors at Bruce Power is in jeopardy. Therefore, electrical energy in Ontario and the supply and price of that energy to the province is affected by that.

We hear talk about how we do not need nuclear power and that we should get rid of it. That is another debate for another day. However at some point Ontario Hydro made the decision to go nuclear. Arguments were made about the wisdom of that decision given the death of Ontario Hydro and other issues surrounding it, but they did it anyway.

Now nuclear power in Ontario is an integral part of the baseload power. If anyone doubts that, I would urge the nuclear operators in Ontario to simply shut down all nuclear power at six o'clock in the evening and see how much the wind power operators and the solar power operators can pick up for Ontario residents so they can cook their evening meals. I suggest it would be very dark and very cold.

To advocate those things is irresponsible. We have to do everything we can. We have a responsibility as a government and through government to the bureaucracy and the Nuclear Safety Commission to protect the interests of Canadians in terms of safe operation of the facilities. However we also have heard references to nuclear waste and what we do with that. We have a huge responsibility to look after that waste responsibly and in a safe manner. I think we can do that.

Nuclear power will continue to be part of the energy mix of the country. Undoubtedly, if the government goes ahead with the Kyoto protocol, the contribution of nuclear power will increase, particularly if AECL can come up with a new generation of a Candu reactor which is smaller, more efficient, cheaper and the lead time to construct it is cut way down. If all those things are achieved, nuclear power undoubtedly will become a more important part.

●(1700)

The contribution that fossil fuel energy has made to the country has been tremendous. Probably the key reason why North America has moved so far ahead of much of the rest of world in prosperity is the availability of cheap fossil fuel energy and our ability to use it and export it.

However given the environment we are in today and where Canadians are at, I do not think anybody in the fossil fuel industry would argue that it is time for us to look at cleaner energy sources that provide a baseload, which wind power, solar power and geothermal power can never do. They certainly can increase their share and their contribution, but we still need that baseload power, the one we can depend upon when everybody's lights and stoves are on in the evening.

It is time to look at where that might shift to, simply because fossil fuel energy is a finite resource which will run out one day and which gets more and more expensive. It is pure common sense that we look for alternatives. To think that tomorrow we can erect wind farms and solar panels so we can shut down either the fossil fuel industry or the nuclear industry but still keep the lights on and keep our homes warm is irresponsible and ludicrous.

I would urge all members in the House, in the interests of fairness and reasonableness, to get on with the issue of passing the bill and sending it off to the other place so that Bruce Power can get on with the job of refurbishing the its facility and get it back on line. This would allow Ontario hydro to shut down more of the extremely polluting coal fired plants, which are importing some of the dirtiest coal in the world from the U.S. This would then allow us to have clean non-polluting power, which the Bruce Power facility is capable of providing to us.

●(1705)

**Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, Canadian Alliance):** Mr. Speaker, could my hon. colleague explain how the passage of Bill C-4 will help the Alberta oil sands recovery project to afford lower carbon emissions in the overall extraction and production?

**Mr. David Chatters:** Mr. Speaker, that is an interesting question because we have had discussions with industry on that over the last while. The proposal is preliminary and only theoretical at this time.

For those who do not understand the size and the scope of the resources of the tar sands of northern Alberta, they are immense. They are larger than the oil reserves of Saudi Arabia. Until we embarked on this Kyoto fiasco, the Prime Minister assured President George W. Bush and the Americans that the tar sands of northern Alberta were their reliable, safe source of energy for the future. The Prime Minister supported the development of those energy reserves as quickly as possible so as to supply that energy to the U.S.

*Government Orders*

However, because they are so huge, it takes a tremendous amount of energy, heat for steam as well as electrical, for the extraction process. If the government allows the tar sands to become fully developed, a huge amount of energy, equivalent to the entire capacity of the Mackenzie Valley pipeline from the Mackenzie Delta to go to Fort McMurray and no further, would be required.

You were with me, Mr. Speaker, and saw what was going on there. That is pretty small compared to what it will be in the future. I know there are others looking at it but it seems to me that we would not send that volume of clean burning natural gas to the Fort McMurray region to develop the tar sands when that clean burning natural gas fuel could be better used in other ways such as heating our homes, producing plastics and medical materials.

A proposal has been put forward that a new generation Candu would be appropriately put somewhere in the northern Alberta, northern Saskatchewan area because it is close to the mining facilities. The fuel for the reactors exists in northern Saskatchewan, and the former natural resources would know that. It is a natural fit. The small new generation Candu reactor would have the capability of providing the electrical energy the industry in the area would need plus huge amounts of heat that would be required to produce the steam in the extraction process.

There may be a future for this new generation Candu arm in arm with the fossil fuel industry, to which I know some of my colleagues would very much object. However the idea certainly has merit if the costs and the construction time and other things can work.

• (1710)

[*Translation*]

**Mr. Robert Lanctôt (Châteauguay, BQ):** Mr. Speaker, I will take the little time remaining after the remarks made by the hon. member for the Canadian Alliance.

It is quite simple. This is an opportunity for us to ask questions, when faced with a bill like this one, which takes responsibility away from those who would invest in a seemingly complex and dangerous energy source. And it is—let us not pretend otherwise.

I have a simple question for the hon. member. He said “I hope that all the hon. members will be reasonable”. Does he think it reasonable—and I would ask all the hon. members present the same question—to talk about the Government of Canada investing \$66 billion in fossil energies, as well as another \$6 billion in nuclear energy? That is a total of \$72 billion in pollution-creating energy sources, the kinds of energy that are dangerous and that pollute.

Why has Quebec not received an investment comparable to the \$72 billion that the rest of Canada received to develop those energy sources? At the same time, Quebec has been developing a very environmentally friendly source of energy—hydroelectricity—and Quebec is also interested in developing wind power.

Today, can he also say “Let us be reasonable so that Quebec can develop those kinds of energy sources and so that the Canadian government will help Quebec and Quebecers develop their own energy sources”?

[*English*]

**Mr. David Chatters:** Mr. Speaker, again, the self-interest of the Bloc is amazing. Quite frankly, what the member says is not true. We had this debate in the House the other night. I know that the federal government itself invested many millions of dollars in the negotiation and settlement with the Cree of northern Quebec as a result of Quebec hydro development. Certainly a lot of money went in there.

I know for a fact that Alberta, through its heritage trust fund, loaned Quebec many millions of dollars at below market rates for development of hydroelectricity. That came from the royalty profits of the fossil fuel industry in Alberta. I do not accept the whole premise that Quebec was somehow shafted on where the money went. I think Quebec is doing very well.

**Mrs. Bev Desjarlais (Churchill, NDP):** Mr. Speaker, I know that my colleague from the Alliance is probably aware that between 1982 and 1998 Canada's nuclear waste increased by about 76%. We are actually still below that of the U.S. but by 2010 we will have more nuclear waste than the U.S.

He did indicate that there are ways of getting rid of it and we have to look at that. I would just like to ask him exactly what are those ways. Where are we going to get rid of the nuclear waste? Where are we going to put it?

**Mr. David Chatters:** Mr. Speaker, that is a very straightforward question but unfortunately it is a question that should be directed to the government.

The former natural resources minister who is sitting here introduced a bill in the House, and it was passed through the system, saying that the producers of nuclear waste would become responsible for the disposal of that waste and responsible for coming up with a plan and a method of disposing of it. I have to assume under the timelines of that bill that the industry will in fact do that.

Again, as we have talked about in regard to the need to invest in new technologies, there is technology out there. Some say it is a pipe dream. It may or may not be, but soon the technology will exist to decontaminate or neutralize nuclear waste and put it back into the environment in a safe manner rather than storing it somewhere for the next thousand years. Again, I think technology is the key and we will solve that problem.

• (1715)

**Mrs. Bev Desjarlais:** Mr. Speaker, after that answer I cannot help but say that for years and years we have heard that there is going to be a cure for cancer. We have numerous ways of addressing certain types of cancer, but we still do not have a cure for cancer. That does not mean we think it is okay to go out there and have everybody get cancer because somewhere along the way there will be technology to cure it. That is just not a good answer when we are talking about nuclear waste.

That type of answer is a real indication that no one should be listening to what comes out of the mouths of the Alliance.

**Mr. David Chatters:** Mr. Speaker, I do not think that is really a valid argument, simply because the I think that strides in technology, particularly in nuclear medicine, nuclear power and the development of safer, smaller, more powerful reactors, have been quite amazing.

*Government Orders*

Certainly we have been looking for cures for all kinds of diseases for many years. We also have been looking for a clean and cheap way to produce hydrogen power for many years. We will get there and we will produce it.

**Mrs. Bev Desjarlais (Churchill, NDP):** Mr. Speaker, it is a good time to get up and talk on this very important issue. Since we have been on debate for some time today, I am going to emphasize for those who might be joining in late to this wonderful debate today that Bill C-4 amends the Nuclear Safety and Control Act to limit the current liability provisions related to the cost of cleanup stemming from an incident impacting the environment.

As currently defined in subsection 46(3), any person with an interest in the affected land or facility is potentially liable for the cost of cleaning up any contamination resulting from incident. This includes not only the owner and operators but also the mortgage lender or holder of a security interest in the land. The proposed amendment would narrow the scope of potential liability to include only the owners and operators.

Some who have spoken here today have indicated that it just seems unfair somehow that we would hold the lender liable for lending a company money and that if there is a huge disaster the lender should not have to pay.

I would suggest that part of the reason this type of wording was put in the act initially is that there was an understanding, a recognition, that any type of nuclear disaster is far more detrimental than just the ordinary realm of liability that we might have in an investment in a clothing store down the street or, for that matter, a mine, even though I fully recognize, as my colleague from the Alliance has indicated, that after a mine closes down residue and tailings often are left, which affect the environment and the lives of those around the mine. I would suggest that absolutely there should be greater liability for the cleanup and who is responsible.

Under this act, though, I believe it was recognized that there was greater risk and that as a result there was greater need for anyone even thinking of being part of that type of operation to recognize that there was a really strong liability.

