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OFFICIAL REPORT
(HANSARD)

Tuesday, June 13, 2006

—
Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Tuesday, June 13, 2006

The House met at 10 a.m.

Prayers

●(1000)

[English]

INFORMATION COMMISSIONER'S REPORT

The Speaker: I have the honour, pursuant to section 38 of the Access to Information Act, to lay upon the table the report of the Information Commissioner for the fiscal year ended March 31, 2006.

[Translation]

Pursuant to Standing Order 108(3)(h), this report is deemed to have been permanently referred to the Standing Committee on Access to Information, Privacy and Ethics.

ROUTINE PROCEEDINGS

[English]

TELECOMMUNICATIONS ACT

Mr. Colin Carrie (Parliamentary Secretary to the Minister of Industry, CPC): Mr. Speaker, pursuant to Standing Order 32(2) and in accordance with subsection 10(1) of the Telecommunications Act, I have the honour, on behalf of the Minister of Industry, to table in both official languages a proposed order under section 8 of the Telecommunications Act.

This proposed order stands permanently referred to the Standing Committee on Industry, Science and Technology.

* * *

[Translation]

ANTIPOVERTY ACT

Mr. Réal Ménard (Hochelaga, BQ) moved for leave to introduce Bill C-322, Antipoverty Act (amendments to the Canadian Human Rights Act and Criminal Code).

He said: Mr. Speaker, I am introducing this bill, which is made up of four measures: adding “social condition” to the list of prohibited grounds of discrimination in the Canadian Human Rights Act; establishing a new prohibited grounds for discrimination in the Canadian Human Rights Act in cases where financial institutions refuse to provide basic banking services; asking this House to debate

poverty for six hours per year; and amending section 347 of the Criminal Code to limit the legal interest rate for lending money in Canada by lowering it from 60% to 35%.

I hope that this bill will be adopted as quickly as possible.

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

* * *

COMMITTEES OF THE HOUSE

CANADIAN HERITAGE

Hon. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, I move that the first report of the Standing Committee on Canadian Heritage presented on Wednesday, May 17, 2006, be concurred in.

I thank my colleague from Davenport for seconding the motion for concurrence in this first report of the committee, which was presented in the House on May 17, 2006.

[English]

The first report of the committee essentially states that the Minister of Canadian Heritage, before committing herself to the review of the mandate of the Canadian Broadcasting Corporation—Société Radio-Canada, CBC-SRC, should comply with the motion that she herself adopted during the 38th Parliament, part of which reads:

“That the government, when establishing this independent task force, do so under the advisement of the Standing Committee on Canadian Heritage”. Furthermore, the Standing Committee on Canadian Heritage be offered the opportunity to review and offer modifications to the terms of reference of the CBC-SRC mandate review prior to the commencement of the review.

That in essence is the substance of the first report of the Standing Committee on Canadian Heritage. Before the minister undertakes, on behalf of the government, a review of the mandate of CBC Radio-Canada, the heritage committee should be offered an opportunity to comment and offer modifications to the terms of reference to whatever structure the minister intends to use for the review of CBC Radio-Canada.

●(1005)

Everyone will recognize that CBC Radio-Canada is one of Canada's significant cultural institutions. It is an invaluable instrument in bringing Canadians together and in communicating Canadian values to Canadians across the globe and in Canada.

Routine Proceedings

CBC Radio-Canada unites Canadians by offering high quality programming that reflects this country, its regions, and all of its creative talent to both regional and national audiences. It is also a powerful mechanism for showcasing Canadian values, artists and culture, both at home and on the world stage.

In 2003, after an exhaustive review of the Canadian broadcasting environment, the Standing Committee on Canadian Heritage reaffirmed the importance of public broadcasting in Canada in its report entitled "Our Cultural Sovereignty", otherwise referred to by many as the Lincoln report.

In its follow-up response to the recommendations of the heritage committee, the Liberal government reaffirmed CBC Radio-Canada's role within Canadian society as envisioned by the 1991 Broadcasting Act.

The Broadcasting Act states that:

- (l) The Canadian Broadcasting Corporation, as the national public broadcaster, should provide radio and television services incorporating a wide range of programming that informs, enlightens and entertains;
- (m) The programming provided by the Corporation should
 - (i) be predominantly and distinctively Canadian,
 - (ii) reflect Canada and its regions to national and regional audiences, while serving the special needs of those regions,
 - (iii) actively contribute to the flow and exchange of cultural expression,
 - (iv) be in English and in French, reflecting the different needs and circumstances of each official language community, including the particular needs and circumstances of English and French linguistic minorities,
 - (v) strive to be of equivalent quality in English and in French,
 - (vi) contribute to shared national consciousness and identity,
 - (vii) be made available throughout Canada by the most appropriate and efficient means and as resources become available for the purpose, and
 - (viii) reflect the multicultural and multiracial nature of Canada—

CBC Radio-Canada delivers on its mandate by offering a comprehensive range of programs and services on 18 different platforms that reflect the interests and aspirations of diverse Canadian communities. It is the only broadcaster delivering high quality radio, television and Internet based services in English and French across the country.

CBC Radio-Canada uses every broadcasting platform available to it, so that it can provide Canadians with information and entertainment in the format and via the medium that is most effective and convenient for them.

In CBC Radio-Canada's latest annual survey monitoring corporate performance, 97% of Canadians said they considered CBC Radio-Canada to be essential.

In the same survey, 82% of anglophone viewers of CBC television stated that they were satisfied with the quality of the programming it offered and 88% of listeners said they were satisfied as well with CBC Radio.

CBC Radio-Canada Télévision also experienced high satisfaction ratings, as would be expected, given its ability to attract over one-fifth of all prime time viewing by francophones and not just francophones in Quebec, incidentally.

Similarly, la Première Chaîne has experienced a tremendous growth in its listener base over the past several years, achieving a share of 12.5% in the spring of 2004.

The corporation's website, which is celebrating its 10th anniversary, is among the most popular online media sites in Canada, attracting more than 3.7 million visitors a month.

In an increasingly culturally diverse nation, it is especially gratifying to see that CBC television ranked first among English Canadian broadcasters in reflecting Canada's ethnic and cultural make-up

All is not well, however. There are some difficulties at CBC Radio-Canada and the heritage committee mentioned some of its concerns about the situation of public broadcasting in the 2003 Lincoln report, which I mentioned earlier. I would like to quote some passages of that report:

The CBC's audiences have plummeted over the last decade and the public broadcaster spends much of its talent and energy searching for the right formula, the right approach, to ensure its place in Canadian life. The search has been painful and frustrating and the goal distant and elusive.

There is also cause for serious concern about the production and exhibition of English-language drama. Except in Quebec where audiences are entertained and invigorated by original, home-grown dramatic productions, American programming dominates the airwaves to an extent that is largely unknown and unimaginable in any other country outside of the United States itself.

● (1010)

Many critics also argue that its current mandate is simply too broad and unfocused for the resources that successive governments and Parliaments have provided. The federal government must better define the CBC's role and together with the CBC's managers place less emphasis on audience ratings and commercial revenues.

Just last week the public policy forum issued a report on CBC Radio-Canada and its mandate. It was heavily critical of the necessity of the CBC to search out commercial revenue advertising, identifying almost \$200 million of the roughly \$500 million English television receives as coming from advertising and therefore putting into question the notion of the public aspect of the CBC.

Canadians are now engaged in a debate. The Conservative government intends to look at the CBC's mandate. Committee members recognize that it is the government's prerogative to initiate a review of the CBC's mandate, but before it can be concluded, it will have to come back to Parliament to be addressed because CBC Radio-Canada's mandate is embedded in law.

This is not the issue at all. We recognize the government's authority to initiate such a mandate review in a fashion that it wishes. The committee has asked to have a go at the terms of reference that will be given to whatever structure is chosen and whoever is asked to conduct the CBC Radio-Canada mandate review. This is consistent with what the committee asked for before the change of government and what the present minister asked for when she was in opposition. That is the essence of what the committee recommended, which I believe was approved unanimously.

Routine Proceedings

When the minister appeared a couple of weeks ago before the committee, this matter came up. I asked her if she could tell us when she intended to do this. I want to thank my colleague across the way from Abbotsford because on my first round of questions I did not get an answer from the minister and my colleague acknowledged that I had not received an answer. He also acknowledged that my question was rather straightforward and he asked it again on my behalf.

The minister responded that she was willing to do this, but also indicated that she was caught in a process of the government's making in that she had to first go to cabinet. Rumours are going around that she did indeed go to cabinet but did not get the green light that she had been looking for. In the absence of confirmation of this, I am moving this motion today.

On the second round of questioning I again asked the minister if she would commit herself to allowing the committee to have a look at the terms of reference before the summer break knowing full well, and according to the minister's own statements, that the government intended to proceed with the review of the mandate of CBC Radio-Canada. I will quote a few of the minister's statements further on in my comments.

Recognizing at that time that we had maybe three weeks left before the summer break in the session, I asked if the minister would commit herself to having the terms of reference presented to the committee so it could comment on them before the summer. She answered that she could not.

It is extremely important that this occur in order to give credibility to the process. This is a longstanding issue. The Lincoln report recommended a mandate review of CBC Radio-Canada and the government indicated it would do so. The new minister of heritage has said she intends to review the CBC Radio-Canada mandate and said that she wants to initiate this.

We agree with a review in whatever structure and format the minister wishes to use, assuming it is somewhat reasonable. The committee unanimously told the minister that before she proceeds with the review it have a chance to comment and make suggestions as far as the terms of reference of the mandate review are concerned. The committee reported this to the House and hopefully its report will be adopted today.

● (1015)

I for one have some grave concerns in terms of what the mandate may or may not include. Some of these concerns were as a result of some comments by members opposite and, in particular, the dissenting opinion that was attached to the Lincoln report. Anyone who has followed this issue will be aware of what I am talking about. I am not castigating the minister's parliamentary secretary. He is entitled to his opinion. Members of the Conservative Party are entitled to their opinion but so are Canadians and so is Parliament.

Parliament has always insisted that it be involved, if only in setting the terms of reference, in the review of the mandate of the CBC Radio-Canada. That is the purpose of the meeting.

It also speaks to democracy and respect of Parliament. I am not suggesting that is not the intent of the minister. However, the adoption of the heritage committee's first report by the House would

reinforce the notion that Parliament and its instruments, standing committees, are not to be taken lightly.

The heritage committee, in particular, has over the past years done extremely important work in a very cooperative and collaborative manner. There is every indication that the committee intends to keep addressing issues on a non-partisan basis and in an objective way, such as the way in which we have addressed broadcasting in particular.

Now that the minister has launched, via the CRTC, a quick look into technology, the evolution of technology and its impact on broadcasting at large, not just the CBC, that is one thing. However, another shoe will be dropped at some point and we are asking that the heritage committee, which has looked at this year in and year out, be afforded the opportunity to comment and make suggestions on the terms of reference that will be guiding the review of CBC Radio-Canada's mandate.

The intent and purpose of the debate this morning is that the House reaffirm its will that its standing committee, to which it delegates all these matters, be involved and consulted in the setting of the terms of reference.

I do not sense from the government side that there is much opposition for that. The government indicated that it would support it. What I do sense, however, is that the minister may be caught in a situation where she may run out of time before the end of the session and be pushed or pressured into initiating this without the committee having had a chance.

Depending on the chairman of the committee and other members and depending on whether the minister can consult with the committee on the terms of reference before the end of the session, I would be agreeable to having the committee recalled sometime during the summer to do that. I understand my colleague, the parliamentary secretary who is from western Canada, may think that is a very facile commitment for me because I live here and would not have to travel very far but I would be prepared to meet them in the west to show that there is goodwill in the committee and in the House.

I think, by and large, most parliamentarians in Canada accept that the CBC Radio-Canada is an important institution and one that needs to be supported and protected. If its mandate does need to be adjusted that could be done after consultation with the committee on the terms of reference. However, if I had my way, the terms of reference would provide an opportunity for all Canadians to comment in terms of where they think the CBC Radio-Canada should be headed.

The purpose of moving concurrence in the first report of the Standing Committee on Canadian Heritage is to help the minister and the government understand how serious the committee is in asking that it be consulted in setting the terms of reference of whatever mandate review structure will be chosen by the government to review the mandate of CBC Radio-Canada before the mandate is initiated. The key words of that motion are, "before the mandate is initiated".

Routine Proceedings

All the committee is asking is that the government respect the will of the committee and, hopefully, the will of the House when we vote on this matter, and that the consultation will occur, hopefully, before the session ends, but if not, certainly before the mandate of the review process is launched, whenever and whatever format it takes.

• (1020)

Mr. Jim Abbott (Parliamentary Secretary to the Minister of Canadian Heritage, CPC): Mr. Speaker, as the Parliamentary Secretary to the Minister of Canadian Heritage, I am very interested in this concurrence motion. I find it passing strange, notwithstanding the constant, never-ending and ceaseless assertions that I have made on behalf of the minister and of the government that the minister wants to cooperate fully with the committee and is fully apprised of the situation with respect to the committee, that we are debating this concurrence motion.

Although I know this is an important issue, on the other side of the coin the issue has fundamentally been agreed to by the minister and the government, which is why I do not understand why we are in this debate at this time. The member is fully aware that we are coming up to the end of this particular session and leaving on a scheduled break at some point during the month of June. In looking at the order paper I see that the first item of business is to resume debate on the justice minister's motion for second reading of an act to amend the Criminal Code, minimum penalties for offences involving firearms and to make a consequential amendment to another act.

The second item of business on the order paper is Bill C-14, an act to amend the Citizenship Act, which was proposed by the Minister of Citizenship and Immigration, and it is to be debated for the first time at second reading. When I look farther down the order paper I see the report stage motion of the act introduced by the Minister of Health, the public health agency of Canada act. I see Bill C-16, put forward by the Leader of the Government in House of Commons and Minister for Democratic Reform, an act to amend the Canada Elections Act.

We have many pieces of business that are quite pressing at this particular point. I am having a lot of difficulty trying to understand the member, when he already has agreement, which I have clearly, specifically, explicitly stated that the minister, who I represent, is in agreement to the things the member is asking for. I am sure there is no ill-will on the part of my friend but it just seems to me that there might be those with a more suspicious mind who would think this is something of a waste of time when there are these other bills.

I wonder if the member could enlighten me a bit, considering I have already stated three times and I will say it a fourth, fifth and sixth time, that he has the agreement and the cooperation of the government, the minister and myself as parliamentary secretary, as to why he is wasting the time of the House when we have these other pressing matters.

Hon. Mauril Bélanger: Mr. Speaker, for the member to insinuate that this is not in order is totally wrong. The agenda of the House calls for routine proceedings, in which there are motions. As a member of the House, I have every right to move the motion that I have moved. So that we do not provide erroneous impressions with the people who may be listening, I have every right to do what I am doing.

To suggest that I am wasting the time of the House by asking that the government respect the will of the House in terms of having a committee look at the terms of reference to review an institution that is very important to Canadians is a bit of a stretch. I am sure the member was not suggesting that reviewing the mandate of CBC Radio-Canada is a waste of time.

I said throughout my intervention that the minister did not confirm that she could or would consult the committee on the terms of reference of the review before the end of the session. It is also well-known that the government intends to move ahead. The question becomes: Will the House categorically state to the minister by adopting the report that its committee has proposed, which I gather was approved unanimously, that the government not proceed with a review of CBC Radio-Canada's mandate without first having gone to the heritage committee to get some feedback on the terms of reference of that review? That is all that is at stake here.

The Parliamentary Secretary to the Minister of Canadian Heritage has been a member of the heritage committee for a decade now and knows the committee has done excellent work. He was involved for the two years the committee spent reviewing broadcasting, including CBC Radio-Canada and its mandate. It only makes sense that the committee would ask to be consulted in terms of the ongoing nature of this file and the ongoing evolution of technology and broadcasting in Canada.

I am asking the House to confirm that its committee be consulted before we proceed. That is certainly not a waste of time.

• (1025)

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, I will avoid the questions of process and privilege that are going on and speak to the member's obvious commitment and passion for CBC Radio-Canada, its performance in this country and the role that it plays.