I would suggest that lenders to a nuclear facility are going to make a profit off the interest on that loan and as a result profit from whatever that business does, in this case the nuclear business. Whatever it does, the lenders are going to profit from it. Quite frankly, after the fact, after an accident happens, the people in a large area around the plant are affected. Usually in a nuclear accident it not just that little spot where the plant is located that is affected. Huge areas all around it, if not throughout the world, are affected. As a result, there is greater liability. For that reason, I believe, there was an intent, and a good intent, to see this as being more serious and to have a greater risk of liability.

I believe there is no question that the \$75 million maximum liability that can be charged to the owner or operator of the nuclear plant at this point would hardly come close to being able to address some of the costs that would probably be there as the result of an accident.

The Chernobyl reactor incident a number of years ago in the Ukraine seems so far away. Somehow we cannot imagine anything

like that ever happening here in Canada, but let us face it, the cost of the Chernobyl accident was beyond anything we can imagine. Certainly there was the cost to the environment, the land itself, the cost to businesses and other industries in that area, the cost of the numerous lives that were lost, and the cost of the medical treatment that has resulted for years and years afterwards as a result of the Chernobyl accident. These are not just some little business operations going bad and affecting their own little 40 acres. These incidents will affect a huge area and the whole country, if not the world and they cannot be seen in the same way.

Quite frankly, I believe the government would have everyone believe that this is just a little housekeeping incident, that we have to get this out of there, that it was never intended to be there.

• (1720)

I do not agree. I think there was an absolute intent for it to be there and it should stay as is. The government would have us fast track this and keep the public debate down as much as possible, and as a result, I believe, would put the Canadian taxpayers at risk for a huge cost. As I have indicated, should there be an accident, should there be liability and \$75 million will not cover the cost, who would end up covering it? If it is a private, independent operation, the plant would go bankrupt. If it goes bankrupt, who pays? The operators could not pay any more. They could go off somewhere else under another name and keep operating or doing whatever. We often see that happening with businesses that get into trouble. Those who would pay are the Canadian taxpayers.

I am extremely disappointed that members from the Alliance would not wholeheartedly say that there is no way the Canadian taxpayers should be stuck with that kind of cost, that we must have something in place to ensure that the Canadian taxpayers do not end up bearing the brunt. I have not heard that from them, which is disappointing, because quite frankly every one of us here should be ensuring that the Canadian taxpayers do not have to pay for those kinds of disasters.

I feel the same way about mines or any kind of operation that will leave environmental devastation behind. We have seen a situation with a mine in the Yukon, I believe, where the owner claimed bankruptcy and left. The Department of Indian and Northern Affairs took on the responsibility and the government ultimately ended up cleaning up the mess at taxpayers' expense after a whole bunch of shareholders made money over a period of years. The operator of the mine was probably proclaimed a wonderful person because he or she did such a great business job, but ultimately the taxpayers of Canada bore the brunt.

That says nothing about the numerous times when there is no environmental cleanup. It sits there because there is not enough money to clean it up, because there is not a fund in place to ensure that there is a cleanup after different operations are in place. Yes, there are plans, so that an operator has to close things up to make sure that if people walk by they will not fall down a hole. Those types of rules are in place, but as far as the long term environmental consequences of some of those mines, there is no cleanup.

*Government Orders*

I think we need to change that. In the shipping of oil there is a process in place whereby each company puts so much money into a sort of insurance plan. We will call it that for lack of the exact name. If there is an accident, those funds can be accessed to clean it up. Why we do not have that in place for numerous other businesses is beyond me, but it is not there. I think it will come as people become more and more conscious of the need to protect the environment, as they have as a result of climate change and as a result of our wonderful debate on the Kyoto accord. People are becoming more conscious of it and as a result want to do whatever they can to ensure that the environment is sustained for years to come.

Numerous colleagues of mine today have also commented on the alternatives to nuclear power plants. Certainly there are numerous alternatives now. Yes, we can pooh-pooh them all the way, but I remember the first time I ever heard about wind energy. I wondered how the heck we could ever put it in place. Then I started reading more about it. We get a lot of information as members of Parliament and numerous pieces of information on wind energy began coming in. I started thinking about it. It is not as if this is something new. We have had operating windmills in place for years, not with the magnitude of operations that we need in some areas, but there is real potential for wind energy. It is being utilized in a number of places. Certainly we should expand on those types of operations whenever we possibly can. Whatever method of clean energy we can put in place is where we should be directing our efforts.

● (1725)

I recognize that not all of them will have 100% perfect results. What we do know is that a number of sources of energy are not good to be using. I am not suggesting for one moment that we should say to heck with the whole fossil fuel industry. Quite frankly, as my colleague from the Canadian Alliance indicated, our fossil fuels will run out. By reducing, adapting and readapting our usage, we are not necessarily saying to heck with our fossil fuel industry, we are extending the life of that industry and, through that process, working on cleaner forms of energy and ensuring that we are doing what is best for our country and ultimately for the world.

Why we would want to bring forth a change to a bill that would risk Canadian taxpayers having to offset the cost is beyond me. If a financial institution decides not to invest in an operation because it is concerned about the liability, I think that is a good thing. If it decides to invest because it is a good operation, it makes sure that its investment dollars are protected and that those types of accidents do not happen. It also ensures that an agreement is in place and that it keeps tabs on that operation so no consequences could ultimately hit the institution. I think that is a good, sound way of doing things. That is being responsible. It has been in place for a few years now and it has not been a problem but somehow it has become a problem now in the push to privatize the nuclear industry.

I know there are those who believe that private industry is best and that the capital way and the market economy are the way to go, and in some instances we may have had some success, but in a lot of instances we have not had success. We know that with cuts here and there proper safety methods are used.

In the case, I believe, of the Bruce plants, we see that there needs to be literally millions of dollars invested to bring them up to snuff,

so to speak, to make them safe. One has to wonder how they were allowed to reach that point and how much a private company will continue putting in. I just do not have the faith that it will be done in a safe manner unless there is a strong demand from their loaning institution to make sure they do that. Usually they just walk away from it.

I would rather not get into the whole privatization-public argument, even though all we have to do is talk about Manitoba Telephone System, a public institution that was sold. I make no bones about this when I say that we certainly do not have as good a service as we had before it was sold, bar none. We would find very few people in Manitoba, who had service under the old MTS and now have it under the new company, who would say that it is better today, because it is not. It just is not. It just wants to make money where money can be made. It does not want to invest in the province as a whole. It does not want to look at the benefits for all the people. It just wants to make a quick buck and to heck with everybody else.

I do not think that is the way certain operations should be put in place. Certain things should be done for the benefit of everyone, which is how this country was formed. People recognized that they were here to support each other, province by province by province, in different areas when it was needed. The people in a unified country support each other.

I think we have lost sight of that. We have little areas where people want to protect their 40 acres and do not care what anyone else does. We have lost track of what is important, and that is building a country and supporting each other.

No one is suggesting that we totally wipe out any industry when it comes to fossil fuels. It is just a matter of balancing and putting things in practice so that we have long term sustainability, we have a country for which we can be proud, and we have a country where the environment is safe for numerous generations to come.

● (1730)

**Mr. David Chatters (Athabasca, Canadian Alliance):** Mr. Speaker, I think the hon. member is very genuine in her position and certainly in line with her party's policies and positions. Its distrust of big industry and big banks is certainly well known. I do not think there is any question about that.

Just before the hon. member finished her speech she said that there was this mentality in Canada about, "protect my 40 acres and to heck with yours", and that we have to get over that.

The government of Alberta and the government of Saskatchewan share Lake Athabasca. Actually, it straddles the border there. The government of Saskatchewan, through a crown corporation, owns the uranium mines in Uranium City that have been abandoned and are polluting the lakes, killing fish and causing all kinds of havoc in the environment in northern Saskatchewan. The damage of course is migrating to my 40 acres across the border.

*Government Orders*

I would like to ask the member why the NDP government in Saskatchewan is not cleaning up its own mess, and yet this NDP member is blaming the negligence of the mining industry and others for those kinds of situations.

Finally, if the member bought a car and the bank loaned her the money, should the bank be liable if she were negligent and killed someone with the car? If so, I suggest she would never get that car.

**Mrs. Bev Desjarlais:** Mr. Speaker, I will just follow up on his last point first. I made it perfectly clear that I do not think every instance is the same. I would not expect the bank to be liable for that. What I said was that in something as serious as a nuclear accident, yes, there should be a greater onus. That was the point I was making.

If my Alliance colleague is suggesting that the liability from a car accident is equivalent to the liability related to a nuclear accident, then we have a real problem with how his party perceives the consequences and what is really serious. We need to have a greater understanding of the effects of a nuclear accident.

In response to the Saskatchewan government dealing with the mines in Uranium City, and without really knowing exactly what is happening, I would expect the Saskatchewan government to do whatever it could to clean it up. I am not going to sit here and say that it is okay because it is an NDP government. Of course it is not okay. Of course it should be cleaned up and it should be doing whatever it can to clean it up.

However I do know for a fact that it had to clean up one heck of a mess after Grant Devine left Saskatchewan. It has been plugging away at it and trying to build up its surplus in order to clean up a good number of those messes. That is all I can say to that.

• (1735)

[*Translation*]

**Mr. Jean-Yves Roy (Matapédia—Matane, BQ):** Mr. Speaker, I think the debate has turned a bit political. I did not find the discussion particularly useful.

As my hon. colleague said, the bill absolves the private sector of any responsibility. I want to come back to what she said, because I totally agree with her.

One of the reasons, and there are many, why we are not going to support this bill is that we hope the government will invest more in alternate energies.

I understand the member for Athabasca's reaction. They were given billions of dollars to develop the tar sands. Since 1970, the federal government has invested \$66 billion dollars in the oil industry, but not one penny in Quebec for hydroelectricity, needless to say. The federal government put \$6 billion into nuclear energy.

I would like to know if my hon. colleague agrees with the Minister of Finance's suggestion to invest \$15 million a year over 15 years to develop the wind energy sector. That is not even enough to set up five imported wind generators, not to mention developing new technology. That is what the government is proposing in terms of wind energy development.