However, I have a fundamental question. As someone who represents a rural constituency and having watched, over the last 10 or 15 years, the complete erosion of services and the ability of rural communities to have their own news sources and for small town Canada to generate their own stories and reflect back to Canadians what is happening in their communities, that was under the Liberal government. Year after year we saw budget restraints that caused the CBC to hit a point where in one of the communities in my riding, Prince Rupert, for example, it went from a staff of 17 to a staff of 3 within a four year period.

The CBC was meant to be one of the crown jewels that the government supported year in and year out but when it got to the budget stage and the rubber hit the road, the member's government consistently undermined the ability of the CBC to do its essential job, which is to hold the fabric of this country together.

With this obvious passion, what did his government do when it was in power for all those long, dark years with respect to the CBC other than to consistently undermine its ability to perform its central function, which is to talk to Canadians about their realities and the realities outside of Vancouver, Toronto and Montreal?

Routine Proceedings

Hon. Mauril Bélanger: Mr. Speaker, there was a cut to the CBC Radio-Canada budget in 1995. When the Liberal government formed the government in 1993, remember that the Mulroney government had left the country with a \$42 billion annual deficit. Our government felt that we could not continue accumulating debt at that rate. In the 1995 budget all the departments save one, and I believe that was Indian affairs, saw a cut in their budgets.

Within three years of that budget the country had eliminated its annual deficit and was on its way to financial stability. As soon as we achieved that, the budgeting for CBC Radio-Canada became a steady matter on a five year forecast. The government also created the television production fund in which it put money to enable CBC and other producers in this country to initiate and re-engage in production.

Yes, in 1995 the government of the day did what it had to do in setting the finances of the nation on a proper footing. It included a general belt tightening for everyone, including the CBC. Henceforth from the moment we achieved financial surpluses which we have had since then, CBC Radio-Canada funding has been stable and predictable.

• (1030)

Mr. Jim Abbott (Parliamentary Secretary to the Minister of Canadian Heritage, CPC): Mr. Speaker, I was unprepared for this debate. The member decided that he was going to move this concurrence motion presumably with the approval of his House leader. I will restate that I consider this debate unfortunate and untimely in that things are moving along and there are so many other issues that we could be discussing. Seeing as the member wants to debate the issue of the CBC, I am prepared to do that.

The intervention from my friend from the NDP was spot on. The Liberals for a long period, 13 years, kept on strangling the CBC, taking away its ability to make any long term plans. The Liberals continued with whatever their vision was of a mandate for the CBC without giving it the ammunition and the resources to do the job. Most of us vividly recall what the CBC was. What it was and what it is today are significantly different.

The Liberals have consistently had a pie in the sky approach to things. They declare they are in favour of status quo but they starved the CBC of resources. They claim that they have a vision of where they want the CBC to go and yet, they never actually brought it to fruition.

It is very interesting that while the current Minister of Canadian Heritage was on the heritage committee in the last Parliament, it was she who actually led the opposition against the then Liberal government with respect to the CBC and many other issues. Whether we are talking about copyright, other broadcast media or whatever, it was she who led the charge to get the kind of changes which the Conservative government now has an opportunity to move forward on.

One of the difficulties is that it was not only the CBC that the federal Liberals ended up imperilling by virtue of their lack of understanding of what was happening within the marketplace, it was the entire broadcast industry. The broadcast industry does not work in a vacuum. Its stakeholders are the people who own the companies, the people who produce the shows, the people who are the creators.

Its stakeholders are many, in the tens of thousands literally, but they are completely dependent on those in the marketplace who are looking for entertainment, looking for education, looking for news, looking for public service announcements. Those people now have a broad range of opportunities that simply did not exist as recently as six months ago.

There is an entire generation of people now who likely will never access radio and television the way you and I have, Mr. Speaker. I may have a couple of years on you, Mr. Speaker, I am not really sure, but we are of a generation that is catching up with the idea of time shifting. There is an opportunity through Bell ExpressVu or Star Choice of watching a program that is viewing in this time zone on a Halifax channel. With time shifting and with a VCR, we have discovered this wonderful new way of accessing the information and entertainment that we want.

• (1035)

I have a couple of grandchildren who are of an age that it is unlikely they will even know what a VCR is. With the whole concept of time shifting, why would they need VCRs? There are devices that use the ordinary television signal and people can make choices that simply were not technically available even a matter of months ago.

People are also using the Internet to download things onto their iPods and other devices. I do not know what iPod stands for, I regret to say, but these devices are completely revolutionizing the broadcast industry. They have the ability to completely bypass the ordinary broadcaster. The broadcaster's corporation gets revenue from advertisers which then flows through to the people who are actually providing those services. For television, there are so many eyeballs, and for radio, there are so many ears that the broadcasters want. If they are not getting those eyes or ears, then the advertisers say that they will find another way to reach their target market. That is how the industry supports itself.

If we look at the whole issue of simultaneous substitution as an example, it is very simple and straightforward. In the time zone in which I live, Spokane will broadcast *Law & Order*. CTV will make sure that Calgary, although it is in a different time zone which is the one I am in, will broadcast *Law & Order* which is being broadcast out of Spokane, Washington at exactly the same time.

Interestingly, if *Law & Order* is broadcast on Wednesday night at 8 p.m. Spokane time, it will be on CFCN out of Calgary at 9 p.m. Why? They do that because they know they are going to get half a million eyeballs, whatever the number is, by broadcasting *Law & Order* in Canada. They buy the rights for that and thereby are able to pay for all of the people and all of the services, all of the technical capacity to continue in business and hopefully for the broadcaster to make a profit at the same time.

Simultaneous substitution is something that has actually created generation of revenue for Canadian corporations that are in the broadcast business delivering entertainment to Canadians. Whether it is that program, *Prairie Giant* on the CBC, *Corner Gas*, or whatever the program is, Canadians make the choice of what they want to see by delivering those eyeballs. The broadcasters then collect money so that they can stay in business.

Routine Proceedings

With the advent of satellite about six years ago and my ability as a consumer to time shift, I no longer care. If I want to see *Law & Order*, I will simply watch it on the Toronto CTV affiliate at the time I choose to watch it. I can shift things around. Therefore, for the advertisers that are paying to advertise on CFCN out of Calgary, I am one pair of eyeballs less, and if my wife is watching the same show, that is two pairs of eyeballs less that are watching the show. That was the thin edge of the wedge.

In spite of the fact that it is through simultaneous substitution that we have been able to create a revenue base for the advertisers, now with personal video recorders, PVRs, people are not only time shifting, but they are able to cut out the commercials. Now people can watch the shows and the eyeballs are on the television screen but it does not make any difference to the advertiser.

•(1040)

We are into a situation where product placement becomes a very important issue. For example, on *Law & Order*, somebody may be drinking a can of Coca-Cola or Pepsi-Cola, or whatever the commodity is. We can bet that the confection company will have paid money because the star of the show is drinking Coca-Cola, or driving a Ford, GM or Chrysler, whatever the case may be. It is through all of this that there is a complete change, a complete alteration, to what happens.

Within that context, is the idea of moving forward with a review by the CRTC, which is ideally suited, being an arm's length organization to the government, a review that the government has requested so we can look at where we are now and where we can go in the future.

I mentioned that the Liberals are very famous for desiring to either stay with status quo or believing they can maintain status quo. We are prepared to take a look forward to see where iPods, the Internet, satellites and satellite radios fit. Once we are aware of the potpourri available for Canadians to choose from, in my judgment, it would make sense then to go ahead with a mandate review of the CBC.

It seems to me that there is a sequence here. I have no knowledge of what the timing is on the CBC mandate review, but by doing things in sequence, it makes a whole lot more sense than to do something in a vacuum by itself. As a public broadcaster, the CBC does not exist in a vacuum. The CBC exists in a marketplace. Within that marketplace, people make choices of what they look at, what they see, what news they consume and what entertainment they take in.

The CBC has done an outstanding job of certain public broadcasting events. When I was formerly on the standing committee, I asked if there was a place that was exclusively the CBC's place for us to broadcast the Olympics, for example. What occurred, subsequent to my time on the standing committee, was that CTV ended up outbidding the CBC. My question at that time, and I am on the record so we may as well talk about it, was if it made any sense for a public broadcaster, with almost \$1 billion in subsidies from the taxpayer, to get into a bidding war with a private broadcaster, namely CTV. That ended up sorting itself out.

Yesterday I happened to notice on *Canada AM* that Brian Williams has moved from CBC. He said that it was with regret, and I

am sure it was, that after about 30 years with the CBC, he decided to move over to CTV to anchor its Olympics coverage. There is a motion, a movement, within that.

Where does the CBC mandate work with respect to things like professional sports, NHL hockey, the Stanley Cup playoffs, the Olympics and so on? There is a very logical way of looking at what is happening in the marketplace.

•(1045)

The minister committed to hearing the views of the committee on any type of review the CBC may or may not undergo. In response to a question from the member for Ottawa—Orléans, and I think he might recall this, on June 1, the minister said:

—I am looking forward to the fact that this committee is eager to take a very positive and contributory role to our review of looking at this, and the opportunity that CBC will have as a corporation to put before the Canadian public—and to hear from the Canadian public—the role and the mandate they believe the public broadcaster should play in the future.

As you know... through your chair, I have discussed various options on the ways and the means that this committee may participate and provide its input to this government for consideration in a very positive, effective, and time-efficient manner.

Although the member is clearly motivated with respect to the CBC, and I am very pleased he is, as am I and the minister, but, with the greatest respect, are there not other things on the order paper that need to be handled? This issue has already been handled.

I look forward to the fact that the committee is eager to take a very positive and contributory role in our review of CBC. I look forward to it going before the Canadian public to hear what they believe the role and mandate of the public broadcaster should be in the future. I regrettably do not comprehend what part of yes the member is having difficulty understanding. It is only three letters, y-e-s. Yes, we are ready to go. When the time is right, the minister has committed that the committee will be involved. What is left to talk about?

Our government is taking a look at this entire issue in a sequential manner. We are looking at the fact that the CBC does not operate or exist within a vacuum. While a debate on the CBC, Canada's national broadcaster, is a very worthy topic for the House, perhaps there might be a more efficient use of our time than discussing it at this particular point.

I refer again to my friend from the NDP. He talked about service in remote areas. One of the challenges the CBC is faced with at this point is what will it do with respect to high definition television. Countless billions of dollars will be required to completely upgrade broadcast antennae. That is not only for the CBC, it is also for the other broadcasters. When we take a look at that, is there a more creative way that we could make use of satellite broadcasting? The fact is signals are presently covered on the two transponders in outer space. Is there a more efficient way doing that and is there some way of engaging the existing satellite signal providers?

I cite that as an example of all the possible questions. Taking a look at things in sequence and taking a look at the CBC mandate review within that sequence, once we have the table set, is undoubtedly what my minister has in mind.

Routine Proceedings

Hon. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, I listened carefully to what the minister's parliamentary secretary had to say. I think I can use his words to illustrate the difference of approach vis-à-vis CBC Radio-Canada.

Some of us on this side of the House are not comfortable with where the government may wish to take the CBC. I say may because there have been some reports, such as the Lincoln, where the facts do not support the claim that the CBC is essential.

The member for Peterborough last week recommended that the CBC increase its ability to sell commercials. We have had the recommendation that CBC English television be commercialized. There is a contradictory direction, where one would see more commercial revenues and more commercialization of CBC television and others would like to see less. As I said, last week the public policy forum put out a report.

We all know that the crafting of the terms of reference of a review is extremely important. In the crafting of them direction can be given. That is why the committee has asked to be involved in the crafting of those terms of reference. We will not set them, and I understand that. We respect the government's prerogative to do things.

The government should respect our wish to be consulted in giving advice and recommendations as to the terms of reference. For instance, we want the terms of reference to ensure they include a funding formula. That is the key to the future of the CBC. We want to ensure they include the technology and how it can adapt to technology. We also want to ensure that the commercialization aspect is dealt with in the terms of reference.

These are the issues that are "qui sont sous-jacentes", that underline this debate. It is the future direction of CBC. Whereas some on the government side may want to see it commercialized or have more commercial revenues, some on this side of the House want to see less of it. We want to see the terms of reference, not give a direction that is not wanted.

• (1050)

Mr. Jim Abbott: Mr. Speaker, again, I have listened to the member and I still have difficulty understanding the urgency is of this debate. It has taken us off Bill C-10, an act to amend the Criminal Code, minimum penalties for offences involving firearms, particularly considering the situation we ran into last summer and even during the fall with respect to guns. It has taken us off the bill of the Minister of Citizenship and Immigration on adoption.

Many of these issues can occur only in this chamber as a result of the fact that we are charged with the responsibility for debating these laws and bringing them into effect.

Although I have done it already twice, I will not repeat the precise words of the minister, except to say that the minister is fully aware of what the committee would like to do. There is no problem there. However, it gives me an opportunity to put very clearly and specifically on the record that the Conservative Party is fully supportive of CBC Radio-Canada, which is more than I can say for the Liberals who were constantly starving it to death in terms of resources.

Before we decide on resources, we have to take a look at the mandate. We support CBC Radio, English and French, RDI, Newsworld. I suppose the big questions are around the issue of CBC Television English and to a lesser extent CBC Television French. These are good debates for us to have to ensure that we respond and react to Canadians with respect to their requirements and their desires as far as CBC is concerned.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, the New Democratic Party definitely has been supporting a review of CBC for some time, because we have to be honest when we are discussing CBC and we have to say that it is not working nearly as well as it could. There have been years of underfunding. It has had problems in terms of a loss of regional programming and a loss of markets that CBC once had and no longer has. There has been a problem with the governance structure of CBC. It is broken. It is an embarrassment. We need to end the patronage system at CBC. The NDP has been pushing for that.

A mandate review of CBC is something that we in the NDP support. We would be willing to work with the government on ensuring that the new ideas are brought forward to make CBC function in the 21st century.

I would like to bring up the issue the member raised earlier when he said that CBC does not exist in a vacuum. I agree with him. We are now in a situation where there are numerous issues facing broadcast and television. There are questions about maintaining Canadian content regulations and foreign ownership restrictions on broadcast. There are questions about new media, how that is going to implicate existing television markets, and how that works.

I suggest that one of the important functions of the heritage committee is to be able to look at the composite whole. How do CBC and regional programming play in with new media and private broadcasters? I would imagine that this is beyond the mandate review of the proposed CBC panel being put forward by the minister.

I would say it is very important that we first have input into the terms of reference so that the work already done in the heritage committee, in looking at the problems of the CBC and in needing a direction for it, is carried on so that this new panel is not reinventing the wheel. At the same time, we must look to the heritage committee for a larger overview of issues in terms of television and private broadcast, where the CRTC is going, and how all these pieces fit together.

I ask the hon. member if he would be interested in working with us at committee, in conjunction with the CBC review being carried out by the government, to do a larger review of television, new media and how it all fits together.

• (1055)

Mr. Jim Abbott: Mr. Speaker, I would say off the top of my head probably not. The reason why, very simply, is that the minister announced in Banff that the CRTC is going to be doing exactly that job. I do not understand what expertise the committee would be able to bring to those questions that the CRTC is not capable of.

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I am also reminded that the committee is responsible for things like museums, art galleries and archives. It is responsible for all sorts of things other than the CBC and broadcasting. I have found the fixation on the CBC and broadcasting to be really unfortunate considering the number of other responsibilities there are within the Department of Canadian Heritage. It is, after all, a \$4 billion department, and I think it would do well for members to broaden their scope past the CBC and past broadcasting per se.

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, I am glad the member mentioned transponders because it gives me a chance to bring up an issue that is very important in my riding. A former speaker of our house, Don Taylor, has been on a great crusade to expand the strength of CBC out of the town of Watson Lake in Yukon. Sometimes CBC is the only media and it is very important for weather news, which could relate to life and death situations. I certainly hope the parliamentary secretary would support the expansion of the signal.

On the urgency of debating this now or getting back to Bill C-10, I do not think it is all that urgent in that all the statistics have shown that crime is going down and that the proposals in Bill C-10 would not work. That is not a particularly urgent bill.

On funding, though, the point he made about criticizing other parties related to the funding of CBC was a bit disingenuous when last week his party voted against a motion that would have maintained funding for CBC.

I have a question for the member. There are other bills I would like to get back to, and if this is so urgent, why did it take the member 10 minutes just to say yes, this was a good idea?

Mr. Jim Abbott: Mr. Speaker, I have said yes. I have said yes repeatedly to my friend across the way. I do not know if he is having difficulty understanding the word yes. I just thought that maybe if I were to repeat yes enough times he might get the message.

However, with respect to his question about Yukon, I think that we have to be very careful as parliamentarians not to become involved in micromanaging the CBC. The CBC is an arm's-length corporation with people with management skills who work for its directors. These people are fully capable of making good management decisions with respect to where the various transponders or transmitters would be, could be and should be.

I have the same kinds of difficulties in my constituency. My constituency is probably not as big as Yukon, but it is very large. There are groupings of 50, 200, 300 or 1,700 people and we have to be concerned about the antennas and things of that nature. I do make suggestions to the CBC through the appropriate channels, but I always make it very clear that it is a management decision. It is indeed our responsibility as parliamentarians to look at the mandate and find out the best way to ensure that Canadians have the service they all want from the CBC.

• (1100)

[*Translation*]

Mr. Maka Kotto (Saint-Lambert, BQ): Mr. Speaker, I would like to begin by reminding the House that it was the principle of precaution that sparked this debate. We are discussing something that is very important: communications. We are aware of the role of

communications in a democracy. We also know that, from the moment we let a public institution such as the CBC television network fall into the hands of private owners in a democracy—in this case, our own democracy—there is a great risk of control of the masses, of communication, of information and of content by ambitions that are far from being the main concerns of the people we represent here.

I would like to remind the House of the motion in question:

That the Minister of Heritage, before committing herself in the review of the CBC–SRC mandate do comply with the motion that she herself had adopted during the 38th Parliament, part of which reads: “That the government, when establishing this independent task force, do so under the advisement of the Standing Committee on Canadian Heritage”. Furthermore, that the Standing Committee on Canadian Heritage be offered the opportunity to review and offer modifications to the terms of reference of the CBC–SRC mandate review prior to the commencement of the review, and that the chair submit a report on the motion to the House of Commons.

That has been done. I want to point out that the Bloc Québécois supports this motion. The context for the committee's motion is the following. On May 16, 2006, the Standing Committee on Canadian Heritage passed a motion asking that the minister review the mandate of the CBC under the advisement of the Standing Committee on Canadian Heritage. This request was in response to a motion put forward during the 38th Parliament by the current Minister of Canadian Heritage, who was a member of the committee and the official opposition's critic at the time. The motion before us is therefore set in a dual context: on the one hand, the review of the CBC licence by the CRTC next fall and, on the other hand, the minister's intention to establish an independent task force to review the mandate of the CBC.

It is surprising to see that this member who used to recognize and call for the expertise of the heritage committee is now contending that it is not part of the committee's terms of reference to review the mandate of the CBC. This must be a side effect of being in power.

In April, the minister's director of communications stated that it was not the role of the parliamentary committee to look at a government entity.

Not only is he wrong to say such a thing, but he is also showing contempt for a committee of elected representatives to which his own boss had faithfully contributed. I think that this desire to preclude the Committee on Canadian Heritage from reviewing the mandate of the CBC speaks volumes. What do they have to hide? What kind of canned conclusions do the Conservatives want to get at? One has to wonder. I think that, even before the committee undertakes its study, the Conservatives have decided what recommendations they are looking for.

Back to the context and the fact that the CRTC constantly has to renew the CBC's licence. Whenever the CRTC reviews the CBC's application for licence renewal, it does so in accordance with the Broadcasting Act.

• (1105)

In section 3, the act sets out the CBC's mandate as part of the broadcasting policy for Canada. The following is an excerpt from section 3 of the act, and I quote:

—(1) the Canadian Broadcasting Corporation, as the national public broadcaster, should provide radio and television services incorporating a wide range of programming that informs, enlightens and entertains;

- (m) the programming provided by the Corporation should
- (i) be predominantly and distinctively Canadian,
- (ii) reflect Canada and its regions to national and regional audiences, while serving the special needs of those regions,
- (iii) actively contribute to the flow and exchange of cultural expression,
- (iv) be in English and in French, reflecting the different needs and circumstances of each official language community, including the particular needs and circumstances of English and French linguistic minorities,
- (v) strive to be of equivalent quality in English and in French,
- (vi) contribute to shared national consciousness and identity,
- (vii) be made available throughout Canada by the most appropriate and efficient means and as resources become available for the purpose, and
- (viii) reflect the multicultural and multiracial nature of Canada—

I would like to say in passing that, contrary to the statement by the chairman of the board of the CBC, Guy Fournier, the Broadcasting Act makes no mention of any role in defending Canadian unity. Reflecting Canada as expressed in Quebec also means recognizing sovereignty.

As former Quebec Premier Jacques Parizeau said on May 29:

It is wrong to claim that Radio-Canada's mandate is "necessarily" to defend national unity because it is a crown corporation.

And I quote:

This is not necessarily so. For example, Télé-Québec's mandate is not to defend Quebec sovereignty. Radio-Canada does not necessarily have a mandate to defend Canadian unity.

He continued:

If that is the intent, then say so, put it in writing, so that it is clear.

This committee, advocated by the Minister of Canadian Heritage and Status of Women, should propose changes to the CBC's mandate and amend the Broadcasting Act at the same time, because the mandate is enshrined in Canadian policy. Not only the representatives of Canadians in this House, but also all Canadians, would find it unacceptable if the committee were unable to intervene in this way.

It was unacceptable to the member when she was in opposition in the 38th Parliament. That was her position in the 38th Parliament, and it was also her position when she defied, in this very Chamber, the former member for Jeanne-Le Ber.

The message she is sending, now that she is in government and no longer in opposition, is that the perspective has changed. We must remember that it is our duty to have this debate, here, because we have concerns that they probably do not share. As elected officials, we must foresee the unforeseeable.

In the 38th Parliament, the Standing Committee on Canadian Heritage deemed it important to examine the mandate of the CBC.

• (1110)

Given that we are familiar with the Conservative vision for the CBC, we feel it is essential to conduct this review, but in a collegial manner, without exclusions.

Why must we be vigilant with respect to the Conservatives in this matter? I would like to read an excerpt from the Canadian Alliance dissenting opinion on the review of the Canadian Broadcasting Act:

Canadian Alliance notes the historic role the CBC played in the lives of Canadians and the continuing investment made by the Canadian taxpayer.

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Canadian Alliance would maintain a long-term funding commitment to CBC Radio.

The Canadian Alliance members said it and repeated it. They were there to support the CBC and that is a good thing. However, a little bit further down:

CA draws attention to Figure 4.13 in *Our Cultural Sovereignty*. CBC English audience share moving from 34.9% (1969) to 7.6% (2001-2002) is a story in itself.

Those are their words.

Further analysis reveals unprecedented audience fragmentation. There is every reason to believe fragmentation will increase dramatically in the foreseeable future.

Those are their words.

The position of *Our Cultural Sovereignty* which continues to see the CBC as the cornerstone of broadcasting in Canada cannot be sustained in light of this fragmentation.

Those are their words.

A recent Compas poll of Canadians shows that Canadians have as much faith in the CTV or TVA networks and specialty channels as they do in the CBC. Canadian Alliance interprets these results to say that the CBC image as protector of culture and identity on television is no longer unique.

Those are their words.

The CBC shares this image with other broadcasters including the specialty channels.

They go on to say:

In recognition of significant advances in technology, the choices available for viewers, and to get the government out of the business of being in business, we would restructure CBC television.

Those are their words.

The CBC's involvement in professional sports and the Olympics is a case in point. If the CBC is competing in the commercial marketplace why should CBC management be subjected to the kind of political interference it has experienced in recent times?

It is their question.

The only way this can happen is because of taxpayer subsidy which simply means the CBC—often through no fault of its executives—can put taxpayers' dollars in competition with private broadcasters.

I will continue to quote them:

Given these realities Canadian Alliance is convinced that the time has come to reconsider the importance of CBC television. The Committee's report may claim that the CBC is essential but the facts do not support the claim.

Those are their words.

Anyone looking at Figure 4.17 can see that the majority of Canadian programming is available on private networks.

Those are their words.

It is true that CBC attracts a large number of viewers to sports programs but these same programs could be offered on private networks.

Those are their words.

If sports is removed CBC's audience share would be less than 5%.

And this is their conclusion—in their words:

We would significantly reduce CBC operating subsidy by commercialization of CBC television.

Canadian Alliance would consider transferring a portion of the current funding for CBC television to new or existing subsidy or tax credit programs to support Canadians creating content for film and television.

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• (1115)

This is frightening. This deserves special attention—which is why I mentioned the principle of caution in my introduction—especially given that this dissenting report, dissenting from the report entitled *Our Cultural Sovereignty*, was signed by the minister's parliamentary assistant, who would presumably sit on the committee that she intends to form.

The Bloc Québécois is in favour of adequate funding for public radio and television. Once again, while we support this motion, we would remind the House that the Liberals do not beat around the bush.

Only a little over a year ago, the target was public affairs. Indeed, in early February 2005, we learned that CBC was imposing additional restrictions of \$13 million on its French television network, namely, \$6 million on general television, \$3 million on support and on the regions, \$400,000 on regions including Quebec, and \$4 million on news.

These restrictions did not result from federal government cuts, but essentially, from reductions linked to advertising revenues and internal shuffles.

The budget for television news was \$64 million in 2004-05. The budget cutbacks announced are therefore in the order of 6.5%

In terms of jobs, according to Daniel Raunet, then-president of the Syndicat des communications de Radio-Canada (SCRC), job cuts so far have affected two specialized reporters, five national reporters, one researcher and three production assistants in the television current affairs division. The following excellent programs have all been affected by these cuts: *Zone Libre*, *La Facture*, *Justice* and *Second Regard*.

These cutbacks have had a major impact on the production of current affairs reporting for television.

They cut 5 of 26 national reporter positions, which is 19.2%, and 2 of 20 specialized reporter positions, which is 10%. In all, they cut 15.2% of journalistic staff in current affairs programming.

Clearly, we deplore these cuts, which are small for the CBC but huge for the news department, and we hope the minister will remind the broadcaster of its mandate.

Part II of the Broadcasting Act shows how these cuts to the news and current affairs budget go against the CBC's mandate.

The Broadcasting Act of 1991 states that:

(l) the Canadian Broadcasting Corporation, as the national public broadcaster, should provide radio and television services incorporating a wide range of programming that informs, enlightens and entertains;

The position made public during a press conference on Thursday, February 10, 2005, sent exactly that message. Pierre Saint-Arnaud of the Canadian Press wrote:

The CBC's news and current affairs employees denounce cuts to television information programming and are asking the crown corporation to postpone them.

They are also demanding that the federal government provide adequate, uninterrupted funding for the public broadcaster.

SCRC president, Daniel Raunet...referred to the Broadcasting Act, which requires the CBC to offer programming that informs, enlightens and entertains, and deplored the fact that management seems to focus exclusively on entertainment.

If we let this government do as it pleases in this matter, we may find ourselves with a mothership that has lost its bearings and can no longer fulfill its mandate. That is why we support this motion. That is why we will fight to make our point of view heard in this matter.

• (1120)

[English]

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I listened with great interest to my hon. colleague's dissertation. He knows the cultural file very well and I would like to ask him his opinion.

We are hearing from the parliamentary secretary that we spend too much time at the heritage committee wondering and worrying about the future of television and broadcast when so many issues are coming before us. I feel that we should perhaps better spend our time going out on little field trips and visiting all the little cultural institutions across this country, not to put that down because I think that is very important.

Regarding our role as legislators and in committee where we can look at the framework problems that are facing broadcasters in this country, is that not a fundamental responsibility that we have at that committee?

[Translation]

Mr. Maka Kotto: Mr. Speaker, I thank my colleague for his question. We are indeed playing our role as parliamentarians. We are the representatives of the people. In heritage matters, we are in a way the defenders of cultural identity, integrity and sovereignty. In this case, in a debate such as this, we are called upon to express the fears that we are hearing. As I was saying, we are the representatives of persons who are making certain arguments, namely that culture is essential to our sense of a common home and to the continuity of our common identity. We are talking about the CBC, and we hear the parliamentary secretary opposite calling this debate unnecessary and a waste of time. In no way do I share that position.

As I was saying at the beginning of my statement, we are talking about communications and we are in that field. Communications are essential in a democracy. We cannot allow ourselves to overlook that. If that should happen, we would inevitably end up in an information dictatorship, like what is happening in the United States. I do not think this will happen; I am relying on the vigilance of parliamentarians on both sides of the House.

Allow me to clarify. If we allow information content to essentially get into private hands, to be dictated by private interests, we will find ourselves resembling a public or a population that has been lobotomized, because amidst the diversity of information we will be getting only one side of the story.

That is what we want to avoid when we reach a decision here this morning. That is what we intend to make the parliamentary secretary and his minister understand. For example, he said we have no expertise at committee to review this mandate. I remind him that we are also there to compare positions with each other, particularly the positions of people in the community, people who work in this field and also people who take in this information, this entertainment and all the popular imagery that comes out of the CBC.

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This is public radio and television. It is not a private institution. As representatives of the people, it is our duty to stand up here and denounce what will probably happen, namely a deviation toward the private sector.

• (1125)

[*English*]

Mr. Jim Abbott (Parliamentary Secretary to the Minister of Canadian Heritage, CPC): Mr. Speaker, I am having a little difficulty in terms of understanding what part of the word yes he does not understand and for that matter the member from the NDP. The heritage minister has agreed to this. I would rather suspect that if this concurrence motion came to a vote that the government would be voting in favour of it.

It absolutely and totally baffles me that we have this situation. We have 2,200 heritage museums across Canada that receive \$9 million from the government, as per the budget of the Liberals up to this point. We are at a point where the art gallery will be requiring extra facilities, as well as the library, the archives and the natural history museum. That is not to mention the fact that within Canadian Heritage there are also issues with aboriginal Canadians and multicultural issues. It goes on and on.

There is a fixation unfortunately, on the part of the opposition members currently elected, solely on broadcasting. Yes, it is important. We have said it is important. The minister has said it is important. The minister has agreed to this motion. There has never been an utterance from my mouth or her mouth to the opposite. Why are we spending time in this place discussing something that has already been agreed to? This sounds an awful lot like a filibuster.

[*Translation*]

Mr. Maka Kotto: Mr. Speaker, he is impugning our motives. I want to emphasize that. The minister came and testified before us in committee. We did not hear her speak transparently, clearly, about her intention to consider the motion we are debating here this morning.

I had to propose a motion like the one here today, looking for my Liberal colleague to approve it in the debate. If the minister or even the parliamentary secretary had provided us with clear information, I do not think that we would be here debating this morning.

Deception is one of the arts of the Conservative Party. We felt forced to have this debate today in the House as a precaution. If the parliamentary secretary makes a public promise today, many people and the media will probably report it. But this was hardly the case at first. His position on this matter was not public, or else why would we have had this up for debate here this morning?

As I said, this debate is based on the precautionary principle. We do not know what they want to do, we do not know where they are headed, but we do know what they said they intended to do.

I reject outright the parliamentary secretary's impugning of our motives—those of my colleague from the NDP, my colleague from the Liberal Party and myself.

This debate is justified. I already said so. Television is important. It is a public institution that we are debating here. If it were ever allowed to fall under the dictate of private interests, the diversity of

information would be at stake, as well as the health of the CBC's very mandate for television, which we must acknowledge is the only medium today where the people still have a say.

It is important to talk about museums, but there has been a host of studies on museums. A multitude of reports are gathering dust. They need only consider these studies and reports and propose a policy. Just do not try to take us off to play tourist all over. The work on museums has been done. They should do their work now; that is what they were elected to do.

• (1130)

[*English*]

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I am honoured to speak to this motion today. Members are asking why it has come before the House? I think it is important that it is before the House because decisions are being made in terms of the future of broadcasting, the future of telecommunications, and in fact the future of the CBC outside the purview of Parliament.