Does she agree with the Minister of Finance's suggestion to toss us a mere \$15 million a year over 15 years to develop clean energy sources.

[*English*]

**Mrs. Bev Desjarlais:** Mr. Speaker, it is absolutely without conscience to suggest that this amount should be invested in alternate energy.

The government can invest in other forms of energy in numerous ways. However, without question, there needs to be greater investment in that area. Only by properly investing can the government present itself as a government that is serious about dealing with some of the issues that are out there, that it is really serious about improving things for the future.

The number of jobs that could be created through that investment would be excellent. It also would be something for which Canadians could be proud. It would be something we could hold up to other countries.

Germany has invested far more in wind technology than has Canada. Let us look at the size of Canada and the availability of resources that we have to use alternate methods.

**An hon. member:** A lot of wind and a lot of hot air.

**Mrs. Bev Desjarlais:** Listen to that man. He says a lot of wind. That is my colleague from the Conservatives who took great offence to my comments about the not so Devine government in Saskatchewan.

[*Translation*]

**Mr. Robert Lanctôt (Châteauguay, BQ):** Mr. Speaker, I would like to ask my hon. colleague a question. We are talking about energy such as nuclear energy, which is difficult to control and complex. For instance, in terms of the Candu reactors, even with new technology there is still the waste generated from all this energy. Even if it were perfect, it is still not controlled very well. There is much discussion about all the waste produced by nuclear energy and its dangerous nature.

The banks are lobbying hard in connection with this energy, in order to obtain an amendment which appears minor but which has quite an impact. How can we let the banks off the hook when it comes to lending money and investing in energy as dangerous as nuclear energy? The government will not be asking people who are financially capable of decontaminating—

• (1740)

**The Acting Speaker (Mr. Bélair):** I am sorry to interrupt the hon. member. We must allow the member for Churchill to respond to his comments. There are one and a half minutes left. If the member for Châteauguay uses this up, the member for Churchill will not have any time left to respond. It is a question of cooperation. The hon. member for Churchill.

*Private Members' Business*

[English]

**Mrs. Bev Desjarlais:** Mr. Speaker, my colleague from the Bloc raises a very good point. If the banks do have an interest in this operation a lot can be gained by allowing a whole lot of things to happen in the background, a whole lot of possibly not so safe things to happen to ensure that their investment continues. We all know that the banks hold a lot of power over the government, which I think is a reason to be greatly concerned.

I asked my colleague from the Alliance what would happen with the waste. It is not all right to say that we will think about it tomorrow and that we will come up with something.

I saw a situation where first nations in this country have been held to literally begging for dollars for numerous programs. They were being coerced into possibly taking waste from other communities. I was greatly concerned that they would be pressured into taking not just the rubbish kinds of waste from cities but other kinds of waste as well. I do not want to see that happen either.

[Translation]

**Mr. Michel Guimond:** Mr. Speaker, I rise on a point of order. Even though it is only 5:42 p.m., I would ask you to check if there is unanimous consent to see the clock as 5:45 p.m.

**The Acting Speaker (Mr. Bélair):** Is there unanimous consent to see the clock as 5:45 p.m.?

**Some hon. members:** Agreed.

\* \* \*

[English]

**BUSINESS OF THE HOUSE**

**The Acting Speaker (Mr. Bélair):** I have received notice from the hon. member for Regina—Qu'Appelle that he is unable to move his motion during private members' hour on Thursday, December 5. It has not been possible to arrange an exchange of positions in the order of precedence. Accordingly I am directing the table officers to drop that item of business to the bottom of the order of precedence. Private members' hour will thus be cancelled and the House will continue with the business before it prior to private members' hour.

[Translation]

It being 5:45 p.m., the House will now proceed to the consideration of private members' business as listed on today's Order Paper.

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**PRIVATE MEMBERS' BUSINESS**

●(1745)

[English]

**CRIMINAL CODE**

**Ms. Val Meredith (South Surrey—White Rock—Langley, Canadian Alliance)** moved that Bill C-280, an act to amend the Criminal Code (selling wildlife), be read the second time and referred to a committee.

She said: Mr. Speaker, it is my pleasure to once again speak to a bill to protect wildlife, Bill C-280.

This bill has had quite a ride. It was first introduced on April 30, 1996 but was only drawn earlier this year. It was debated but the vote was deferred until the first sitting in September. Then the House was prorogued and a new Speech from the Throne was delivered. Now we are starting the process all over again. It does give me a chance to speak once again to Canadians about why this private member's bill is on the table.

Like many Canadians, I am concerned about what happens to wildlife in the international community. Once they were very abundant but all of a sudden they have become endangered or few in number.

It was brought to my attention in my own riding how individuals will kill animals for profit. I was concerned with the way that issue was dealt with. I thought there had to be a better way to deal with people who deliberately killed animals, not for their meat and not because they were trying to feed their families or that they were hungry themselves, but simply because they could make money by killing our wildlife.

The purpose of Bill C-280 is to protect animals from that type of poaching. In 1995, 25% of the bears killed in Canada were illegally poached. That translates into about 1,300 bears a year. That includes 90 grizzly bears, which some claim are diminishing in numbers to a point where we should be seriously concerned. It is not just black bears, of which we seem to have lots and sometimes they can be a bit of a pest, but grizzly bears are also victims.

It is not just bears, although that is the instance that brought it to my attention; it is all wildlife. In Jasper National Park and Banff bighorn sheep are being poached for their horns. This is in total disregard for the provincial regulations that control the hunting of these species.

In my riding a couple of Surrey residents were fined \$7,000 and given 17 days in jail for illegally selling 18 bear gallbladders. It does not sound like much of a deal, 18 gallbladders, but they cost \$800 each. That is quite an incentive for people to continue this kind of activity.

Bill C-280 brings to the attention of Canadians that this is not about something that is happening with elephants over in Africa or in Asia, it is something that is happening right here in our own backyard.

There was an article in the *Ottawa Citizen* just last week. It said that wildlife agencies and enforcement officers had crushed a Quebec centred crime ring of more than 100 hunters, trappers, taxidermists, furriers and smugglers who killed bears for the gallbladders and shipped the organs illegally to markets in Asia.

Let me explain what has happened to the market in Asia. Asia's bear population has been almost completely wiped out in order to supply the medicinal trade.

In the early 1990s with the collapse of law enforcement in the Soviet Union, bear gallbladder traders were given a ripe new hunting ground in Russia's far eastern region of Kamchatka. By the mid-1990s these bears too had become rare and a search for a new source of bear bile and bear gallbladders brought Asian dealers to Canada. Now we have a developed market for these parts.

*Private Members' Business*

The bill tries to give provinces greater ability to deal with these most serious poaching incidents. Provinces now are quite limited when they are dealing with this problem.

In Quebec where more than 200 bear gallbladders were seized, the people were only able to be given a penalty of \$1,825. If over 200 bear gallbladders were seized, that is not the amount that had already been marketed. At \$800 each, it shows that \$1,825 is a very small price to pay to do business. With that kind of return on one's investment, that fine does not mean a whole lot. The Quebec provincial officials were talking about trying to find a way that those people would not do it again.

That is where this bill comes into play. We are trying to toughen the legislation and to bring it under the Criminal Code. If it is a minor issue that a province is not concerned about, it can handle it under provincial jurisdiction and merely fine someone. That may be appropriate in some instances. However, in a case like the one in Quebec last week, where people in an organized ring are slaughtering bears illegally for profit to line their own pockets, there has to be some dramatic way of saying that this will not be tolerated. There has to be more than an \$1,825 fine. This legislation tries to do that.

In the debate that we had in the past, the Liberals said that there already is legislation in place. I would argue that it only covers a very small portion of the problem. The Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act, WAPPRIITA, is only relevant if the wildlife or the wildlife part crosses provincial or international boundaries. In order for the act to be enforced, that action has to be proved. The gallbladders are put in jars of jam or they are dried and made into powder. It is difficult to know that they are being exported. It is very difficult for the Crown to prove that they are crossing international or provincial boundaries. WAPPRIITA has similar penalties to what my Bill C-280 proposes.

My private member's bill tries to accommodate the limitations that the provinces now have to deal with in these serious poaching issues. It allows them to have a choice either to proceed under the provincial legislation and the provincial fine structure or to proceed under the Criminal Code.

With this bill, as with WAPPRIITA, it is a substantial fine. It is a \$150,000 fine with up to five years imprisonment. It deals with it in a harsh enough manner that there is a deterrent for people who poach bears or other wildlife.

• (1750)

Eliminating the need for the prosecutors to prove that the bear part, elk horn or sheep horn crossed provincial or international boundaries would make it much easier for enforcement purposes.

I want to reiterate that the bill does not force the provinces to use the Criminal Code. It does not encroach on the provinces' right and the provinces' ability to use their own legislation if they so desire. I stress very strongly, particularly to my Bloc colleagues, that this does not encroach on provincial jurisdiction.

The bill does not create any new rules or regulations. There is nothing new that the provinces have to deal with. Anybody with a valid licence, permit or an exemption order issued by either level of government, for instance, aboriginals with their exemptions, would

not be committing an offence. That is clearly outlined in order that there is no confusion.

In order not to encroach on provincial jurisdiction, in order to give the provinces choices, we decided to handle this like we handle driving charges. Driving regulations are a provincial jurisdiction, but serious driving offences, such as impaired driving causing bodily harm, impaired driving or driving under the influence, can all be handled under the Criminal Code. The choice is there for prosecutors to select either the provincial statutes or the Criminal Code on which to proceed.

We are suggesting that the same method could be used here. In a case where 100 individuals are massively killing off wildlife, they could be dealt with differently from the person who hunts out of season and kills a bear. We might want to cover that under a provincial statute.

We wanted to make sure that there was a way to deal with the most serious offences in a manner that would stop the behaviour.