The good book says that what is done in the dark should be seen in the light. Given our concern over directions taken by the government, this debate is a chance for us to inform Canadians about the issues being raised and the fundamental changes being made by the government regarding broadcasting.

We are talking about the role of a public broadcaster versus a private broadcaster. There is a notion that if private broadcasters were allowed to step up to the plate they could do the job as well. Having been a former musician and having travelled the country for some 20 years, I can tell the House that nobody is more committed to the market approach than musicians because that is how we make our living.

We believe in a free and open market, but sometimes we need government to regulate it to ensure that it is in fact free and open. Whether we are talking about musicians or about getting agricultural products on the shelves at grocery stores, we know that the problem with our markets right now is that they do not have access and choice that consumers demand.

I am going to tell two stories. I was 19 years old and God I was a handsome young fella. Our band was touring the country, playing in Ottawa, Montreal, Halifax and Toronto. Everywhere we went we had an audience of university students because our record was being played on the radio at the university level.

One night we were doing a show right here in Ottawa at the old Roxy Club on Elgin Street. We were interviewed by the big FM radio station in Ottawa, which was basically the same FM chain as the one in Toronto, Montreal and Halifax. During the interview I asked why we were being interviewed since our record was not being played on its station. I was told the station was not allowed to play our band in the same way it was not allowed to play other bands because it had a canned list of what it was allowed to play.

Things have changed somewhat in the last 20 years but not a lot. Right across Canada there are very few radio corporations and they run off lists. If a band is lucky enough to get on that list, then it will do fairly well because of the recording royalties, which of course as New Democrats we support.

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The problem is that it is a very closed market and it is very arbitrary as to who gets heard and who does not. So when we talk about fragmentation of radio markets, many young people tune out the radio because they can find what they want to hear on other sources.

I will move from the example of the private radio to public radio. My last band, the Grievous Angels, was considered a localized band until we were interviewed by Peter Gzowski. As a result of that interview we became a national act because people across Canada listened to his show. After that interview we were selling CDs from Prince George, B.C. to Halifax and we were getting engagements.

That is the role a public broadcaster should play. It has the mandate to expose Canadians to new sounds and to new ideas, sometimes controversial ideas. It is in that public broadcast domain that consumers are given the ability to hear new ideas and new sounds. It is a role that private broadcasters simply cannot and will not play.

Does the CBC fulfill this mandate as well as it should? It certainly does not. We know there are major problems with the CBC and the New Democratic Party has been raising these problems for a number of years. It would not be an exaggeration to say there is somewhat of a crisis at the CBC. It has had years of underfunding, so much so that it has lost numerous world markets that used to have CBC television as their choice of viewing in the evening. Those markets have disappeared. They have gone to private broadcasters.

• (1135)

Private broadcasts on television attempt some local and regional coverage, but we lose a sense of identity in rural areas when we do not hear our own voices being spoken. There is nothing worse, and it almost sends me into a rock cut, than when I am driving on the highway outside Cochrane, Ontario and I hear the afternoon drive home show from Toronto. That is not something I want to hear on my radio. I want to hear the voices from my region. I want to hear their identity and their discussions.

There has been a problem. The underfunding of CBC year after year by the former government has put the CBC in a very difficult situation. This is an issue that we were discussing at the heritage committee.

We have raised these issues. We have asked the CBC president for a plan for restoring regional programs. We have asked CBC to address the issue of the lack of drama content in programming. We have asked about the role the CBC plays in terms of promoting film. We see that Radio-Canada in the Quebec market plays an integral role. Yet in the English market, CBC is not playing a similar role. As a heritage committee, we have started to raise these issues.

Another issue we have to raise is the issue in terms of the patronage system at CBC.

[*Translation*]

What we have now is a situation where the CBC president locks out the employees, reduces Canadian content, and ignores CRTC directives. Furthermore, he is not accountable to anyone for his actions.

The CBC is the only public broadcasting corporation in the world whose managers are political appointees.

[*English*]

We have to end the system of patronage at the CBC. Year after year we have had very good people on the CBC board of directors, but it has also been a political dumping ground. Let us be honest. Since the CBC was founded, 89% of the appointees to the CBC were allied to the ruling political party. We have asked for that system to stop. We have asked for accountability.

Should there be a mandate review of the CBC? Yes indeed, it is very important. We have to address these fundamental problems. The question we New Democrats have is about whether or not there is trust with the government's plan for a mandate review if we are not involved. In the last lockout, the present heritage minister mused out loud that she did not know if anybody even missed English CBC or whether anybody even noticed. The present Conservative leader in the Senate wanted the CBC to stay off the air because it rankled her political views.

We are being told not to worry, to trust the government, to let the government handle this outside of Parliament and outside of heritage. We are being told that the government will move forward and come back with decisions that could fundamentally change the CBC. My hon. colleague, the parliamentary secretary, made it very clear where he stands in terms of the CBC when he said, as heritage critic for the Reform Party:

Mr. Speaker, speaking of the CBC, the Reform Party has a very clear vision of a publicly funded CBC and a privately funded or a privatized CBC television.

So is it simply enough to expect that the heritage committee will sit on the sidelines while a mandate review goes ahead that could have profound implications for the future of broadcast? Is it reasonable to expect the heritage committee to put aside the requests it has undertaken of CBC management to respond to us in terms of regional programming plans and in terms of drama content? Should the heritage committee put this aside so this other body can make the decisions?

What we need to look at is the issue of how the crisis at the CBC is playing out in terms of larger media. As my hon. colleague from the Conservatives said, CBC does not exist in a vacuum. He is right. What we are seeing now are numerous issues that are coming to bear in terms of the future of broadcast in Canada. Again, there has to be a composite review. Where else can that review be done except at the heritage committee? That is our role.

We now are seeing questions of a mandate review at the CRTC on the renewal of broadcast licences for the private broadcasters. Have the private broadcasters stepped up to the plate in terms of Canadian domestic drama content? No, they have not. In fact, they have done a very poor job of it. I will put that on the record.

The 1999 CRTC decision changed the rules of drama and the private broadcasters said, "Trust us. Change the rules, open it up and make it easier for us and we will provide Canadians with good drama content". If we look at station after station in prime time, we will see that it is a wasteland for Canadian products right now.

How would the changes at the CRTC with regard to the private broadcasters affect their obligations in the use of public airwaves? Because that is what we are speaking about: they are public airwaves and these are private corporations that have a responsibility to the people of Canada for the use of those airwaves.

Here is one question. How will the CRTC review of the private broadcasters' licences affect the future direction of television? How will this mandate review of the CBC affect our ability to maintain a strong and vigorous public broadcaster?

The other question is in terms of Canada's role at the international level at the GATS negotiations in Geneva. We have taken it upon ourselves to be the lead nation in terms of encouraging other countries to strip themselves of all foreign ownership restrictions on broadcast and telecom. Telecommunications in Canada, because of convergence, means that the same companies that are providing our phone service are also providing our television news network service. It is impossible to suggest that we can separate those two.

So the question is this: where is the mandate for our trade negotiators in Geneva? Where is it coming from with a government where the industry minister, when he was in private business, was with the right-wing Montreal think tank that was advocating stripping all foreign ownership restrictions on telecommunications?

• (1140)

We have just seen the orders from the industry minister that were released to members of Parliament and senators today in terms of telecommunications, the CRTC and government direction. As of today, it states:

The policy direction contained in the proposed order would direct the CRTC to rely on market forces to the maximum extent feasible and regulate, where there is still a need to do so, in a manner that interferes with market forces to the minimum extent possible.

That is what the minister gave as his marching orders today. Those, we can imagine, are the same marching orders that he is giving to our trade negotiators in Geneva. The question is, if the government believes that we have to allow market forces more access in telecommunications, where is that need coming from? There is not a single telecommunications company in the country that is even close to its foreign ownership limitations.

In fact, if we look at the role that telecommunications has played in Canada, our companies have done a much better job for the consumer in reaching rural regions, providing adequate service and getting broadband high speed Internet into rural areas of the country. It is much better than what we see with competitors in the United States.

We have a direction coming down from government to allow market forces as much latitude as possible when it comes to telecommunications. I would like to read for members from a policy study done on Canada's position in terms of telecommunications:

As a result of WTO and GATS commitments, Canada [already] has one of the most open and loosely regulated telecom markets amongst OECD countries.

Canada [has already] unilaterally agreed to:

end Teleglobe Canada's monopoly on transcontinental...traffic...;

end Teleglobe's special ownership restrictions, which prohibited investment by foreign telecommunication carriers and limited the investment by Stentor, (the incumbent carriers);

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allow 100% foreign ownership and control of international submarine cable landings in Canada...;

allow 100% foreign ownership and control of mobile satellite systems used by a Canadian service provider...;

end Telesat's monopoly on the fixed-satellite system on March 1 2000, allowing the use of foreign satellites to provide service to Canadians....

Right now the only element that is left on the table to negotiate is the fact that we still have a 46.7% limit for foreign ownership of telecom companies. This is the very issue that our negotiators in Geneva are trying to trade away.

Where is the government going in terms of its direction for the future of telecom? Because telecom and broadcast are one and the same, and if we are asking countries in other parts of the world to strip their foreign ownership restrictions, then clearly the government must be committed to the concept of trade reciprocity. The government is accepting that we are going to strip our own foreign ownership restrictions on broadcast.

That has major implications, because Canadian policy has been consistent. The Canadian Parliament has maintained a very consistent position, that is, that maintaining our control of our sovereign airwaves is a fundamental feature of the Canadian experience. These things are now on the table.

We are looking at a government that has raised very dubious questions about its commitment to the future of the CBC and is looking to do a mandate review outside of Parliament and outside of the heritage committee. We are looking at the broadcast companies coming forward on radio and television and major questions being asked on the future obligations in terms of even having to provide Canadian content and how that should be.

We are looking at trade negotiations that are ongoing in Geneva and could allow, for example, AT&T, without any commercial presence in Canada, to buy up Bell Globemedia. As for anybody who suggests that we are going to maintain our domestic content quotas and our language quotas when we are being taken over by a large U.S. multinational that does not even have to maintain a commercial presence in this country, it is absurd. It is simply absurd to say that we will be able to maintain the policies that we have had until now.

The other issue is the convergence of new media. Where are we going with that? There has not been a very clear direction at all in terms of how Canada will be involved in the development of digital culture. Digital culture is the direction.

• (1145)

As an example, after I was elected and was away from home so much, my wife and children decided to get cable television against their father's strong wishes. That television is never on. My children are of the digital age. They do not watch television. They are on the Internet. That is where their sense of culture and identity is. Where is Canada in terms of the digital culture?

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In the 38th Parliament there was the LaPierre report on the future of Canada's online vision. Nobody has picked up on that. That report is sitting on a shelf. That report lays out a very fascinating and powerful call to start championing the rights of the online cultural citizen. Canada should be in the forefront of digital development so that the next generation, which does not listen to radio or watch television, is able to experience Canadian identity and Canadian political and cultural issues online. We need to be at the table when that happens.

What I am saying is that major issues are coming together at this time and they are all being handled outside the purview of Parliament. We are being told to trust the government. I am sorry but I do not trust the government. I believe my responsibility as the heritage critic for the NDP is to work in Parliament and review the fundamental changes that could alter the cultural landscape for the 21st century.

Is a review of the CBC mandate needed? Yes, indeed. Is there a review needed of the mandate for telecommunications broadcast, Canadian cultural and drama policy for television? Yes, indeed. That has to happen within a holistic view and I would submit that can only happen at the heritage committee. That is why as a committee we have been trying to start to address some of these issues in this new Parliament. Yet it seems every time these issues are raised, and in fact it happened the other day, we are asked what we could possibly learn by looking at television.

It is pretty clear the government knows there is a lot on the table with television. I think it is being disingenuous with the members of the committee when it tells us to look at other things and asks why we as heritage critics are not concerned about other things. We are concerned about the whole heritage portfolio. There are many issues that have to come before us, but the problem is there is limited time.

My suggestion has been, and I have tried to work with the other parties, that we need to address the fundamental changes that are coming. If we are asleep at the switch when these decisions are being traded away in Geneva or in a backroom with Conservative lobbyists, there will be no going back from that point. We need to look at the direction.

The NDP does not want the status quo. We believe that the CBC needs to change. There needs to be a vision that brings us forward. We cannot simply accept what happened yesterday. It worked somewhat but it does not work any more. The NDP would support a mandate review, but it has to be done with a clear set of terms of reference. It has to be done in conjunction with the work that is being done, or should be done, at the heritage committee so we can bring forward a holistic view of broadcast and cultural issues in our country so that we are ready for the challenges that face us as a nation in the 21st century.

• (1150)

Hon. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, I wanted to ask this question before, and perhaps the Parliamentary Secretary to the Minister of Canadian Heritage does also, in terms of asking the member why he does not understand yes either. I have that thrown at me and the critic for the Bloc Québécois has had that thrown at him. I expect it is coming, but we will try to prevent that from happening.

The committee has asked, and the motion that is before us is supportive of it, that the minister consult the committee vis-à-vis the terms of reference of a review of CBC Radio-Canada before that review is undertaken. I wanted to ask the member for Timmins—James Bay if he has heard, as I have not, the minister say categorically either in the House or in committee in response to questions or in any ministerial statements she may have made that indeed she would consult the committee on the terms of reference of a CBC Radio-Canada mandate review before the review is undertaken.

That question was put and we never got an answer. She said she would happily seek the advice of the committee but never in regard to the terms of reference and never before the mandate review was to start. She has not said that.

I was wondering if the member opposite would concur with me. He said that he does not trust the government. I must admit to some misgivings myself, especially concerning the parliamentary secretary's views of CBC and also in view of the vote that took place two weeks ago on a motion that called for maintenance of CBC funding, which the government voted against.

There are some misgivings. That is why I thought it appropriate that the House insist via concurrence in the report of the committee with what we are asking, which is fairly innocuous, that the committee be consulted by the minister on the terms of reference of a CBC mandate review. Has he heard the minister clearly state that she would consult the committee before the mandate review was initiated?

Mr. Charlie Angus: Mr. Speaker, I did try to pay very close attention to the minister's whirlwind tour through committee, which seemed to be over before it started, and I did not hear it at committee.

What I did hear from the minister when she was the heritage critic was that during the lockout she mused out loud that she did not know if anybody missed English CBC. What I did hear was the present leader of the Conservative Party in the Senate who said she did not want CBC back on the air because she did not think it was good for the Conservative Party. I have heard the present parliamentary secretary, who said when he was the Reform critic that he was very clear on a privatized role for English CBC television. That is what I have heard. I have not heard yes clear enough.

When I did ask the parliamentary secretary if he would be willing to work with us on committee so that we could help in the larger issues that could not be addressed in the CBC mandate, he categorically said no. He did not think it was the role of the heritage committee to be involved in any of the fundamental decisions that are coming down in terms of television policy.

The question is does yes mean yes, or does yes mean no? I believe at this point from the government that unless we are debating it in the House, unless we get it on the record and unless we get a very clear commitment from the minister, there is not a lot of trust in our party where the mandate review will go. We believe it has to be done in conjunction with the work that is being done at the heritage committee.

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•(1155)

[*Translation*]

Mr. Maka Kotto (Saint-Lambert, BQ): Mr. Speaker, first I would like to congratulate my NDP colleague for his presentation. I would like to ask the following question with regard to the only commitment regarding the CBC made by the Conservatives during the last election. On page 40 of their sacrosanct election platform *Stand Up for Canada*, they state, and I quote, “A Conservative government will: ensure that the CBC and Radio-Canada continue to perform their vital role as national public service broadcasters”.

I am asking my NDP colleague what does that mean? Is it a commitment that allows for cuts, that does not take into account the regional role of state television? Is it simply an indecipherable, superficial, insipid promise? I would like to hear his opinion.

[*English*]

Mr. Charlie Angus: Mr. Speaker, I did read that. I found that during the election and I also spent a great deal of time when the budget came down trying to find culture. I even looked it up under K, but it was not there in the budget either.

The question in terms of a commitment to a public broadcaster is meaningless, unless we are talking about a commitment in financing. That is what has been noticeably absent.

When we hear comments from the minister that the public broadcaster should have a distinctive role which should not be in competition with private broadcasters, I think, what are we talking about then? Are we talking about taking away the ability of CBC to raise advertising revenues so that it becomes a small, diminutive education network that is on channel 300 of the multi-screen universe? If it cannot compete for advertising revenues, I certainly do not see anything in the Conservative budget or in terms of the language the Conservatives have used that they would be willing to fund it to the degree necessary for television to be able to provide the kind of programming that it needs in the very expensive television markets of today.

The government is committed to maintaining a public broadcaster, but that could take any form. Right now, our concern is that the form it would take would be in a very diminished role, unless we hear some very clear commitments that yes means yes. Yes means a public broadcaster that is fully funded. Yes means a broadcaster that is able to carry on its role in the region and yes, this is a broadcaster that can compete against a private broadcaster for advertising revenues.

[*Translation*]

Mr. Maka Kotto: Mr. Speaker, supposing that—and I am speaking hypothetically—the Conservatives bring to fruition their plan, which is well laid out in the dissenting opinion on the Lincoln report, does my NDP member see the CBC, in the future, as an instrument fulfilling its ideal role as educator of the masses?

[*English*]

Mr. Charlie Angus: Mr. Speaker, with respect to television as opposed to radio, the public broadcaster has two roles. One is entertainment and one is to create a sense of cultural identity. What we see with private broadcasters is the role to entertain, period.

The problem we are facing is that CBC does not have the resources to adequately provide the entertainment value. Let us be very honest that without the entertainment value it will not have the market sufficient to carry out its educational and cultural roles. That connection between entertainment and maintaining a strong audience base so that it can carry out those other functions is essential. Unfortunately the situation now, for example in Toronto, is that the design production abilities of CBC English Canada have been erased. No longer will English Canada television be able to do in-house production. They have gotten rid of that, I believe because of the lack of funding over the years, to the point where now they are simply having to buy outside programming.

That undermines the notion of a cohesive identity that can be created through a cultural space. It also undermines what we had always had before on CBC, which is the building of a talent pool that is committed as national broadcasters for entertainment, for sports, for news and for cultural and political development.

•(1200)

Mr. Mario Silva (Davenport, Lib.): Mr. Speaker, I am honoured and pleased to participate in the debate and to support my colleague, the hon. member for Ottawa—Vanier, and his motion for concurrence.

On November 2, 1936, the Canadian Broadcasting Corporation was first established in its present form. The CBC has since become very much a part of the fabric of Canadian life, culture and expression of our national identity.

As I have noted before in the House, nations across the world recognize the need for a strong, public broadcasting service that occupies an integral role in the vitality of our cultural life.

The British Broadcasting Corporation, the Australian Broadcasting Corporation or the NRK in Norway are examples of the commitment countries bring to public broadcasting.

In the United Kingdom, for example, the licensing fees are collected from the public and used to fund public broadcasting. The results are clear: a vibrant, world-renowned public broadcaster that is a leader in virtually every field of communication. Indeed, in the realm of news broadcasting, the BBC is recognized as the standard. The CBC here in Canada acknowledges and presents the BBC world services news each night as part of its programming.

The point is simply that public broadcasting is a vital part of the cultural, political and social life of nations across the world. We are unique in many respects to other nations throughout the world insofar as we have a large neighbour to the south that very directly impacts our daily life here in Canada, including in the realm of broadcasting.

The CBC, our nation's public broadcaster, plays a significant role in protecting, nurturing and encouraging our Canadian culture.

In view of these realities, it is imperative that decisions respecting the future of the CBC in this country are made in a fully inclusive and appropriate manner. It is for that reason that it is essential that the Standing Committee on Canadian Heritage occupy an important role in any review of the mandate of the CBC.

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This is not simply about taking account of the services provided by just any broadcaster. It is not about reviewing the fiscal bottom line or taking a casual glance at the network's programming. This is about reviewing and perhaps redefining one of this country's great national institutions. It is about the role of a broadcasting service that has woven itself through the fabric of our modern history in this country.

In our system of parliamentary democracy, the role of Parliament is one of oversight, advice and consent. In respect of this, the institution of Parliament must also be respected and included. The standing committee is one such component of the process.

It is important to note that what my colleagues and I are calling for today is not that the standing committee be the vehicle for a review of the CBC's mandate exclusively. What we are asking for is eminently sensible and unquestionably reasonable. We are asking that a standing committee of a democratically elected Parliament be fully included in the review of one of the most important cultural institutions in this country, the nation's public broadcaster.

The CBC is more than just a vehicle for hockey or news, although there are few who would argue that the broadcaster excels in these areas like no other provider. The CBC is about drama, commentary and cultural expression.

There are enormous and emerging challenges today in the realm of broadcasting and communications generally. These challenges are not unique to Canada. Across the world the role of the Internet, specialty television services, pay on demand services and so on are increasingly complicating the communications spectrum.

There is a need to remain current in such a diverse and sometimes incomprehensibly challenging environment. It often seems that we are no sooner comfortable with a new communications innovation when another quickly appears on the horizon.

It is in this environment, this new reality, that the CBC must now operate and so there is certainly a need to review the mandate of this cultural institution. This review needs to be undertaken so that we might ensure that the CBC remains a major part of our country's communications reality.

• (1205)

The CBC is a forum for our national expression and a mechanism for nurturing our country's considerable cultural talent pool. The role of the Standing Committee on Canadian Heritage is an important part of our national discussion on the future of institutions like the CBC.

It is for those reasons that the standing committee most certainly should be part of the process of determining the terms of reference for any review of the CBC or its mandate.

There is a clear and sustained logic to including the Standing Committee on Canadian Heritage in determining the role of any review. The committee is made up of democratically elected representatives chosen by the people to manage the affairs of this country, to chart the future direction of our nation and to ensure there is proper stewardship of Canada's important institutions.

Across the country, Canadians in communities large and small rely on the CBC for news and entertainment. This is particularly true of smaller communities in this vast country. The CBC helps to unite Canadians in a way that is important for the future of Canada. We are a vast nation with challenges unique to our country.

The Broadcasting Act states that the Canadian Broadcasting Corporation as a national public broadcaster should provide radio and television services incorporating a wide range of programming that informs, enlightens and entertains, which is very important.

Reading these parameters indicates very clearly the vital role of the CBC in Canada.

Once again, let us get this right. All of us have recognized that the government has the right to appoint an independent commission to review the mandate of the CBC. This is not up for the debate. However, surely this mandate review as it is undertaken should take into account the advice of the Standing Committee on Canadian Heritage which is comprised of people elected to represent the will of Canadians.

I encourage the government and the Minister of Canadian Heritage to reflect on this matter and to do the right thing before the mandate review is undertaken and include the Standing Committee on Canadian Heritage from the beginning of the process. Let us all work together to ensure the vital and effective public broadcaster continues to be a part of our national heritage and our national identity.

Mr. Peter Stoffer (Sackville—Eastern Shore, NDP): Mr. Speaker, during the last lockout of the CBC employees by the CBC, the Conservative representative in the Senate, Marjorie LeBreton, was very nasty toward the employees in their efforts to strike a better deal for working conditions within the CBC. Now that person is the leader of the government in the Senate.

When this legislation heads to the Senate, does the hon. member have any confidence that it will receive a fair hearing and a fair adjudication from within the Senate from people such as Marjorie LeBreton who was so nasty toward the employees of the CBC during their recent labour strike?

Mr. Mario Silva: Mr. Speaker, it is of concern to all of us in the House who care about the CBC. The hon. member mentions a good point. The leader of the government in the other place has raised issues about the CBC in a derogatory manner which leads us to be concerned about the future of the CBC, especially when any legislation goes into the other house.

However, we need to have faith that we can get the cooperation of all parties. The CBC is a unique cultural institution that belongs to all of us as Canadians. As people who care about the culture identity of this country, we need to be supportive of CBC. I would hope that whatever the outcome would be that we will have unanimous support.

We were, as I am sure the hon. member was, disappointed, when we had a very reasonable motion in support of heritage and culture in this country, that the government opposite, unfortunately, did not support our motion. It was a fair motion that could have had unanimous support in the House.

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•(1210)

[*Translation*]

Mr. Maka Kotto (Saint-Lambert, BQ): Mr. Speaker, I would first like to congratulate my Liberal colleague for his presentation.

I would like to ask a simple question. In view of what we know today about the CBC and the means available to this public institution to fulfill its mandate, would it not have been advisable for the government to consider the possibility of actually reviewing funding for this institution in order to support its mandate rather than what has been proposed today? In other words, we must determine if the mandate falls in line with the means available to the government.

Mr. Mario Silva: Mr. Speaker, I want to thank my dear colleague. It is too bad that I am no longer a member of the Standing Committee on Canadian Heritage. When I was, it was very interesting to listen to the hon. member, who has very important things to say about heritage.

I just want to say that I hope the government will support all members of the committee in this review. This is important. In fact, this is a very important issue for this country's culture and identity. I hope that this review will have the support of not only all the committee members, but all the members of Parliament as well.

[*English*]

Ms. Olivia Chow (Trinity—Spadina, NDP): Mr. Speaker, the other review that has implications on the CBC is the study being done by the CRTC on the current state of audio-video technologies and how using different platforms can promote access to various broadcasting systems.

I understand the heritage committee wants to review the mandate of the upcoming CBC review, which I totally support, but have there been any discussions as to how the two studies will complement each other? Many people now use different platforms to connect to CBC Radio and it is quite unfortunate that the CBC, especially on the TV side, with its many years of cutbacks has not been able to expand on the local television stations which has left the people in many remote communities not being able to connect to their local news.

Could the hon. member tell the House whether there is a connection between these two studies? Could he also tell us what he thinks about the recent studies on cutting production teams at CBC which would take production out of the hands of the CBC and privatize it?

Mr. Mario Silva: Mr. Speaker, I am no longer a member of the heritage committee but I have been following this issue quite closely. Like a lot of members who have an interest in culture and the CBC, there is obviously a link between the CRTC and the CBC.

I was just told by the member for Ottawa—Vanier that the review is going on at this moment and will be finalized by the middle of December. We of course want to monitor what the members want to do. I certainly have some concerns about the direction in which they want to go with regard to the CRTC. In the past, comments made by members of the government were not very favourable to both the CBC and the CRTC, which are important institutions that have a direct impact on the broadcasters' mandate.

We will all need to monitor that very carefully. Even those who are not members of the committee need to ensure, as this process goes along, that we are not in any way jeopardizing these two fundamentally very important institutions.

•(1215)

Hon. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, just to complement the answer of my colleague from Davenport, it was only on Sunday when the Minister of Canadian Heritage announced the technical review of the CRTC and asked that it be completed by mid-December. There is no doubt that this will have an impact on whatever structure is created to look at the mandate of CBC Radio-Canada.

The debate here is mostly focused on the fact that the heritage committee unanimously has asked the minister to be consulted vis-à-vis the terms of reference of whatever structure or group is gathered and given the task to review the mandate of CBC Radio-Canada. That is the purpose.

There are some misgivings on our part vis-à-vis the intentions of the government. It did not support a motion two weeks ago to maintain CBC funding. There have been some comments referred to in the House and in the other place by members of the government. It is because of these misgivings that the committee asked for a chance to have input, on the terms of reference only, of whatever structure is created to look at the CBC mandate.

It is in that sense that those are two independent reviews, one believes, but that one will certainly have an impact on the other.

Mr. Mario Silva: Mr. Speaker, the hon. member for Ottawa—Vanier makes a very fair point and comment. We have to monitor the situation and be very careful to ensure that these two very important institutions, which have been in place over so many years, will not be jeopardized.

We also have to ensure that there is involvement from the beginning by the heritage committee. There are people on the committee who are extremely passionate and care greatly about the cultural identity of these two very important institutions. As long as they are involved at the beginning, there is some comfort level that, at the end of the day, we will have something of which all of us can be supportive in the House. Hopefully that is the goal.

The Acting Speaker (Mr. Royal Galipeau): Is the House ready for the question?

Some hon. members: Question.

The Acting Speaker (Mr. Royal Galipeau): The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Mr. Royal Galipeau): All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Acting Speaker (Mr. Royal Galipeau): All those opposed will please say nay.

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Some hon. members: Nay.

The Acting Speaker (Mr. Royal Galipeau): In my opinion the yeas have it.

And more than five members having risen:

The Acting Speaker (Mr. Royal Galipeau): Call in the members.

And the bells having rung:

The Acting Speaker (Mr. Royal Galipeau): At the request of the chief opposition whip, the vote stands deferred.

[*Translation*]

The House will now continue with the remaining business under routine proceedings.

* * *

● (1220)

PETITIONS

CENTENNIAL OF THE POLISH ALLIANCE OF CANADA

Mr. Michael Ignatieff (Etobicoke—Lakeshore, Lib.): Mr. Speaker, I would like to present a petition in this House on behalf of a number of people and especially the Polish community of Canada.

A former member of this House, Jesse Philip Flis, to whom I extend warm greetings, recently met with me and asked me to support the Polish community in its initiatives.

This petition asks Parliament to recognize the centennial of the Polish Alliance of Canada, which will take place in December 2007. It therefore asks that a commemorative stamp be issued to mark the occasion.

CHILD EXPLOITATION

Mrs. Carole Lavallée (Saint-Bruno—Saint-Hubert, BQ): Mr. Speaker, yesterday was the International Day Against Child Labour. Today, I am pleased to present a petition that is part of a larger batch of 12,000 signatures from people asking the government to promote the International Labour Organization's Convention 182 on the worst forms of child labour.

An initiative of Amnesty International and Children's Care International, the day promotes awareness of the worst forms of child labour, such as slavery, prostitution and exploitation that is likely to harm children's health or safety.

I am pleased to present these signatures in this House.

[*English*]

DARFUR

Hon. Keith Martin (Esquimalt—Juan de Fuca, Lib.): Mr. Speaker, it is a great pleasure to introduce a petition from Christine Johnston and students and teachers at Ashbury College.

The petitioners call upon Parliament to uphold its responsibility to protect under the convention on the prevention and punishment of the crime of genocide. They call upon the House to play a leadership role in lobbying the United Nations Security Council to send a peace

making force to the Darfur, Sudan region and for Canada to play a key role in that peace making force.

CITIZENSHIP AND IMMIGRATION

Ms. Olivia Chow (Trinity—Spadina, NDP): Mr. Speaker, it is my honour to present a petition of 30 some pages, containing the signatures of over 1,000 citizens from across Toronto and Canada. It concerns the elimination of the \$550 fee that has to be paid by refugees in order to apply for permanent residence in Canada. The petition also asks that the fee be eliminated for women and children fleeing domestic violence.

Because of this very expensive fee, some families are unable to be united and are unable to establish in Canada. If one considers a family, the fees amount to over \$1,000 for them to move to Canada. The petitioners ask that the fees be dropped.

* * *

QUESTIONS ON THE ORDER PAPER

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, I ask that all questions be allowed to stand.

The Acting Speaker (Mr. Royal Galipeau): Is that agreed?

Some hon. members: Agreed.

* * *

[*Translation*]

REQUEST FOR EMERGENCY DEBATE

VALUE OF THE CANADIAN DOLLAR

Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, this morning we learned that the Canadian dollar had risen above 90¢, its highest level in 28 years.

This is an important milestone that is disrupting economic activity in Canada and that, in my opinion, calls for an emergency debate in this House. We need to have, on behalf of the people of Canada, an opportunity to clearly tell the Bank of Canada and the Conservative government that action is urgently required.

The current situation is causing thousands of jobs to be lost. Just last weekend, we heard of 71,000 jobs being lost. But today's announcement of such a rise in value is creating an emergency situation, as the effects of this rise will become apparent in the very short term.

This is also sending a signal internationally, which will hinder investments in our country.

I would therefore like the House, through the Speaker, to grant my request for an emergency debate, so that such a debate can be held and the will of the people can be expressed in this House through their elected representatives.

● (1225)

The Acting Speaker (Mr. Royal Galipeau): I thank the hon. member for Montmagny—L'Islet—Kamouraska—Rivière-du-Loup.

The Chair will come back with an answer later today.