Having debated this issue before, I hope that the New Democratic Party and the Conservative Party still will support this legislation. I know that the Bloc feels it cannot support it because of the provincial jurisdiction issue. I must say, though, that it confuses me when that party can pick an issue like this one, poaching wildlife parts, as a provincial intrusion, but is more than willing and will argue vociferously that the federal government should be interfering in provincial responsibility and jurisdiction with Kyoto. The Bloc argues that poaching is a provincial jurisdiction and should not be dealt with at a federal level and yet the energy policy that Kyoto will bring down is okay. I would like those members to explain to me why there is this inconsistency in their arguments.

The Liberals say that they support the concept or the intent of the legislation but they will not support this private member's bill. I have a letter from the environment minister that states there is an overlap with provincial legislation, but I would argue that there is an overlap with driving legislation as well. There is also Kyoto. There is plenty of legislation that overlaps provincial and federal jurisdictions.

The minister also stated that there are enforcement difficulties, but I would argue that my bill would be far easier to enforce than the existing WAPPRIITA because it has to be proven that the animal or the gallbladder or whatever went across provincial or international boundaries. I would argue that the argument from the minister should be in reverse: that this private member's bill would make it much easier to enforce.

In conclusion, let me say that the intent of Bill C-280 is to deal with a serious poaching issue in our country. We can either do something constructive about it now while there is still a species to deal with, or we can ignore the problem and worry about it when it is too late. I suggest that Canadians would like to see the House dealing with the problem now while there is still time to protect the wildlife that the bill zeroes in on, which is our bear population.

*Private Members' Business*

I feel that Bill C-280 deserves support from all members of the House. I look forward to seeing that when it comes to a vote.

● (1755)

**Mr. John Finlay (Parliamentary Secretary to the Minister of Indian Affairs and Northern Development, Lib.):** Mr. Speaker, I am pleased to speak on Bill C-280, an act to amend the Criminal Code (selling wildlife). There are some admirable motivations behind this proposal and the member for South Surrey—White Rock—Langley has put them very well.

As a government, we fully support ensuring that wildlife is preserved and protected in the best possible way, and certainly that extends to species at risk. In fact, there are many years of conservation actions behind this in Canada and there are a number of statutes already on the books that accomplish this goal.

The proposed legislation would create three indictable offences under the Criminal Code for selling wildlife or wildlife parts, or for killing, capturing or possessing wildlife or wildlife parts for the purpose of selling them. Under this proposal there would be exemptions from prosecution for people who sell wildlife in accordance with a licence, permit or an exemption order. It also states that the sale of threatened or endangered species would mean high penalties and that all offences would be subject to the money laundering provisions of the Criminal Code.

As noted at the outset of my remarks, these are admirable objectives. However, we need to make sure that there is a good fit with other legislation already in place or pending. In this case, this is not so.

I would like to point out that in the Migratory Birds Convention Act of 1994 and the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act, known as WAPPRIITA, there are dual procedure offences. These are also found in the Canada Wildlife Act. Dual procedure offences mean that they can begin with a summary conviction or an indictment. The maximum prison terms set out for proceedings by indictment in most statutes do not exceed five years.

Let us also consider the government sponsored Bill C-5, the species at risk act. This bill is currently under review by the Senate Committee on Energy, Environment and Natural Resources. One of the offences created in Bill C-5 is the prohibition on the killing, harming, harassing, capturing or taking of a wildlife species that is listed as extirpated, endangered or threatened. Bill C-5 also includes a prohibition on the possessing, collecting, buying, selling or trading of a wildlife species listed as extirpated, endangered or threatened.

There is some overlap between this offence and the ones outlined in existing legislation, as well as the offences set out in Bill C-280.

Bill C-280 provides only indictable offences. The maximum prison terms vary from two to eight years, depending on whether it is a first or subsequent offence and whether the wildlife involved is an endangered species.

The question here is not that we need to do this. The question here is whether it is already being done or has been done, and in a better way.

Is Bill C-280 the best way to accomplish the goal? Are the provisions about prohibiting behaviour that is traditionally associated with Parliament's exercise of its criminal law power? Or perhaps we should say that Bill C-280 is describing a public welfare offence, traditionally associated with regulatory matters in a civil context. That is why we believe this approach is inconsistent with the classification of offences elsewhere in the Criminal Code.

The sale of wildlife, as I have demonstrated, is well covered in existing legislation. The bill is a duplication that is not necessary. I can also submit that in many cases we would be using the heavy hand of the Criminal Code for some sales that are quite minor, such as the sale of a few muskrat pelts. We do not need such a heavy approach.

Let me explain further. The offence of sexual assault is classified as a dual procedure offence, which means that the Crown may elect to proceed by summary conviction or by indictment. From a policy point of view, it would appear inconsistent to classify the selling of wildlife as an indictable offence when other offences considered more serious by society are classified as dual procedure offences.

● (1800)

There also would be a cost implication to the provinces and territories if straight indictable offences were created for the offences in Bill C-280. All persons charged with any of the offences under the act would have a choice of trial, including the possibility of a jury trial.

We need to remember that under the Canadian system provincial governments are those with the constitutional powers to regulate the use and protection of wildlife on provincial lands. We must also take note that these offences are well covered in Canadian statutes and will be reinforced with the passage of the proposed species at risk act.

[Translation]

**Mr. Richard Marceau (Charlesbourg—Jacques-Cartier, BQ):** Mr. Speaker, I am very pleased to take part in the debate suggested by my colleague from South Surrey—White Rock—Langley on Bill C-280 to amend the Criminal Code, particularly concerning the selling of wildlife.

My colleague from the Canadian Alliance had already tried to have this amendment made to the Criminal Code in the last legislature. At the time, my colleague from Châteauguay firmly opposed this legislative measure.

His reasoning and particularly the relevance of his argument still hold today, since there has been no amendment to the legislative measure.

Indeed, the bill re-introduced by the member for South Surrey—White Rock—Langley still contains the same irritants that justified the opposition of the Bloc Québécois to Bill C-292 on May 9.

Let us remind the House that, despite what she said earlier in her speech, the bill before us is a typical example of the federal government intruding into provincial jurisdictions. This is a situation that we have seen too often in the past and that we are still seeing today with this bill.

While the sponsor of this bill still insists that the intent is not to replace provincial wildlife laws but rather to complement them, this does not change anything. It is surprising to see a member of the Canadian Alliance ask the federal government to get involved in an issue that concerns the provinces, when in their speeches, the members of her party are such articulate advocates of a decentralized Canadian federation.

Besides, the hon. member from the Canadian Alliance is talking about Kyoto. This is a different debate altogether. I will touch on the issue anyway. The implementation plan for Kyoto has yet to be released. We advocate a very ecological vision of society. That having been said, it seems to me that any attempt to draw a parallel between the debate on Kyoto and today's debate is lopsided and somewhat offensive.

The purpose of Bill C-280 is to make the selling of wildlife and wildlife parts an offence, unless carried out under a licence or permit issued by a competent authority.

Simply put, the purpose of this bill is to prohibit the trading of wildlife, dead or alive, to afford it some protection against unscrupulous individuals who abuse the credulity of people by painting an enticing picture of the aphrodisiac qualities of certain animal parts, raising certain species in inappropriate conditions or simply selling their meat clandestinely.

The basis for the legislative measure put forward by our hon. colleague is noble and reflects her commitment to the conservation of nature, and wildlife in particular. This is something I applaud.

However, we must recognize that the bill she is proposing is only filling a legal vacuum left by a number of provinces in Canada.

As the hon. members know, I am sure, Quebec already has very comprehensive, and also very effective, legislation in this regard. Under the act respecting the conservation and development of wildlife, anything that directly or indirectly concerns the purchase of wildlife is covered by chapter C-61.1. The Government of Quebec has already provided a legal framework for the protection of wildlife, and this initiative was recognized on many occasions in the past.

The Bloc Québécois' position basically falls within the same ideological spectrum. Moreover, we are taking into consideration the constitutional distribution of jurisdictions between the provinces and the federal government.

● (1805)

The member from the Alliance wants federal legislation that can be implemented throughout Canada. This reasoning does not work.

First, she wants the federal government to intrude in an area outside its jurisdiction. She also wants the federal government to do

### *Private Members' Business*

the work that some provinces have neglected to do in their own legislative sphere.

I am sure no one will be surprised to learn that Quebec has once again taken the lead on this issue.

The penalties proposed by the member are almost the same as the ones stipulated in the Quebec legislation. In Quebec, we have fines ranging from \$500 up to \$16,400. We also have jail terms of up to one year. We even have administrative penalties causing the suspension of licences for up to six years.

Before I conclude, I repeat that the Bloc Québécois is against Bill C-280. In fact, it reminds me of the heated debates led by our party against Bill C-5, the Liberal government's bill on endangered species.

I do not understand why the Canadian Alliance would want to give the federal government another opportunity to infringe upon an area of provincial jurisdiction. Not only does this boggle the mind, but it is the complete reverse of the general policies usually developed at their conventions.

Provinces that have not had the fortitude or determination to legislate in this area only have themselves to blame. Quebec took its responsibilities a long time ago. The other provinces should do the same.

Using tools such as the Criminal Code to make up for provincial legislative shortcomings is contrary to the spirit of the Criminal Code. Moreover, it somehow absolves the provinces of their responsibilities by allowing these pernicious intrusions by the federal government into areas of provincial jurisdiction.

● (1810)

#### **Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC):**

Mr. Speaker, I am pleased to take part in the debate on this very important bill. I listened to the comments of my colleague, the Bloc Québécois member. However, my position is quite different from his.

[*English*]

I understand completely what my hon. friend is saying about the jurisdictional aspects of this legislation. However I believe that the intent of the mover of the motion, my colleague from the Alliance Party, is truly about the protection of animals and to enhance the Criminal Code to send a deterrent message for those who continually flaunt the laws for their personal gain and for the financial gain which can result in many cases from the killing of these rare and beautiful animals. She spoke of many of those, the bighorn goats and sheep in the Rocky Mountains, the grizzly bears, many of them endangered species.

This is clearly a bill that is very much coming from the heart from this hon. member. I congratulate her for her persistence in continuing to bring this issue before Parliament.