GOVERNMENT ORDERS

[English]

CRIMINAL CODE

The House resumed from June 12 consideration of the motion that Bill C-10, An Act to amend the Criminal Code (minimum penalties for offences involving firearms) and to make a consequential amendment to another Act, be read the second time and referred to a committee.

Mr. Michael Ignatieff (Etobicoke—Lakeshore, Lib.): Mr. Speaker, I rise to speak in opposition to Bill C-10. My constituents in Etobicoke—Lakeshore made their concerns about public safety very clear during the last election campaign.

I will not forget knocking on the door of a family in my riding who had just lost its nephew in a gun crime shooting in Montreal. I went to a memorial service held in the young man's honour and we all felt shock and anger at the senseless waste of a young life. The young man's uncle asked me what I would do to reduce the incidence of these terrible crimes and I pledged to support any reasonable measure that would make such tragedies less likely in the future.

Everyone in the House, especially this member of Parliament, wants to keep faith with families who have lost loved ones to gun violence. Everyone in the House wants to reduce this scourge of gun crime.

The question before us today is not who is tougher on crime. The question is, what is the most effective way to do so? That family in my riding does not want us to play politics with its grief and anger. It wants balanced measures that work. Balance means measures that address all features of the crime problem in our society rather than using sentencing tariffs as the unique yardstick of whether criminal justice policy is sufficiently tough.

Balance means giving all our crime fighters, the police, the crown attorneys, the judges, the neighbourhood watch organizations, the youth workers, the school teachers, the parents, the parole and probation officers, the correction officers and, yes, the good people who run the gun registry, the support and resources they need to work together to reduce crime in our society. Recent arrests of drug gangs in Toronto prove the effectiveness of a targeted and tough police action, and the Toronto police deserve all possible praise for these raids.

A balanced approach includes tough sentences for heinous crimes, but the Criminal Code already contains 42 mandatory minimum penalties. Many of these were placed on the statute books by previous Liberal administrations. The political charge that this side of the House is soft on crime just will not wash.

The question before the House is not whether there should be some mandatory minimums for serious crimes, but whether it is good public policy to increase their number and severity and to make this the sole focus of criminal justice policy in the government.

[Translation]

Instead of a balanced approach—increased funding for police forces and the RCMP, the courts, legal aid, youth employment programs and crime prevention in schools—this government

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proposed a single new tool: a new series of minimum sentences for a variety of crimes committed with a firearm.

Instead of listening to the valiant army of people who fight crime, this government decided that petty politics took precedence over efficiency in fighting crime.

The people of my riding do not want to play petty politics with crime. They want a balanced approach that is based on actual facts and delivers tangible results.

• (1230)

[English]

Bill C-10 fails the test of balance. Instead of investing new resources in the police, in the courts, in the probation and parole systems, the federal government, and provincial ones as well, will be forced to invest millions of dollars of scarce criminal justice resources in new prisons. This is not balanced. This is just ideologically driven public policy.

The second test that criminal justice measures must pass is evidence. In his testimony before the justice committee, I heard nothing from the Minister of Justice that approached an evidence based approach that would justify the new tariffs. There is good reason for his silence. There are no studies that prove, with any degree of conclusiveness, that increases in mandatory minima do actually reduce the incidence of gun crime.

The Parliamentary Secretary to the Minister of Justice said in the House on June 6 that he “wanted to send a message to criminal gangs”, but he went on to say:

Whether or not they are paying attention and will think twice before committing a serious crime with a firearm remains to be seen....

This suggests that the government does not know whether mandatory minima deter. It wants to send a message but it has no idea whether the message will get through.

The United States has just come through a 40 year experiment with mandatory minima. No reputable criminologist believes that this explains the fall in serious crime rates in the United States. The causes, the experts agree, can be traced to jobs, to prosperity, to better prospects for the poor and a demographic decrease in the proportion of young adult males who are responsible for most serious crime. Already many American states are abandoning mandatory minima. Why should Canada rush to adopt a policy that many thoughtful Americans reject as a failure?

The use of mandatory minima, however, has had one obvious effect. The U.S. now has the dubious distinction of having one of the highest incarceration rates in the world.

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When I was a young graduate student, I used to spend every Tuesday night for about four years in a medium security prison working with the prison chaplain with a bunch of young lifers who were doing mandatory minimums for serious crimes. After that experience of four years, I came away with one very clear conclusion: Prisons are essential to remove dangerous offenders from society but prisons also render most offenders worse.

The unfailing consequence of Bill C-10 would be to increase the Canadian prison population and, as a consequence, increase the number of criminalized individuals who, when released, are likely to reoffend. Instead of reducing crime, Bill C-10 might just have the opposite effect.

Because Bill C-10 would increase the prison population, this would have serious public expenditure consequences. The House and the country is entitled to know what these measures will cost. Nowhere has the government presented real estimates of what it will cost to increase our prison population, but we can have some idea.

We already know that it costs \$80,000 to keep a Canadian in prison. The House and the country will want to know why the government believes it should spend more scarce criminal justice dollars on keeping people in prison and possibly making them worse, when the same money could be spent on a balanced investment, in more police officers, probation and parole personnel, improvements in legal aid and the court system.

Bill C-10 fails the test of balance. It fails the test of evidence. It also fails the test of justice. By justice, I mean the requirement that sentences fit the crime. As my colleague, the member for London West, so ably pointed out, a person who commits a crime with a long gun under this legislation is likely to face a lower penalty than someone who commits an equivalent crime with a handgun. Where is the proportionality? Where is the fairness in this?

In our system we leave the adjudication and proportionality to judges. They are trained to determine the circumstances, mitigating or aggravating, that ought to determine what penalty fits the crime. The escalating tariff proposed by the government makes it more difficult for our criminal justice system to achieve proportionality and fairness.

My party has always believed in a different balance between the legitimate prerogatives of the legislature and the courts and between the imperatives of public safety and the need for proportionality.

In conclusion, Bill C-10 is not a balanced approach to public safety. It is not evidence based and it fails the test of proportionality. On these three grounds, I will vote against it.

• (1235)

Mr. Dean Del Mastro (Peterborough, CPC): Mr. Speaker, I listened with great interest to what the hon. member for Etobicoke—Lakeshore had to say and I disagree with him wholeheartedly.

It was not that long ago that a heinous crime occurred in Toronto and the former chief of police, Julian Fantino, indicated that he had had it with the revolving door justice system and that the age of hug a thug, as he put it, was over. Our government never presided over the age of hug a thug but members opposite did. Obviously the

whole notion that they are soft on crime is coming from society and not from us.

I would like to suggest that the member opposite look into what occurs in our federal prisons which actually have a very good record of rehabilitating prisoners. He may want to refer to them.

I would like to suggest to him that the bill is about justice, justice for victims and justice for society. Where does that enter into his paradigm of considering whether it is a balanced approach or not? I would like to hear the answer.

Mr. Michael Ignatieff: Mr. Speaker, I take some exception to the idea that previous Liberal governments were associated with hug a thug. As I made perfectly clear in my statement, the previous government took added mandatory minima where it felt there was a public order justification. I would point out to the hon. member that over the last 13 years Juristat statistics make it perfectly clear that crime rates fell on the Liberal watch because we took a tough and balanced approach.

As the hon. member rightly said, this is a question of justice, but justice does not consist of locking people up and throwing away the key. If the hon. member is as concerned as he says about rehabilitation in prisons, then I would see measures in the government's estimates that would amount to an investment in rehabilitation programs in prison. I see no such evidence of any investment in those programs.

Once again the hon. member is trying to play this as being that side of the House is tough on crime and we are weak on crime. The Canadian public is entirely sick of this falsely polarized debate. The entire House takes the most serious view of serious crime, as I made pretty clear in my statement. Let us move beyond this and assess this measure on its merits. I have assessed it according to three criteria and it has failed to pass the most elementary test of justice.

[*Translation*]

Mr. Serge Ménard (Marc-Aurèle-Fortin, BQ): Mr. Speaker, contrary to the hon. member who asked the first question, I thought this speech was remarkable. It was quite thorough, well balanced and in-depth.

Nonetheless, there is an aspect my colleague did not touch on—perhaps he was short on time—and that was the legal aspect. Many arguments to justify minimum sentences are horror stories. The sentences seem totally unreasonable in relation to the seriousness of the crime.

Of all these objections raised, has my colleague heard of a single case that went before the Court of Appeal in the country? If these sentences are so awful, they can be corrected in appeal. Before changing the legislation, we should look just at the sentences, considered unjustifiable by some, that were approved by the appeal courts.

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● (1240)

Mr. Michael Ignatieff: Mr. Speaker, I am very grateful to the hon. member for his comments about me.

He agrees with me on the political line I addressed in my speech. I fully agree with him that if these crimes are not properly punished, it is always possible to turn to the Court of Appeal.

I would add that in the Canadian system, Parliament creates laws and judges apply them. We accept and respect the possibility of a division of labour between the judiciary and Parliament. I accept this division and the respect that exists between the two—

The Acting Speaker (Mr. Royal Galipeau): The hon. member for Burnaby—Douglas.

[*English*]

Mr. Bill Siksay (Burnaby—Douglas, NDP): Mr. Speaker, I am pleased to participate in the debate on Bill C-10, an act to amend the Criminal Code, minimum penalties for offences involving firearms.

As we all know, this is an issue of prime importance to most Canadians. We all want to see effective action against crime. I want to echo what the previous speaker said. I think Canadians are tired of the breast-beating and the “We’re tougher on crime than you are” that often goes on around here and that often goes on in political discourse in Canada. I think everyone in this House wants to see effective action against crime.

That is a crucial issue for me, as well, but I want to ensure that the action we take is effective action, which is why I have some difficulties with the proposed legislation that we are discussing today. The primary question that I approach every piece of legislation with is: Will it do the job that it is advertised and promoted to do? One of the reasons that I am sitting in this chamber is to make those kinds of decisions about the proposals that come before us.

I do not think we should be about enshrining so-called solutions that do not work and that give people perhaps a false sense of security. I do not think we should be wasting time and money when the need to address crime is so urgent.

Those are some of the questions that I bring to considering this legislation today. I also bring the commitment the New Democrats have made around crime and crime prevention.

We have said that there should be a three pronged approach to dealing with crime and our approach has three pillars. The first approach is firm punishment and legislative deterrence. The second approach is enhanced resources for enforcement that foster collaboration between law enforcement agencies. The third approach is essential investments in crime prevention, communities and youth. All three of those are essential in dealing with the issue of crime and crime in our society. We cannot take away one and have an effective program.

Unfortunately, the bill addresses only one of those pillars and I do not think crime can be effectively addressed in our society by pursuing only one aspect of the problem.

I also see some key problems with the legislation. The questions I asked earlier in the House were: Why are unrestricted firearms not

included? Why are long guns not included? Why are shotguns not included? Why do the Conservatives think that crime committed with a long gun is somehow less important? We know that over 50% of police officers killed in Canada in the last 20 years were killed by someone using a long gun and that a huge percentage of spousal murders in Canada are committed by men using long guns as well.

If the government were really serious about indicating the seriousness of gun crime, it would have included unrestricted firearms in the legislation. It just does not make sense to leave it out. It brings into the question the whole motivation behind this legislation.

The bill also contains a 10 year provision for a third offence. As a significant body of opinion says that this may be seen as excessive by the courts and ultimately ruled unconstitutional, I am concerned about its inclusion in the legislation.

On the whole, there is evidence that mandatory minimum sentences do not reduce crime, that they have no effect on the crime rate. We know, and we have seen and heard this repeated over and over again, that people who commit serious crimes almost always never consider the punishment. Therefore, having a significant punishment for a crime is not necessarily a deterrent and it certainly is not an effective deterrent.

We have seen in other societies, such as in the United States where certain jurisdictions have drawn heavily on mandatory minimum sentences, that it has not had a significant effect on the crime rate in those jurisdictions.

The Conservatives are also making up plans for a huge increase in the rate of incarceration in Canada. We saw that a significant piece in the budget dealt with increases in infrastructure for our federal prison system. We know that the kind of measures they are proposing in Bill C-10 and in the conditional sentencing legislation would increase the number of people who are in both federal and provincial prisons.

It is not just the capital cost of the infrastructure, of building new jails and new prisons, it is also the cost of keeping someone in jail. We know that it costs about \$51,500 per inmate at the provincial level and about \$81,000 per inmate in the federal system.

● (1245)

When we combine all the plans that the government has noted on this, we see a significant increase in the cost of the prison system in Canada. Some of that cost is being downloaded to the provinces. We know that there will be an increase in sentences under two years, certainly under the conditional sentencing legislation.

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This shift to incarceration will move funds from enforcement and prevention programs and it will also put more people in jail, which has been proven not to be the most effective way of dealing with crime in our society. It offers some level of protection to society, but the rehabilitation side, the rebuilding of relationship side is also more difficult when incarceration is used, not to mention the fact that prisons have often been called schools for crime and a great networking opportunity for criminals. All of those concerns draw into question the emphasis that the government is putting on increasing rates of incarceration in Canada.

There is also a problem that some Crown attorneys, in discussing this kind of remedy, have said that they do not feel that there is a need for more mandatory minimums and if they are implemented there is an increased likelihood that as Crown attorneys that they will plea bargain around them.

If that is the case, this legislation may have exactly the opposite effect than what the government intends. It may in fact see more cases plea bargained and the serious penalties that are being proposed will not actually be implemented.

Another issue with the current legislation refers to specific crimes that would establish a mandatory minimum sentence for breaking and entering to obtain a firearm. This will disproportionately affect aboriginal communities where this crime of break and entry to borrow a gun to hunt for food is quite common.

No matter what we think of this crime, how can putting more aboriginal people in our prison system for a longer time address what most of us already recognize as the huge failure of our society. Aboriginal people are hugely overrepresented in our prison population. This step moves in exactly the wrong direction.

In the last election, New Democrats put forward a comprehensive platform on crime. Central to that was an omnibus safe communities act that would take a holistic approach to reducing crime. We know that only a combination of measures can be effective.

Our plan included some of the following items, none of which are part of the Conservative's priorities and certainly none of which are part of Bill C-10.

We propose dealing with the border. We know that most illegal guns used in crime enter Canada from the United States. We need to have more effective border controls and we need to ensure that border officers are properly equipped to do the job, including arming them if an RCMP presence is not going to be provided at all times.

If we talk about border issues, I think most Canadians would recognize that the flow of illegal weapons from the United States into Canada is a serious border issue. We do not hear, report on or discuss this lately. We have been talking mainly about the problems that the Americans perceive with our border and the traffic north to south, which is unproven at best.

We know there is a serious issue of illegal guns coming into Canada from the United States. We need to deal with that effectively. We need to target the selling of illegal weapons on the Internet. This should be a specific criminal offence. The RCMP should have the resources to do the job and Parliament should establish a task force

and other proactive measures for discovering and eliminating Internet sales.

We need to provide federal support for multi-level task forces in communities facing heightened violence, making sure that they include broad representation from the community and in youth involvement, and ensuring a focus on all aspects, including root causes, enforcement and prevention priority. We have to involve our communities in seeking the solutions to the crime problem in their areas.

We have called for stricter bail conditions when guns are involved in crimes. We support legislative regulatory and sentencing initiatives to embody the principle that handguns have no place in the cities.

We are also talking about returning a significant portion of the proceeds of crime back to local communities and neighbourhoods as requested by the Federation of Canadian Municipalities.

We want measures to help prevent youth from becoming involved in gangs in the first place. More funding for community programming outside school hours and other targeted educational programming, and we need to increase funding for programs to address drug addictions.

In my home community we know that most crimes are the result of people who are drug addicted. We know at the same time that there are few treatment resources available, so even when people are prepared to undergo treatment they have to wait and often that is the death knell for their good intentions and for the opportunity to actually get them off the drug that has been ruining their life.

• (1250)

There are many things we need to address. We need to address poverty, alienation, unemployment, literacy, access to education, and victim services, but my fear is that if we go in this direction, we will use valuable resources for those areas on incarceration and not deal with the real issues. So I am left very skeptical about this legislation.

Mr. Myron Thompson (Wild Rose, CPC): Mr. Speaker, the last few speeches we have heard in the House indicate pretty much how nice it is to be a Liberal and an NDP because they have this touchy-feely air about criminals and their activities. We keep hearing that crime is going down but I am not so sure that is true. We hear all kinds of statistics and I would suggest that we need to consider one other thing.