[*Translation*]

It is very important to increase our country's awareness of this issue.

*Private Members' Business*

[English]

This issue is meant I am sure to work with and to enhance provincial legislation as alluded to by my colleague from Charlevoix. The issue is one in which all Canadians can agree, can rally around and can unify in the cause of protecting animals.

We have seen sadly few initiatives from the government side of this subject matter. We have seen few genuine efforts to enhance and to protect the very valuable wildlife of which we share this beautiful land.

I again want to express the support of the Progressive Conservative Party for this initiative. I believe the intention is to put in place a further deterrent to buttress in effect the current provisions of the Criminal Code. By buttress I mean send a message that there is a cost associated with the criminal justice system to contravening the laws as they pertain currently to animals and the protection of animals.

Wild animals, and I believe the mover of the motion would agree, are in a particularly unique position in this expansive, vast country of ours. Certainly there are areas where urban sprawl is impacting on the natural habitat of animals. Increasingly humans are coming in contact with wild animals in their natural habitat.

There is a need to remind Canadians of an obligation to interact and to not prey upon this species, our wildlife, and not to do so in a way that is meant clearly to bring forward financial gain. We know that there are many hunters and trappers in the country who do so extremely responsibly.

It harkens back to another time when this was a more wild country and people relied on wildlife for subsistence. People relied on their ability, their skill and their prowess at hunting, trapping and fishing. Yet what we have seen sadly in some instances are individuals who engage in the activity of hunting and trapping for pure fiscal and financial gain and greed in many instances.

The delicate balance that has to exist between man and animal can often be upset because of this greed. It is certainly not particular to this country. We have seen many instances around the world where some of the most beautiful species are endangered. In fact some species have been lost.

Clearly the intent of the mover of the motion from British Columbia is to bring forward a genuine and very direct effort to enhance and protect that species, to allow for the criminal justice system to intervene with serious consequences when that occurs and to send the message that the Parliament of Canada is interested that the criminal justice system will respond and will respond with serious consequences through our laws in Canada.

Again I extend my congratulations to the mover of the motion. I would similarly express the hope that all members of Parliament will support this very worthwhile motion.

• (1815)

**Mr. Keith Martin (Esquimalt—Juan de Fuca, Canadian Alliance):** Mr. Speaker, I too compliment my colleague from South Surrey—White Rock—Langley for Bill C-280, an act to protect and prevent the trafficking of endangered species.

It is reprehensible and irresponsible for the government not to support the bill and I will get to the reasons why.

If Quebec wants to say that this infringes on provincial jurisdiction and that it will somehow harm its ability to protect and prevent the trafficking of endangered species, that too is irresponsible. It would not have a problem if it supported the bill.

The objective evidence of the problem in Quebec is the fact that 200 bear gallbladders were found and trafficking organizations were busted a month ago. Those organizations are there because the penalty is only \$1,800 if one is caught, compared to the federal penalty of \$150,000 and five years in jail. I ask the Bloc Québécois and the Government of Quebec to join us in supporting this bill and in trying to convince the federal government to support it, for the reasons I will mention.

After drugs and weapons, trafficking of endangered species is the third largest illegal activity in the whole world. It amounts to anywhere between \$6 billion and \$11 billion a year. We do not have a handle on that and I think Canadians would be utterly shocked to know that we are one of the leading conduits in the trafficking of endangered species in the entire world. Not only are we putting at risk endangered species in our country such as peregrine falcons, Peary caribou, the Vancouver Island marmot, small amphibians and plants, but we are also endangering species throughout the world.

In Vancouver, British Columbia, the port authorities have found horns from black rhinos, Sumatran rhinos, Javanese rhinos, Bengal tiger bones and a whole swath of international species that currently are at serious risk of disappearing from the face of the world.

The trafficking of endangered species is intimately entwined with organized crime. That is why the Bloc Québécois should support this. Organized crime gangs combine drugs with endangered species products. It has been found that 40% to 50% of all drugs also have endangered species products attached to them. Organized crime gangs are profiteering from this trafficking and we, as well as many other countries, have been unable to deal with this plague because of the huge profits.

The reasons why we have been unable to deal with it are many. People can make up to an 800% profit in trafficking an endangered species product. It is too difficult to catch. The chances of being caught are low because our monitoring is very marginal and sporadic at best. Our port authorities do not have the tools to go after organized crime gangs and penalties are too low. It is exceedingly important that the House adopt this bill as soon as possible.

People may get between \$100 to \$800 for a bear gallbladder. However in places like Japan they will receive several thousand dollars for that same gallbladder.

In the trafficking of live animals, only one in ten arrives alive; 90% die en route. Some are laden with cocaine and other drugs. In fact in a drug bust in Colombia snakes had been force-fed condoms filled with cocaine.

*Private Members' Business*

The impact internationally has been massive. Let us look at some species that we know. Up to five years ago, the Congo used to have 10,000-plus eastern lowland gorilla. Now there are fewer than 100. There is a massive poaching operation taking place in West Africa. The forest elephants, forest gorillas, chimpanzees, bonobos and many others are slaughtered for their babies and for body parts. The chances of getting caught are minimal. The profits again are huge.

● (1820)

What must we do to deal with the trafficking? First, we must increase patrols. Second, we need more powerful and stronger penalties including jail time and heavier fines. We must decrease consumption, because the trafficking in these endangered species is driven by consumption in affluent developed countries.

On the issue of CITES, the convention on international trade in endangered species, our viewers would be shocked to know that although we are a big proponent of CITES we do not live up to our commitments. I have a private member's bill that will enable us to meet those commitments. It will be before the House in February 2003. Unfortunately the government would not make it votable, which is too bad because the bill would enable us to meet our CITES commitments.

On the issue of the importing and exporting of live animals, we must have a system of permits, both import and export. Safety norms must be established under which animals can be transported back and forth. If people were to violate those norms and not treat the animals properly, they would be subjected to a fine. I also have a bill on that.

On the commodification of wildlife, hon. members would be shocked to know that there is a massive trade in putting together species that do not belong: ligers, a combination of lions and tigers; zedonks, a combination of zebras and donkeys; and fainting goats. They are all produced for markets in North America. This is a plague and a national situation of producing species which are not normal and in fact pose a threat not only to people, but also to natural species.

On the issue of protecting endangered species, habitat protection is the most important thing that we can do. Although we have a Species at Risk Act, it has loopholes that need to be plugged.

The following three things must be done. First, the identification of endangered species must be done under objective scientific evidence and COSEWIC is the organization that should do that. That would remove politics right out of the system. Second, COSEWIC should be tasked with the identification of critical habitat. Third, there must be an obligation on the part of the federal government, the provinces and individual private owners to come together to protect critical habitat. There must be an obligation for compensation at fair market value of lost private land in the protection of habitat.

All this would require money in the end, so where should it come from? If we look at the example of a place called KwaZulu Natal in southern Africa, it managed to do this. It combined conservation and development.

There has been a singular failure in conservation. Conservationists have ignored developers and developers have ignored conservationists at their mutual peril. We must have a system where

conservation sites can generate funds which can be poured back into our conservation sites and also help the people in developing countries. In Canada our conservation sites must be used to generate funds through ecotourism, but also through limited hunting of excess species.

We can generate an awful lot of money if we cull a sustainable amount of certain species, but the cull is given to hunters who are prepared to spend a lot of money to hunt those species. I am not a hunter, other than with a camera, but I can tell hon. members that those kinds of hunts generate moneys that, if poured back into the reserve, could go a long way to giving our conservation patrols and employees and our conservation sites the tools to protect those sites. Right now conservationists and Canada Parks are having a huge problem getting the funds to protect our parks. That is why our parks are having a serious problem.

The bill is critically important. The trafficking of endangered species is an international problem. Canada is not doing a good job. We must increase the penalties and increase the patrols. We must adopt racketeering, influence, and corruption charges so that they can be applied to organized crime gangs which are responsible for more than half of the trafficking of these products. This has become a \$6 billion a year industry. If we were to fail, the species that we have come to know and love would be wiped off the face of the earth and we would only have ourselves to blame. In the future our children would ask us what we did to protect tigers, elephants, lions and spotted cats.

● (1825)

There is a multitude of species in Canada including blackbirds, grizzly bears, peregrine falcons and whooping cranes that are important to our country, our history, and indeed that of the world.

**Mr. Paul Harold Macklin (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, I am pleased to have this opportunity today to speak to the provisions of Bill C-280, an act to amend the Criminal Code regarding the selling of wildlife.

If passed, the bill would create a new part XI.1 in the Criminal Code and would create three new offences relating to the selling of wildlife. These offences would apply despite the provisions of other federal acts of Parliament. However, the bill expressly states that the section setting out offences would not alter the application of any existing aboriginal or treaty rights.

The offences proposed in Bill C-280 would address three activities: the selling of wildlife or wildlife parts, the killing or capturing of wildlife for the purpose of selling wildlife or wildlife parts and, finally, possessing wildlife for the purpose of selling wildlife or wildlife parts.

The government does not support the bill for a number of reasons. The overarching reason is that the Criminal Code is not the appropriate statute to deal with the subject matter addressed by the bill. The measures in the bill are best addressed as regulatory law and not as criminal law.

*Private Members' Business*

Provincial governments generally have constitutional authority to regulate the conservation and sale of wildlife and wildlife parts. Provincial governments do in fact regulate such activities. There are important division of powers questions in relation to the measures in the bill which the member did allude to.

In view of the constitutional competence of the provincial governments to regulate the use of wildlife on provincial lands, I would urge those jurisdictions which are experiencing problems with the sale of wildlife or wildlife parts to work with their respective governments to address the problem in a regulatory context.

To the extent that the federal government does have the power to legislate to protect wildlife, it does so by the use of its regulatory power, not the Criminal Code. In fact, there are several federal statutes that cover the kind of conduct this bill seeks to address, including the Canada Wildlife Act, the Migratory Birds Convention Act, the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act, and the species at risk bill, Bill C-5, currently before the Senate.