Even if crime is going down and I am not sure it is, in fact I am convinced it is not necessarily true. However, the one thing that is increasing is the amount of guns arriving in this country illegally and the amount of guns available to criminals. Gangs are smuggling in these guns. We know there is a hoard of guns out there and they will not be used for anything but criminal activity.

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It seems to me that we are in for some serious problems ahead, probably not from the past but we had better start preparing for the future. This bill is a step in that direction. There are many things we could do besides this bill and we are going to do those things, but in the meantime we have to take this seriously. What we need to do is stop this nonsense of saying, for example, that long guns are not covered by the bill.

If someone uses a gun in a crime, it does not matter if it is a shotgun, a 30-30 rifle or whatever. If individuals use a gun in the commission of a crime, this bill says they are guilty and will be punished. I wish the opposition members would start speaking the truth about the bill and either read it or put it aside, but keep their mouths shut if they are not going to speak about facts and the idea that it does not apply.

Second, I would like to know why we do not get the bill to committee? We are hearing now all this touchy-feely wonderful stuff that we are going to do but nobody over there really knows what we are going to do. Let us get this to committee. Let us get this thing closed down and let us get some real study on it because I know that the victims of crime strongly support this bill. Police forces across the country strongly support the bill and all we are hearing right now is this fuzzy stuff.

I am tired of it. I want the bill to be studied in committee. Let us get it right because guns are going to be a very serious problem in the future because of the number of them that exist out there and, by the way, are not registered.

Mr. Bill Siksay: Mr. Speaker, I would be happy to comment on the member's interjection. I wish he would take some time to look at the evidence about crime statistics in Canada. If he bothered to do that, he would see that crime is indeed decreasing in Canada.

In fact, just this last weekend in British Columbia we saw that auto theft, which has been one of the main problems of crime in the lower mainland, has actually gone down. Some of the preventive proposals that have been gaining use in the lower mainland are things like bait cars. They have gone a significant distance in decreasing the kind of auto crime that we see. It is exactly those kinds of programs that we need to be funding.

If the Conservatives were concerned about not being touchy-feely and wanted to actually do something about crime in Canada, they would put some money into those kinds of programs. They would put some money into restorative justice programs to rebuild relationships, and keep crime, punishment and rehabilitation in the community.

They would put some money into victim services to ensure that victims have the support they deserve when they are faced with dealing with a major crime. There is nothing touchy-feely about calling for that kind of reorganization of government spending and nothing touchy-feely about calling for that kind of reorganization of the government's thinking because that is a significant task ahead of us.

The member mentioned the whole issue of gangs and illegal guns. Bill C-10 is not going to do anything about that, not one thing. Those people could care less what the penalty is for the kind of crime that they are involved in. If the government were serious about dealing

about that, we would see some programs that would prevent people from becoming involved in gangs. We would see some programs that would deal with the question of the border. Why are guns still flowing across the border illegally? Why have there not been any specific initiatives to deal with that? Those are really important questions that need to be addressed as well.

• (1255)

The Acting Speaker (Mr. Royal Galipeau): Is the House ready for the question?

Some hon. members: Question.

The Acting Speaker (Mr. Royal Galipeau): The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Mr. Royal Galipeau): All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Acting Speaker (Mr. Royal Galipeau): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Mr. Royal Galipeau): In my opinion the yeas have it.

And more than five members having risen:

The Acting Speaker (Mr. Royal Galipeau): Call in the members.

And the bells having rung:

Mr. Jay Hill: Mr. Speaker, I request that the vote on the motion be deferred until the end of this day.

The Acting Speaker (Mr. Royal Galipeau): So ordered.

* * *

CITIZENSHIP ACT

Hon. Monte Solberg (Minister of Citizenship and Immigration, CPC) moved that Bill C-14, An Act to amend the Citizenship Act (adoption), be read the second time and referred to a committee.

He said: Mr. Speaker, I am grateful for the opportunity to open the debate today on Bill C-14.

As members may know, this bill was introduced in the House on May 15. The timing was no accident. The United Nations designated May 15 as International Families Day. This is a day to reflect on the importance of families to societies around the world. This year's theme was about changing families and it has given us an opportunity to see how we can support their changing needs.

[*Translation*]

This bill give us the perfect opportunity to show our support for Canadian families who wish to adopt children born abroad.

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Let me tell the House about one of those children. A baby girl was abandoned in a public place in China where she would likely be found. She was only a few months old. An orphanage took her in and gave her a date of birth and a name. She was lucky.

A Canadian woman heard of the little girl and began the adoption process. She went to China and returned with a skinny and frightened little girl who, for the third time in 15 months, had been given to someone she did not know.

After waiting for two years for amendments to the Citizenship Act the Canadian mother arranged for her adopted daughter's case to be channelled through the usual immigration process and she received Canadian citizenship in about one year.

• (1300)

[Translation]

Today, she is a very happy girl living in Scarborough.

[English]

However, if this little girl had received citizenship at the time of her adoption, there would have been one less obstacle to be overcome and her adoptive parents would have been saved much time, effort and frustration.

The government has an agenda that is focused on outcomes. We want to see laws that improve the lives of Canadians, its citizens and immigrants. With respect to the immigration part of my portfolio, we have already taken action in a number of ways.

I recently announced that international students in our universities and colleges will be allowed to compete for off campus jobs on a level playing field with their Canadian peers. About 100,000 students across Canada stand to benefit by this opportunity to develop skills, language and experience.

The government is committed to improving the social and economic outcomes that recognize the importance of better supporting immigrants so that they can succeed socially and economically. That is why we are providing two years of additional settlement funding, a total of \$307 million in new funding.

To help victims of human trafficking, we moved quickly to implement new measures such as temporary resident permits to help victims come forward and report the crime and begin their recovery.

[Translation]

We are operating according to the plan we introduced.

[English]

That plan includes addressing three citizenship and immigration matters, three issues impeding a fairer and more sensible immigration program that works for Canada.

The first was to reduce the right of permanent residence fee by half. That was done in the May 2 budget.

The second was to take steps to establish a Canadian agency for the recognition of foreign credentials. With \$18 million provided for in the budget, we can begin to make headway after years of false

starts. I fully support my colleague on this project, the Minister of Human Resources and Social Development, who will continue to consult with the provinces and territories regarding this agency. We will await her advice and proceed accordingly.

The third of course was to support Canadian parents who adopt foreign-born children, and here is the legislation. The legislation springs from a Conservative Party of Canada policy position that was adopted in early 2005. The idea won the favour of all parties by the end of that year.

This legislation is a thoughtful and balanced response to issues raised about our current law. It is also an expression of Conservative and Canadian values. We have also heard from important stakeholders such as the Adoption Council of Canada. They are behind the bill. So are the many other families who have their own stories of frustration and delays. I can recall countless stories where people were concerned about the time and effort required to get Canadian citizenship for their adopted foreign-born children. Their input and concerns are reflected in the continuing work that goes into the regulations that will complete this legislation.

Families and representatives of families have all been calling for our government to modify its legislation to support families, to get it done. This legislation does get it done. It gets it done for families and it gets it done for children. We are there to support families. By passing this legislation, members of this House will be doing not only what is right, they will be increasing fairness in Canadian citizenship legislation.

The issues dealt with in this legislation have been noted for some time. They were examined by standing committees during previous sessions of Parliament. This bill benefits from what was put before those committees. The discussions leading up to the present bill have been long and deliberate. They have also been pragmatic and democratic. Individuals who have real life experience with the requirements of current legislation came forward. We sat down with them and listened to their frustrations about the status quo.

I would like to take this opportunity to pay tribute to the hon. member for Prince George—Peace River who took a leading role in these discussions. In fact I will say that over the last many years, I do not know of a single parliamentarian who has played more of a leadership role on the issue of adoption than that member. At a time when really no other parliamentarians were coming forward on this issue, the member for Prince George—Peace River, the government whip, was there standing up for families who were struggling with all kinds of adoption issues, including the issue of providing citizenship to foreign-born children. Today we see the fruits of all of his labour up until this point.

We also consulted widely on what could and should be done. The result is in this bill. It is a sensible and coherent response to issues raised around Canadian citizenship for foreign-born children and young people adopted by Canadians. It delivers a major priority of our election platform: a fair and sensible citizenship and immigration system that works for Canada.

Currently, Canadian citizens residing in Canada who wish to adopt a foreign-born child abroad must first sponsor the child as a permanent resident. Only after that step has been taken can an application be made for citizenship. With this bill we are making it easier for Canadian parents to obtain Canadian citizenship for their foreign-born adopted children, whether the parents reside in Canada or abroad.

• (1305)

[*Translation*]

Today's bill is good news.

[*English*]

Bill C-14 gives children adopted overseas access to citizenship without having first to apply for permanent residence. It reduces delays in getting citizenship for children who are becoming part of Canadian families. It is an expression of our desire as Canadians to see new families constituted as supportively and as quickly as possible.

[*Translation*]

This bill will mean more fairness.

[*English*]

At present there is a difference in the way we treat children adopted overseas by Canadians and those who are born overseas to Canadians. A child born to Canadians overseas receives Canadian citizenship by birth. An adopted child must first get permanent residence before citizenship. The families who have opened their hearts to these children certainly do not make that distinction and neither do we.

This legislation streamlines the process for families. It augments the fairness of our system as a whole. It has the support of Canadians across the country. That is because we listened carefully to any concerns raised in our consultations, concerns for example about the possibility of individuals adopting children merely to help them acquire citizenship, adoptions of convenience as they are known. We crafted the bill to deal specifically and coherently with these concerns.

Among other safeguards, Bill C-14 ensures that the existence of a genuine parent-child relationship is demonstrated, that the best interests of the child are being met, that a proper home assessment has been made, that the birth parents have given their consent to the adoption, and that no person will achieve unwarranted gain as a result of the adoption.

[*Translation*]

I would like to clarify that this bill applies to adoptions that took place after the Citizenship Act came into effect on February 15, 1977.

[*English*]

There is an additional matter I would draw to the attention of the House. This is the case of adoptive parents living in Canada. The province or territory where the parent resides will be an integral part of the adoption process. That is because adoption falls within provincial and territorial jurisdiction. Bill C-14 does nothing to alter

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this. The government does not wish to impinge in any way upon the prerogatives of the provinces and territories.

I began my remarks by talking about a little girl. Let me close with the story of two parents and their experience. They will soon join 10 other Canadian families to fly to China to bring their newly adopted children back to Canada. Can anyone imagine their flight home. It is their opinion that the current citizenship process “is a difficult and lengthy process, so this”—Bill C-14—“is a big help....This is one less obstacle”. When embarking on the journey of adopting their children, these parents were surprised to discover that citizenship rules are different for babies adopted abroad as compared to babies born to Canadians abroad. Babies are people just starting out with a clean slate.

I conclude by returning to the theme of this year's International Day of Families. It is pertinent to this legislation. It is “Changing Families: Challenges and Opportunities”. With this bill we are doing our part to support families and adopted young people in a time of rapid change globally. Indeed we are supporting families and their newest members, their adopted children, children we want to see protected, children we want to welcome, children who we want to feel at home here in Canada.

Bill C-14 contributes to one of this government's priorities: a fair and sensible immigration program that works for Canada. For these reasons, I look forward to the debate ahead of us. A prominent immigration lawyer has commented on the bill by saying, “This is a win-win situation. No one will object to this piece of legislation. It will pass, I hope, the House very quickly. It will go through committee stages and it will receive royal assent, I hope, very quickly. It is long overdue”.

Indeed, the member for Trinity—Spadina has commented on this. I would think that she concurs with the proposed changes. She is a highly regarded member of the House, but there is a reason for all members to be as proud of this legislation as I am. I look forward to both sides of the House supporting the passage of the provisions of this bill as quickly as possible.

• (1310)

Mr. Mario Silva (Davenport, Lib.): Mr. Speaker, I commend the minister on his remarks and for introducing the exact bill that the Liberals put before the House when they were in government.

I appreciate that the minister spoke about the importance of families and family unity. I agree with the minister 100% on that point, but he knows very well that countless children are born in Canada whose parents are being deported to their country by the minister's department. In particular, I will describe the case of one family, which I have raised with the minister. The father is from Portugal and the mother is from Brazil. During the crackdown they had to flee to Portugal. They are still trying to get back to Canada. They have children born in this country, Canadian citizens who have full rights, the same rights that the minister and I have, yet they cannot come back to this country.

The minister talked about family unity and keeping the family together. Where are the rights of those Canadian children who were born in this country?

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Hon. Monte Solberg: Mr. Speaker, I would have to start by pointing out that the hon. member sat on the government side of the House for several years while his government deported, not a few hundred families, but thousands of families back to their home countries. They were undocumented families, many of whom had children who were born in this country.

It strikes me as a little strange that the member would stand up after being silent for year after year not speaking up for his own constituents and then point an accusing finger at the present government for basically doing the same thing following the Liberal government's policies.

I will say this much. This government will never stand in this place and make promises to people quietly on one side and then come to this place and fail to do what was promised to the people to whom the promises were made. We will not be that kind of government. We will not show that kind of hypocrisy.

[*Translation*]

The Acting Speaker (Mr. Royal Galipeau): The hon. member for Vaudreuil—Soulanges.

Does the hon. member for Laval—Les Îles wish to say something?

Ms. Raymonde Folco: Mr. Speaker, I have risen twice and I do not understand why I have not been given the floor. Would you kindly explain the procedure to me?

The Acting Speaker (Mr. Royal Galipeau): The hon. member for Vaudreuil—Soulanges.

Ms. Meili Faille (Vaudreuil-Soulanges, BQ): Thank you, Mr. Speaker.

Some procedures are different in Quebec. For example, in the case of Thailand, parents are recognized as guardians. I would like the minister to tell me at which point citizenship will be granted.

[*English*]

Hon. Monte Solberg: Mr. Speaker, I would say a couple of things with respect to that.

First, the adoption process is primarily driven by the provinces in the sense that anything we do respects provincial jurisdiction. This is a provincial jurisdiction with respect to the adoption process. We consulted with Quebec in the lead up to this legislation. We are very careful to accede to the provinces when it comes to the issue of adoption itself.

We also have another obligation which is to work with the countries from where children are being adopted and to respect their laws as well with respect to adoption. We are quite assiduous in making sure that we respect their adoption laws. In some cases in fact we are not even allowed to enter into agreements with some countries because some countries do not allow international adoptions of the kind that we are talking about today.

• (1315)

Mr. Bill Siksay (Burnaby—Douglas, NDP): Mr. Speaker, the legislation before us is important. I think there will be lots of support around this place and certainly from this corner. I do want to ask why is there such a limited citizenship agenda from the government?

In the previous Parliament the Standing Committee on Citizenship and Immigration did a review of the Citizenship Act. There had been promises from the previous government to introduce a revamped immigration act. We know there are many issues within it that need our attention, particularly the revocation procedure which many of us feel makes new Canadians feel like second-class citizens because of the possibility of challenges to their citizenship that do not exist for those of us who were born in Canada. There is a whole other list dealing with the question of the citizenship oath which many people feel needs to be updated.

Why not have a more extensive agenda around citizenship and address some of these issues that have been promised for so long?

Hon. Monte Solberg: Mr. Speaker, the short answer is that this is a very specific plank of our platform that we ran on and we made a commitment about addressing it. This is where we are starting.

The other point I would make is that I am not aware that in the election campaign any of the parties proposed to make revocation of citizenship an election commitment or commit to doing that if they formed the government. That speaks volumes because we know that in the last number of years there have been several attempts to change the Citizenship Act. I think there were four in the last half a dozen years and they all failed. They all foundered precisely because there is a lot controversy about some of the aspects of changes to the Citizenship Act, especially on the issue of revocation.

While we are not opposed to have that discussion at some point, it is pretty clear there is nothing approaching a consensus on this issue. In a minority Parliament I am mindful of that. I think we should try to get the common sense things done that we can get done.

Mr. Kevin Sorenson (Crowfoot, CPC): Mr. Speaker, I thank the minister for bringing the bill forward. He is correct. The bill lives up to an election promise made by the Conservative Party of Canada, one with which many of my constituents are very happy.