The federal government has a series of regulatory regimes in place designed to protect and conserve wildlife, and to punish related misconduct. These measures are not in the Criminal Code. The reason for this is because the government understands and appreciates that these matters are most appropriately dealt with in a dedicated regulatory regime.

The measures in the bill are best dealt with as regulatory law. They do not belong in the Criminal Code. I do not wish by these comments to suggest that the objectives of the bill lack merit. I think most members of the House would agree that the goal of discouraging the selling of wildlife and wildlife parts, particularly wildlife which is threatened or an endangered species, is a laudable one. However, the question is whether or not this particular bill is the best way to achieve this goal. In the government's view, it is not.

Let me outline some features of the bill that are traditionally associated with the creation of offences in the regulatory context, rather than within Criminal Code offences.

One important feature of the bill is that it does not apply equally to all Canadians. It would expressly exempt from application any person who is authorized pursuant to a federal or provincial permit or licence to commit the acts which otherwise would qualify as an offence as long as the wildlife involved is not a threatened or endangered species. Exemptions of this nature are extremely rare in the context of the Criminal Code. Indeed, the criminal law is a law of general application that normally applies to all Canadians in the same way.

Bill C-280 would permit the Minister of the Environment to exempt from application of the act "any person or class of persons" in respect of a threatened or endangered species where in the opinion of the minister the exemption is "necessary or in the public interest". Giving a power to the Minister of the Environment to exempt people from the law again signals a regulatory law and not a criminal law.

There is another problem with this provision. The criterion for an exemption is so subjective and general that it would not provide any real limits on the behaviour to be exempted. This provision would face serious constitutional attack on that basis.

Another feature of the bill, which is not normally found in the Criminal Code, is that the Minister of the Environment would given the power to designate by regulation an animal as "wildlife" for the purposes of the provisions.

Another provision would permit the Minister of the Environment to designate a species of wildlife as either an endangered species or as a threatened species provided that the minister had consulted with the committee on the status of endangered wildlife in Canada.

Again, these provisions are more consistent with legislation aimed at the protection and regulation of wildlife than they are with provisions found in the Criminal Code. As noted by constitutional law expert Professor Peter Hogg:

A criminal law ordinarily consists of a prohibition which is to be self-applied by the persons to whom it is addressed. There is not normally any intervention by an administrative agency or official prior to the application of the law.

I think the interests of justice are served by a consistent and coordinated approach to subject areas within the legislative competence of the federal government. I have already referred to the numerous federal statutes that pertain to wildlife and wildlife protection. Some of the provisions of Bill C-280 overlap with those in the current wildlife legislation and also with the provisions of Bill C-5, the species at risk bill, currently before the Senate.

Bill C-280 would ignore this already existing body of laws or contemplated laws. Bill C-280 would create offences that in large part overlap the offences provided in these other federal statutes. Instead of seeking to amend these other statutes which deal directly with the matters at hand and are administered by the Minister of the Environment, who figures so prominently in Bill C-280, the bill before us seeks to create a whole new and independent regime that would have to be reconciled with the regulation that already exists.

This would add confusion to the regime that already exists. The offences proposed in Bill C-280 are inconsistent with similar offences in other federal statutes in that they are indictable offences only. This is inconsistent with provisions found in the Canada Wildlife Act, the Migratory Birds Convention Act, the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act, and Bill C-5. Offences in these other statutes are dual procedure offences. There is no logical reason for this inconsistency.

● (1830)

The government cannot support the bill because, quite simply, it seeks to amend the wrong piece of legislation. The Criminal Code is not the right vehicle for prohibiting the sale of wildlife.

Even if one were to accept that such measures fit appropriately in the Criminal Code, which they clearly do not, the provisions of the bill are inconsistent in a variety of ways with the Criminal Code and normal criminal law procedures and penalties.

There is no precedent in the Criminal Code for this kind of penalty regime. The sentencing provisions in the Criminal Code follow a pattern for maximum consistency and rationality. Offences in the code generally have maximum penalties of 2, 5, 10, 14 years and life imprisonment. There is no precedent for the way in which this particular bill has been structured with respect to its sentencing.

In conclusion, the provisions of Bill C-280 cannot be supported for several reasons. They are not matters for the Criminal Code, they are inconsistent with other provisions of the Criminal Code, and they overlap and potentially conflict with other federal legislation that already governs this area.

● (1835)

**Ms. Paddy Torsney (Burlington, Lib.):** Mr. Speaker, I have a couple of things to say with regard to the hon. member's bill. I also want to clarify a couple of things that were said by one of her colleagues, the member for Saanich—Gulf Islands.

It is important for all Canadians to realize that it is not the government that chooses what is votable. It is actually a committee of this Parliament that chooses what is and is not votable.

While he exalted the conservation activities in other countries, which are very deserving of great credit, I think he forgot about some of the important conservation activities taking place here in Canada through organizations like Ducks Unlimited where there is some public and private partnership.

However I was encouraged by some of the things that he mentioned on the endangered species and cruelty to animal legislation that is working its way through the House and through the Senate. I encourage him, given his support, to encourage the senators to pass that bill because there are important issues to be addressed there.

With regard to Bill C-280, I think most members of the House would agree that the goal of discouraging the selling of wildlife and wildlife parts, particularly wildlife that is threatened or endangered, is a laudable one, but the question is, how do we best do that.

The member opposite has raised some very important issues. This should be something discussed through one of the joint ministers' meetings at the federal and provincial level because some of the issues are provincial and some of the issues are federal. Let us figure out what the best tools are. She has raised an issue of great importance to Canadians and to the future of our wildlife.

The member for Northumberland has already identified a number of difficulties with making this a Criminal Code provision, and that perhaps regulatory legislation is more appropriate. There are a number of federal statutes that try to address some of the conduct that is being sought in Bill C-280, such as the Canada Wildlife Act, the Migratory Birds Convention, the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act, which the member herself recognized, and the species at risk act, Bill C-5, which is currently before the Senate. Some of the things that are being covered will be addressed through that.

The member for Northumberland talked about the difference between criminal law and regulatory provisions. The Supreme Court of Canada has expressly recognized that:

*Private Members' Business*

—the common law has long acknowledged a distinction between truly criminal conduct and conduct, otherwise lawful, which is prohibited in the public interest.

There could be some challenges here.

According to Justice Cory:

Regulatory legislation involves a shift of emphasis from the protection of individual interests and deterrence and punishment of acts involving moral fault, to the protection of public and societal interests. While criminal offences are usually designed to condemn and punish past, inherently wrongful conduct, regulatory measures are generally directed to the prevention of future harm through the enforcement of minimum standards of conduct and care.

I think this is where the member is trying to punish acts and also to prevent future acts, and we need to get the right measures in place.

The member for Northumberland has already identified that there is a problem because of the exceptions that would be covered in this act and that the criminal law does not really have exemptions. It is extremely rare for the Criminal Code to specify exemptions for criminal liability in respect of particular offences.

The other challenge, which I am not sure he had a chance to discuss, was the issue of relative proportionality in terms of sentencing. Clearly, there is a need to make sure that sentences are proportionate with the seriousness of other offences that may carry the same or lesser penalties. It is not an exact science but I would argue that it has evolved over time as Canadians have placed greater emphasis or expressed their desire to stop certain offences or their abhorrence of certain offences. We have increased penalties in certain areas. We have sent a strong message to those who would choose to conduct them. However it would be disproportionate that a second offence under Bill C-280, in relation to a threatened or endangered species, would carry a maximum penalty of eight years when the maximum penalty right now for assault on indictment is five years.

● (1840)

Currently the maximum penalty for cruelty to animals is six months and that is why Bill C-10B, which is currently before the Senate, would raise that maximum to five years. Cruelty to animals would have a five year maximum sentence and that is for someone who is torturing an animal, which I think all of us in the House and in Canadian society would agree is absolutely abhorrent. We need to see how that would relate to what is being proposed in the member's bill, which is a maximum of eight years.

I mentioned that there are a variety of statutes that regulate the kind of behaviour that is dealt with in Bill C-280. I think the member has raised a very important issue. It is something we need to discuss at the federal-provincial level to see if the provinces should be doing more in terms of their regulatory authority. We should work through and develop the issue a little more before necessarily making a change to the Criminal Code.

*Adjournment Debate*

I definitely support the protection of animals. The member's colleague mentioned organized crime rings. We need to make sure that those laws are in place to stop that kind of activity and to punish it very severely should it occur. I think there are a number of ways we could beef up things through the current bills and acts that are in place. We do not want to inadvertently create even more confusion out there so that people do not do their utmost to protect our species and wildlife in Canada.

At this point I will not be supporting the bill but I commend the member opposite on her excellent work.

**Mr. John Bryden (Ancaster—Dundas—Flamborough—Aldershot, Lib.):** Mr. Speaker, I am very glad to take part in this because I have great sympathy for the member's bill. I think we should use the Criminal Code to sock it to the people who trade in the body parts of animals.

This is an issue that goes back to the very soul of western Canadian history. We will recall that the buffalo were hunted first for their meat, then they were hunted for their hides, then they were hunted for their tongues and finally they were hunted merely for their bones, which were to be dried on the prairie and used as fertilizer. So more than 100 years ago we will recall that this ghastly thing of destroying a species, which was common at the time, merely for one part of that animal, basically destroyed the buffalo of the prairie and the way of life of the aboriginals of the prairie.

In spirit I really do support the member's bill. I think she was very right to have brought it before the House because this is a practice that has occurred in other parts of the world that has led to the extirpation of animals that were common.

I only slightly disagree with some of the other speakers. This is not an issue of endangered species. This is an issue of common species that face destruction.

However I do have problems with the bill. I have to be absolutely candid with the member who has moved the legislation. I have two fundamental problems. I cannot say that I have gone into the legislation in such great depth that I can be seen as any great authority on it, but I did find, in examining the bill, that the concept of body parts of animals is not very well defined. I would be fearful, as the bill is currently framed, that it might reach too far and might indeed reach out to animal pelts, muskrat pelts and those types of things that are collected. I am sure that could be repaired. It could go to committee where I am sure it could be fixed up if it is genuinely a problem in the legislation.

However, oddly enough, the thing that I find most difficult with the legislation is the section that reads:

For greater certainty, nothing in this section shall be construed so as to abrogate or derogate from any existing aboriginal or treaty rights of the aboriginal peoples of Canada under section 35 of the Constitution Act, 1982.

I would be fearful that that particular section would be an invitation to some Canadians to abuse their right to collect the animals. What we would be doing is giving to one group of Canadians an opportunity to carry out the very abuses that the member is trying to prevent.

I think it is a great effort and I wish I could support it but, unfortunately, I do not think I can.

• (1845)

[*Translation*]

**The Acting Speaker (Mr. Bélair):** The hour provided for the consideration of private members' business has now expired and the order is dropped to the bottom of the order of precedence on the Order Paper.

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## ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

[*Translation*]

### CORRECTIONAL SERVICE CANADA

**Ms. Diane Bourgeois (Terrebonne—Blainville, BQ):** Mr. Speaker, in October, I informed the new Solicitor General of Canada that a negative climate caused by various forms of power abuse was rampant in the institutions of Correctional Service Canada.

Last year, his colleague, the President of the Treasury Board, made public the results of an internal investigation showing that 20% of correctional services employees, both male and female, are being harassed in some way.

There is a policy to be used for dealing with harassment in the workplace; it was even reviewed last July. Unfortunately, it is not being enforced, is badly enforced or, in many cases, is being circumvented. I am concerned with this problem, because this situation exists, among other places, in my riding, at the Archambault institution.

Psychological harassment takes the form of organizational acts of violence where the balance of power is unequal and is always unfavourable to the victim, whatever the outcome. Intimidation, threats, balance of power, economic sanctions, the loss of reputation have the effect of undermining the confidence and credibility of the victim and discourage all the witnesses or other employees from complaining.

When an employee does complain, his or her superiors deny the situation and prefer to see it as a staff relations problem. Victims must prove the abuse. Moreover, they are urged to take part in a mediation process where they have to face their aggressor, which is doubly difficult for them.

The mediation process that is strongly recommended in the policy thus becomes a weapon used by the aggressor because it makes the situation drag on, which causes more health problems, loss of self-esteem and significant financial losses.

Sometimes the trauma is so severe that it is very unlikely that the victim will be able to go back to work in the short or medium term, especially when the aggressor succeeded in isolating the victim and undermining his or her credibility and his or her rights.

*Adjournment Debate*

In most cases, victims are seen as responsible for the violence that is inflicted upon them. When, finally, after a lot of effort and numerous investigation reports, harassment is proven, aggressors are not at all inconvenienced, whereas victims find themselves in dire financial straits and are invited to ask for a transfer to another institution, as if they had not been penalized enough. That solution is totally unacceptable.

The government cannot sit idly by while this is happening and hide behind a policy that is well-intentioned but difficult to apply. It is unacceptable that managers in positions of authority who work for the government can act this way, receive promotions and refuse to acknowledge the situation and rectify it.

Since the Solicitor General has stated that he would show leadership in this matter, I want to ask him, and this is my question, if he will take action to do justice to the numerous victims at Archambault and other penitentiaries, and show that the government's claims with regard to the protection of its public service are true.

• (1850)

[*English*]

**Mr. Lynn Myers (Parliamentary Secretary to the Solicitor General of Canada, Lib.):** Mr. Speaker, I am very pleased to speak on this point raised in the House on October 24 by the hon. member for Terrebonne—Blainville.

My hon. colleague raised a point regarding harassment in the workplace. She also made reference to an in-house survey commissioned by Treasury Board which revealed that 20% of employees experience some kind of harassment without anything being done to remedy the situation.

Let me start by saying that I commend the staff of CSC for the professionalism shown in doing their daily work. They do a great service for all Canadians. As we know, working in the field of corrections is a difficult job and can be at times both dangerous and unpredictable. Like all government departments, CSC does not condone harassment in the workplace and takes the results of the 1999 survey, as well as official complaints, very, very seriously.

While 20% of all federal employees reported experiencing some kind of harassment in the workplace, it is important to note that the question posed did not ask responders to identify the source of harassment, whether it came from an offender, a co-worker or, for that matter, a supervisor.

In May 2001, CSC adopted Treasury Board's policy on the prevention and resolution of harassment in the workplace. I am pleased to say that all six unions support this policy. As a result, CSC follows the internal complaint resolution process established by this policy.

As well, a joint CSC management and union committee was created in January of this year. This committee serves to discuss ways of improving CSC's anti-harassment and dispute resolution program. This committee developed a guiding principles document, which provides guidance and clarification specific to CSC's own mandate.

Through various partnerships, CSC is currently developing anti-harassment training in addition to the formal training currently available. Furthermore, monitoring of the Treasury Board policy is being applied in CSC by regional anti-harassment coordinators.

As we can see, CSC has undertaken a number of initiatives to address harassment encountered in the workplace. However, I should note in closing that it is important to say that CSC can investigate only complaints filed in accordance with Treasury Board policy, but we continue to remain vigilant on this very important matter and we will continue to do.

[*Translation*]

**Ms. Diane Bourgeois:** Mr. Speaker, I really appreciate the response I received. However, I wanted to know if the Solicitor General could say "Yes, I am aware of complaints, namely from Archambault, and also from Donnacona and Port-Cartier". I wanted to know if the government was prepared to help these people.

At present, the law is being circumvented within Correctional Services. The hon. member is well aware of this. The President of the Treasury Board has a nice little committee working on fixing this problem. This committee could say that, in fact, Correctional Services does not presently acknowledge cases of harassment. The law is being circumvented. A manager has the authority to decide if a complaint falls into the category of harassment or labour relations. A manager and boss is going to tell an employee, "You know, your complaint is not about harassment".

Tonight's answer is shocking. The office of the Solicitor General of Canada knows this is a problem, and we are going to keep the heat on. I am asking that something be done to crack down on the aggressors doing the harassing.

[*English*]

**Mr. Lynn Myers:** Mr. Speaker, as I said at the outset, CSC certainly does not condone harassment in the workplace. We will continue to ensure that we take those matters very seriously and ensure that procedures are in fact in place to reduce any of these problems and make sure that the workplace is free of harassment.

We take the results of the 1999 survey very seriously. We have taken a number of initiatives and we will continue to do so, CSC and others, to address this problem as it is encountered in the workplace. I want to repeat, because it is an important point, that CSC can investigate and process only official complaints filed in accordance with Treasury Board policy.

• (1855)

## PUBLIC SERVICE

**Mr. Jim Pankiw (Saskatoon—Humboldt, Ind.):** Mr. Speaker, the Treasury Board minister's defence of enforced bilingualism is full of the same self-serving rationale and selective omissions that have become the hallmark of the government's reckless language policy. Her intention to impose even stricter bilingual requirements on the civil service will result in an expansion of the discriminatory obstacle to federal employment for unilingual Canadians in general, but anglophones in particular.

*Adjournment Debate*

Indeed, Treasury Board numbers reveal that francophones hold 78% of all federal jobs designated bilingual throughout Canada. Last year they received 68% of promotions and 71% of all bilingual positions. Since 1978 in the national capital region, where systemic language discrimination is most pronounced, the number of federal civil service jobs designated bilingual imperative has increased by 12%, while the participation rate of anglophones has decreased by a nearly corresponding amount of 10%.

Those figures should act as a reality check on the government agenda to expand mandatory bilingual hiring requirements. Clearly, bilingualism is a divisive affirmative action program for francophones but discriminates against anglophones and has served to undermine the principles of merit and the quality of opportunity in federal hiring and promotion.

This fact is reinforced in a study conducted by the Professional Institute of the Public Service of Canada, which found that the overwhelming and vast majority of respondents who indicated that bilingualism negatively impacted their careers were English.

A similar sentiment was expressed by the director of the Professional Association of Foreign Service Officers, when he was quoted as saying that the minister's Fresh Start proposals "go too far".

According to the Public Service Commission, an entire generation of English speaking Canadians will be denied career opportunities in the federal civil service.

The minister is intentionally ignoring the widely though quietly held view that enforced bilingualism is an abysmal failure and serves to perpetuate the myth of linguistic duality instead of its discriminatory consequence and divisive reality.

Indeed, the most offensive premise of the minister's proposal is the laughable assertion that the government's pursuit of bilingualism somehow engenders respect and tolerance, an obviously errant notion given the plight of anglophones seeking federal employment or, for that matter, anglophones living in Quebec. In that province, anglophones comprise 13% of the population, excluding the national capital region, but hold only 7% of federal civil service jobs.

Furthermore, given the federal government's fixation with making Ottawa officially bilingual, it is worth noting that in Quebec the threshold for providing bilingual municipal or provincial services to anglophones is 50%, a far cry from the 5% to 10% "where numbers warrant" formula used to justify bilingual service at the federal level.

The government's double standard on bilingualism, an enforced bilingualism across Canada while condoning and fostering a unilingual Quebec, was and remains a federal initiative to appease francophones and Quebec separatists. In spite of conclusive evidence establishing the inherent injustice of enforced bilingualism and despite objections from advocates of fairness, the government is doggedly pursuing its implementation and expansion.

This blind persistence is best illustrated by its predisposition to attack the messenger instead of debating the issue when challenged with facts about bilingual discrimination. The discriminatory effect of enforced bilingualism with respect to federal hiring and promotion

is costly to the vast majority of unilingual Canadians who do not speak French.

In addition to the substantial financial burden to taxpayers and private industry, there is an incalculable social cost of lost opportunity borne by a majority of English speaking civil servants and the public they serve. In view of this, the most pertinent question the government should answer but intentionally evades is this: What about the rights of anglophones?

**Mr. Alex Shepherd (Parliamentary Secretary to the President of the Treasury Board, Lib.):** Mr. Speaker, I am happy to answer the question of the hon. member for Saskatoon—Humboldt which he asked on November 7.

The federal government wants the public service to reflect the Canadian population and to express its values to the fullest extent possible. These values are based on respect for others, tolerance and open-mindedness. These principles are the cornerstones of the government's official languages policy.

Our diversity and linguistic duality are important to us as Canadians and indeed define us as Canadians. Since linguistic duality in the federal public service is one of the core values that make up the Canadian identity, the government is working hard to highlight this Canadian value as a source of our country's vitality.

Under the Official Languages Act the Government of Canada is committed to ensuring that English speaking Canadians and French speaking Canadians, without regard to their ethnic origin or first language learned, have equal opportunities to obtain employment and advancement in federal institutions and that the federal public service is representative of the Canadian population.

The government must ensure that the workforce of government institutions tends to reflect the overall representation of the two official language communities. To achieve this the government must therefore take into account such additional factors as characteristics of individual institutions, including their mandates, the public they serve and their location. No positions are reserved for one language group in preference to the other.

Moreover the government is strictly forbidden to use quotas or numerical targets as tools for enhancing the participation rates of the two official language communities. The government is committed to respecting the principle of non-discrimination in all of its staffing activities. Government staffing practices are based on this principle as well as on the merit principle.

In that connection the Public Service Employment Act provides that the Public Service Commission shall appoint qualified persons to positions in the federal public service. The commission is also required to select candidates who meet its language requirements which are part and parcel of the requirements of the positions to be filled.

In the case of non-imperative employment, the term means an appointment for an indeterminate period to a bilingual position that does not require the immediate knowledge of both official languages. The public service official languages exclusion approval order states that persons appointed to positions by non-imperative staffing have two years within which to satisfy the language requirements of their position, that is, to learn the other language.

The Official Languages Act emphasizes that the language requirements of a position must be established in the spirit of objectivity. All federal government staffing policies with language implications are rooted in the Official Languages Act. Their intent is to allow the government to fill its linguistic obligations as regards communication with the public, provision of services and language of work.

According to the 1996 census, the population of Canada was 73.8% anglophone and 24.6% francophone.

● (1900)

The annual report on official languages that the President of the Treasury Board tabled in Parliament in 2001 shows that as of March 31, 2001 anglophones occupied 69%, that is, 102,417 jobs. In other words quite frankly the member's statistics seem to be out of whack with reality. Francophones held 31%. In the national capital region 59% are anglophones and 41% are francophones—

**The Acting Speaker (Mr. Bélair):** Order. The hon. member for Saskatoon—Humboldt has one minute to respond.

**Mr. Jim Pankiw:** Mr. Speaker, in fact my statistics are bang on. I am talking about jobs that are designated bilingual imperative. Seventy per cent of those positions are held by francophones. Last year alone francophones received 68% of promotions and 71% of all bilingual positions. Those are the statistics. Those are the facts.

The hon. member in his response to my question twice used the word “reflect”. Once he said “reflect the Canadian population” and another time he said “reflect the representation of language communities”. Those statistics of 78% of all federal jobs designated bilingual held by francophones do not at all reflect the Canadian population or the representation of those language communities.

The parliamentary secretary misrepresented the statistics. Furthermore he did not even address and completely ignored the victims of the language discrimination laws. The anti-English sentiment and agenda of the government is offensive and it must stop.

**Mr. Alex Shepherd:** Mr. Speaker, I can say that what is offensive is the member himself.

Let us turn to promotions. Incidentally, the member does not actually quote his sources but I will quote sources.

The Public Service Commission annual report for 2000-01 shows that in general, anglophones obtained 66% of all promotions while francophones got 34%. Here too we see that the federal public servants indeed are obtaining promotions at the rate that reflects the relative presence of their populations in the general population.

The reality is that Canada is a bilingual country. The objective of our policy is to reflect that bilingualism within our hiring practices. That is what we do. We encourage people to learn the second language. There is nothing wrong with anglophones learning French,

and indeed francophones learning English. That is what we want to promote and I think we have been very successful at doing that.

● (1905)

#### HEALTH

**Mr. James Lunney (Nanaimo—Alberni, Canadian Alliance):** Mr. Speaker, on Friday, November 22 I asked the Minister of Health a question that is of importance to Canadians. I said:

Mr. Speaker, first we had tainted blood imported from U.S. prisons. Now we are importing semen from U.S. prisons to produce Canadian children. The catastrophic fallout from disease spread by tainted blood has created thousands of victims and 20 years later continues to occupy the House and destroy the lives of the victims.

I went on to ask:

With recent deaths from organ transplants that contained the West Nile virus and untold pathogens yet to be identified, why is the Minister of Health establishing agencies to facilitate the international trade in human embryos, human cells and human body components?

The minister's response began:

I am not exactly sure what the hon. member is referring to.

I would like to clarify for Canadians tonight what we are talking about. It is the import and export of human tissue, human cells and human gametes, for example, sperm. I wonder how many Canadians realize that the industry to help people with fertility problems is importing sperm from U.S. prisons to help with reproductive technology. It raises some concerns.

I make reference to the tainted blood scandal. Have we learned anything from importing blood? The tainted blood affair has been considered to be one of the worst public health disasters in Canadian history. About 1,100 Canadians became infected with blood-borne HIV. Between 10,000 and 20,000 others contracted hepatitis C after receiving tainted blood products. The federal government's compensation plan now amounts to something like \$1.4 billion in reparations and assistance.

Since 1995 about 3,000 Canadian women every year are inseminated with donor semen. Because of anonymity and the way the department handles this, there is no requirement other than what the department describes as minimum safety requirements respecting donor selection, cell, tissue and organ collection, processing, packaging, testing, labelling, storage, recall of cells, tissues and organs, record keeping and adverse event reporting.

This is a very delicate subject. We are talking about creating a human being and there is no social identity attached to the sperm donation.

The question to raise is, what are we importing when we import human cells? There are viruses. Who knows what other pathogens may be associated with these cells? We have enough trouble containing things within our border.

When asked at committee, Mr. Ouimette, who represented Health Canada, said that we have the ability to check beyond our borders but we have no authority to look beyond our borders. How could we possibly inspect facilities beyond our borders?

*Adjournment Debate*

In this sensitive area do we not have enough resources among Canadians, the 33 million of us, to provide the biological sources needed within our own borders to have some sense of controlling it? That is the question.

[*Translation*]

**Mr. Jeannot Castonguay (Parliamentary Secretary to the Minister of Health, Lib.):** Mr. Speaker, first I want to thank my colleague, with whom I have been working for nearly two years already in the Standing Committee on Health. I think that the questions that he raises are of interest to all Canadians. I will try to better respond to his concerns to clear up this issue once and for all.

He mentioned that sperm is imported from prisons. I checked with Health Canada. To the department's knowledge, no sperm from prisoners is imported, contrary to the information that was given to the member in committee when he asked the question. In reading the transcript of the committee proceedings, it is obvious that the public official who answered the question did not understand that the member was talking about prisoners. That is why his answer was affirmative.

In Canada, donor semen intended for use in assisted conception is regulated under the Food and Drugs Act and the Processing and Distribution of Semen for Assisted Conception Regulations, better known as the Semen Regulations.

These regulations set out stringent requirements which are aimed at ensuring the safety of donor semen used in assisted conception in Canada.

These requirements apply to all donor semen distributed in this country; this includes semen processed in Canada and abroad.

Specifically, it is prohibited to distribute donor semen in Canada that does not meet the mandatory exclusion criteria and testing requirements of the Semen Regulations.

These requirements, which, I emphasize, are applicable to all donors, are designed to exclude semen from donors at high risk for infection with various infectious agents, such as HIV and hepatitis B and C.

Under the Semen Regulations, it is prohibited to import donor semen that does not meet Canadian regulatory requirements. Canadian importers are responsible for ensuring the safety of all imported donor semen.

Importers, indeed all Canadian establishments involved in the processing or distribution of donor semen, are subject to mandatory inspections as part of Health Canada's compliance and enforcement programme.

I have explained how the Semen Regulations serve to protect the health and safety of people using donor semen. Currently, there is no legislation to regulate the importation of ova for reproductive purposes or embryos for any purpose.

To address this and similar issues, Bill C-13 will create the Assisted Human Reproduction Agency of Canada to oversee all

health and safety issues that could impact people through the processing, importation, distribution or use of embryos for any purpose as well as gametes for reproductive purposes.

In summary, the current and proposed regulatory frameworks for cells, tissues and organs, including reproductive material, are part of Health Canada's ongoing efforts to standardize safety practices and to provide the ability to address emerging issues such as new pathogens in a timely manner.

I hope this will ease the concerns of my hon. colleague.

● (1910)

[*English*]

**Mr. James Lunney:** Mr. Speaker, regarding the importation of semen from the U.S., I acknowledge what the parliamentary secretary said about the testimony the other day in committee. However, there was testimony given on Bill C-56 from one of the distributors of semen. It acknowledged that indeed it is importing from prisons in the United States.

This was such an issue in 1999 that Health Canada discovered inconsistencies with the Canadian semen banks. An ensuing investigation found most semen banks to be non-compliant with the semen regulations under the Food and Drugs Act. There were missing medical files. Mandatory testing of product safety was not being done. It resulted in a moratorium for a while.

There is no authority to inspect facilities outside our borders. We cannot even control drugs coming in from across the border. For example, Vanessa Young ordered Propulsid over the Internet. It was imported and she died as a consequence.

How can we possibly control the safety of gametes and cellular material coming in if we cannot inspect beyond our borders?

[*Translation*]

**Mr. Jeannot Castonguay:** Mr. Speaker, along the line of what I was saying earlier, when I talked about Bill C-13, which my hon. colleague is very familiar with, I think this is another bill that reinforces existing measures, while perhaps still allowing people to slip through the cracks.

We must realize that no matter how many laws we have, there will always be people who manage to skirt around them. Obviously, if we have bills that at least allow us to penalize these people when we catch them, hopefully this will improve the situation.

Again, I am convinced that we are heading in the right direction with Bill C-13, which will be debated in the House shortly, and I am very happy with my hon. colleague's participation in this debate.

● (1915)

**The Acting Speaker (Mr. Bélair):** The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 7:15 p.m.)





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