I have a case at the present time involving a young couple who have been married for four years. They have found they cannot have biological children so they will go the route of adoption. They are trying to pay for a house and make payments on a car and are now facing the possibility that the adoption could cost them \$20,000 by the time everything is said and done. Over and above that, they are facing roadblocks.

My wife and I have adopted two children. I know what it is like, as a young married couple, to go through this and face the added costs. The response from my constituents is very positive with respect to the bill.

Part of the bill talks about prior to 1977 and those individuals who perhaps may be here already. Are there still many, who have come from other countries who, who have to deal with these roadblocks, yet they contribute to our economy? We recognize them as citizens of our country, but they do not have that piece of paper.

• (1320)

Hon. Monte Solberg: Mr. Speaker, there are large numbers of people, but I cannot give my colleague a number off the top of my head.

Government Orders

The bill is designed to end the difference between children born to Canadian parents overseas and adopted children. The legislation takes us back to the upgraded citizenship bill of 1977. The idea is to make it clear that children who have come to Canada since 1977 are treated the same way as children born to Canadian parents overseas. The intent is to ensure there are no distinctions between naturally born children and adopted children. This is a Canadian value. People want to show this generosity to everyone and it is reflected in the legislation.

[*Translation*]

The Acting Speaker (Mr. Royal Galipeau): The hon. member for Laval—Les Îles has the floor; she may ask a short question.

Ms. Raymonde Folco (Laval—Les Îles, Lib.): Mr. Speaker, I would like to ask a question of the Minister of Citizenship and Immigration through you.

Earlier, in his speech, he mentioned that no other parliamentarian had taken such an interest in the question of international adoption as a parliamentarian on the side of the government, and that they had consulted plenty of people.

I am sure that they consulted lots of people. However, I would like the minister to explain to us how it is that Bill C-10, which he introduced, is identical to Bill C-76, which the Liberals introduced when they formed the government. That Bill C-76 obviously died on the order paper because of the last election.

Could the minister tell us how these two bills differ from each other?

[*English*]

Hon. Monte Solberg: Mr. Speaker, the bill reflects a Conservative Party motion from our assembly in 2005, which the previous government adopted. It knew it was good policy and good politics. We have simply taken it back.

We are going to improve it as well by consulting broadly with stakeholders when it comes to the regulations. That is where the rubber will meet the road. We are going to find ways to work with them. Although we have cut out the permanent residents part of the adoption process in the citizenship process, we need to make sure we speed up the whole process so there will not be any delay between the time the adoption is approved and the time when this typically a young child becomes a Canadian citizen.

[*Translation*]

Ms. Raymonde Folco (Laval—Les Îles, Lib.): Mr. Speaker, I am happy to rise today in the House of Commons to offer the support of the official opposition to Bill C-14, an act to amend the Citizenship Act, so that children adopted by Canadian parents can enter Canada and remain here as citizens without having to go through the first stage, getting resident status.

Before going any further, I would like to add that I wish to share my speaking time with the member for Davenport.

We support the objective of this bill, in spite of the fact that my party has some concerns about it, particularly in connection with the automatic immigration of children over 18 years of age, who would not have to go through security and criminal record checks. However, I will deal with this question in detail a little later.

[*English*]

As indicated in the question I asked the minister a few moments ago, the bill is an exact replica of Bill C-76, presented in Parliament by my colleague, the former citizenship and immigration minister, on November 17, 2005.

[*Translation*]

Apparently this bill died on the order paper, in view of the fact that the election was held immediately afterwards.

[*English*]

I would like to congratulate the present minister for recognizing that the legislation builds on several other bills tabled previously in Parliament, dating back to 1998, since the first Citizenship Act of 1947 and, to my knowledge, the first of its kind in the Commonwealth after the Statute of Westminster in 1931, which gave Canada legal recognition as a self-governing dominion and became law in Canada. We followed it with the 1977 changes to the act.

The Standing Committee on Citizenship and Immigration has also undertaken a lot of work. I would like to particularly thank committee members for the latest report, which was submitted to Parliament last October and which called for a total revamping of the act, with a preamble to include equal treatment of Canadian born and naturalized citizens as one of our values, including the enhancement of our two official languages.

The bill has taken its time in coming, but it is finally before us in the House and we are very glad of this. Citizenship also must be given as a right to those who qualify, rather than as a privilege.

Recommendation 4 of the 12th report of the standing committee to Parliament also called for automatic citizenship entitlement for adopted children.

• (1325)

[*Translation*]

In 2001, the Liberals created a special policy to give these children access to citizenship. It was an interim measure taken with a view to finding a solution in which fairness and justice could prevail for adoptive parents.

Today we have an enactment that has been very slow coming, but that will finally ensure equity for adopted children.

The granting of citizenship is a gift full of emotion and of very great value, which is certainly not taken lightly by anyone.

Children born in many countries remain without a homeland, since their parents themselves still do not have clear status. They are in fact stateless, because such countries refuse citizenship if the parents were not born in the country.

Thus we in Canada live in a society that respects the rights of individuals.

Government Orders

[English]

Despite the current occurrence in Toronto, involving immigrants and the children of immigrants, I know the respect that is held for Canada from the many citizenship ceremonies I have attended in my riding of Laval—Les Îles and from my own citizenship ceremony many years ago.

I have listened to the stories of parents and their children. They take their responsibilities as citizens of our country very seriously. These people and their offspring, including those who have been adopted, are proud to live in a society where there is order, where the people who protect us are respected, are part of our communities and are not to be feared, as is the case in many countries known.

Many of my constituents have left behind the fear that they lived through and are proud to be Canadians. They have instilled that pride of citizenship in their children, those born here and those who have acquired citizenship.

[Translation]

If Bill C-14 is adopted in its current form, section 5.1(2) of the act as amended will allow people over 18 years of age who are adopted to be exempt from security checks and criminal records checks.

I understand the conditions involving a genuine relationship between adoptive parents and their children.

It is important that these genuine relationships be present before the child is adopted. If everything goes well, these relationships will continue long after that time.

It is also clear in the terms of the Immigration and Refugee Protection Act, paragraph 5.1(2)(a) a genuine parent-child relationship must exist before the child reaches the age of 18.

[English]

My concern stems from the bypassing of security and criminality checks for children who are now considered adults under our law, that is 18 years and over, who may have been in conflict with the law.

We have seen recently children, too young to be identified, being alleged threats to Canada. Yes, no doubt they may be influenced by much older adults because there is this need for belonging, the identification of someone who might seem to be charismatic and daring. Yet those youths may not have had the willpower, either because of a lack of positive role models in their lives or whatever extenuating circumstances, to resist the temptation of criminal activities.

I would like to make clear that there are three categories of children. There are those children under 18, who obviously are children from the time the process is put into force until they are adopted. That is not a problem in this. Where the problem lies is for youths who are under 18 when the process has started, but are over 18 when the process is finished and for those people who are between 18 and 22 during the process.

This is what I would like to look at in my remaining time.

●(1330)

[Translation]

By giving these young adults over 18 complete freedom in Canada as citizens, we could be contributing to compromising the infrastructure and the very foundations of our society that we seek to protect. I recommend that the government continue its work toward the equality of adopted children and Canadian children. However, in these particular circumstances, unless the official opposition can guarantee that security and balance controls are in place, this particular section must be modified in order to allow automatic security checks and criminal records checks for adoption after the age of 18.

[English]

Let me be clear, this has nothing to do with parent-child relationships. Parents do not always know what their children are up to. Parents cannot monitor their children 24/7, as youths would say.

Youth are adopted out of war zones all the time. It is part of Canada's humanitarian history. As we know, they can be influenced at an early age. If violence is all they know and those prospective parents have been unable to influence them enough to give them the security they crave, we might be bringing into Canada youth who might be unable to adapt to their new environment in a positive way.

I maintain that youths over 18 ought to be subject to criminality and security checks before being given Canadian citizenship through adoption. It is important to have those checks and balances in place in the world in which we now live.

The issue of security checks, from a Canadian angle, was one of the issues that had been raised by the former minister of citizenship and immigration, when he said:

Best Interests of the Child is a key consideration, but it does not outweigh all other factors. Other elements must, of course, come into play when a case officer examines the various considerations in the balance. Let us say that Best Interests of the Child are one of many important factors taken into account when officers assess cases.

I argue that the assessment of security and criminality is one of these important factors.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I know the member for Laval—Les Îles has been one of the most active members in the chamber on the issues of citizenship and immigration.

I have a couple of questions of clarification where the member may be able to assist the House. I agree with the elimination or reducing the differentiation between adopted children abroad and children born to Canadians who are travelling abroad.

Clause 2 of the bill, paragraph 5.1(2), refers to a child who was a minor child. Then we get into a person who is at least 18 years of age, meaning under 18 is a child. I am not sure whether there is a differentiation between who a minor child is and someone who is under the age of 18. I think there was another one very similar to that.

Government Orders

For clarification, the member raised the issue of criminality checks for those who are under age 18, even though they are subject to the laws internationally. Is there a difference between a minor child and a person who is under 18?

[*Translation*]

Ms. Raymonde Folco: Mr. Speaker, to my knowledge there is no difference. However, I feel that the member is asking an extremely important question about the legality of the definitions in the bill. Since I am a member of the Standing Committee on Citizenship and Immigration, I will certainly ensure that this definition is very clear in the bill. According to Canadian law, a minor is a person under the age of 18.

[*English*]

Hon. Keith Martin (Esquimalt—Juan de Fuca, Lib.): Mr. Speaker, I congratulate my colleague on her speech. I have a question for her that deals with the immigration portfolio. It is an issue that relates to the situation with respect to work permits in Canada.

Because we have a significant work skills shortage, I want to ask my colleague if she thinks that the government should consult with other groups and develop a better system of work permits to address the skilled trades shortage we have in our country right now and to bring immigrants in certain skilled trades to Canada to address this deficit.

• (1335)

[*Translation*]

Ms. Raymonde Folco: Mr. Speaker, I did not “plant” the question, but I must admit that I could not have put it any better myself.

Several agreements between the federal government and various provincial and territorial governments permit the provinces to apply to the federal government as to the type and number of individuals they would like to receive as immigrants in their own province, depending on the desired categories.

In future years, when the government hopefully tables a bill one day, we will have to give very serious consideration to the entire question of labour skills and needs in Canada given the role—past, present and future—of immigration in our country. That is evident.

[*English*]

Mr. Mario Silva (Davenport, Lib.): Mr. Speaker, I am pleased to have the opportunity to speak to Bill C-14, an act to amend the Citizenship Act with respect to adoption provisions.

My hon. colleagues will know that Bill C-14 is in fact a reintroduction of Bill C-76, which was of course put forward by the former Liberal government in November of 2005. I am pleased that the current Minister of Citizenship and Immigration decided just last month to bring forward the bill once again, in the form of Bill C-14.

This bill amends the Citizenship Act that became law in 1977. Clearly, for reasons of fundamental fairness and equity, there was a need to address the issue of foreign-born children adopted by Canadian parents. The current law requires an unnecessarily long and involved process by which adopted children become full citizens in Canada.

As has been noted in testimony before the Senate committee on citizenship and immigration and within this House, the current system creates an inequality between children born to Canadians living abroad and foreign-born children adopted by Canadian parents.

Indeed, in his appearance before the standing committee last November to discuss Bill C-76, now Bill C-14, Mr. Mark Davidson, who serves as director and registrar of Canadian citizenship, noted that this, again, is a matter of “equity”.

I fully agree with Mr. Davidson's assessment. This is about fairness. It is about treating children of Canadian parents with equity and equality. They deserve the same treatment as children of Canadian parents born abroad. In implementing Bill C-14, we will ensure that parents of foreign-born adopted children can immediately begin to welcome their new children into their families without the added burden of having to complete the unnecessary step of obtaining Canadian citizenship for their children.

By the time these children have been brought to their new homes here in Canada, their parents have already undergone a long and extensive administrative process. It is certainly incumbent upon their government here in Canada not to add to this process in unnecessary ways.

Ms. Sandra Scarth, president of the Adoption Council of Canada, described Bill C-14 in this way: “This is a major step forward for foreign-born adopted children and their adoptive families”. I agree with Ms. Scarth that this is indeed a significant step forward and is, quite frankly, long overdue.

I intend to support this bill because it is about fairness. It is also about practicality. Requiring families who adopt foreign-born children to go through the immigration process is not only unfair but clearly redundant. These are their children, whom they will raise in Canada, and they are Canadians. These children, by virtue of their new Canadian parents, deserve the same rights and privileges as any other Canadian child. This bill would provide them this opportunity and address an issue that has long been outstanding and is very much in need of redress.

As noted before, I am pleased that the former Liberal government brought forward this proposed change in the form of Bill C-76. I am also pleased to continue to support the principle as it is now presented in Bill C-14. This is indeed about fairness, equity and compassion for new Canadian parents of foreign-born adopted children. I encourage all members to support Bill C-14.

• (1340)

[*Translation*]

Ms. Meili Faille (Vaudreuil-Soulanges, BQ): Mr. Speaker, the bill before this House today deals with international adoption. This is an eagerly awaited measure that we have always supported and promoted in this House.

Government Orders

I have the pleasure of speaking today about Bill C-14, which essentially amends the provisions of the Citizenship Act relating to international adoption. This bill will have numerous implications in the lives of all adoptive parents in Quebec as well as in the other provinces. Bill C-14 will eliminate the requirement that a sponsorship application be filed under the “family reunification” requirement.

Under the provisions that are proposed, children born outside Canada and adopted by a Canadian citizen will be able to acquire citizenship without first having to become a permanent resident and comply with the procedure associated with permanent residence. Once the citizenship application is made, citizenship will be granted if the adoption meets certain conditions. The child becomes a Canadian citizen on the day that citizenship is granted.

In Quebec, citizenship will be granted once the adoption process is finalized, before the adoption has been officially ordered by the Court of Québec.

The Bloc Québécois supports Bill C-14 in principle. We waited for a long time for a bill that would finally respect Quebec’s jurisdiction in respect of adoption, while granting the children of adoptive parents citizenship more quickly. We are pleased that the explanations we have offered in recent years have borne fruit. We are particularly glad to see that the federal authorities will be respecting the jurisdiction of the Court of Québec and its role as the authority that officially orders the adoption of the child.

In Quebec, the best interests of the child is the fundamental principle in international adoptions. The Bloc Québécois members agree with that principle. In 2004, Quebec took an important step in applying that principle when it incorporated the Convention on Protection of Children and Co-operation in respect of Intercountry Adoption.

In Quebec, all decisions concerning a child must be made in the child’s best interests and must respect the child’s rights. That rule is fundamental when it comes to adoption. An adoption must also meet the conditions set out in the law. What we generally call international adoption is referred to, in legal terms, as “the adoption of a child domiciled outside Quebec”. Quebec adoption laws thus go much further and cover both adoptions that take place in a foreign country and adoptions that take place in the other provinces and territories of Canada.

The statutory provisions that refer to the best interests of the child, and the statutory instruments that govern international adoption in Quebec, are as follows. We have the Civil Code; the Code of Civil Procedure; the Youth Protection Act; the Order respecting the adoption without a certified body of a child domiciled outside Québec by a person domiciled in Québec; the Convention on Protection of Children and Co-operation in respect of Intercountry Adoption; the Act to Implement the Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption and amending various legislation relating to adoption; and the Order respecting the certification of intercountry adoption bodies.

These instruments establish the conditions that must be met in Quebec by Quebecers who wish to adopt. The Civil Code of Québec also deals with types of adoption and the effects of adoption.

The rules governing consent and the “adoptability” of a child are the rules that apply in the child’s country of origin.

International adoption procedures vary according to the child’s country of origin. In Quebec, there are three ways of going about it. First, there are the cases where the child’s country of origin decides in favour of foreign adoption. Then there are the cases where the country of origin decides first on the placement of the child, as happens for example in the Philippines and Thailand. There are two steps to this procedure: the parents remain the adopted child’s guardians until the child’s country of origin is satisfied that they have fulfilled all the conditions during the placement period. The third case is much less problematic. Here the country of origin has ratified the Hague Convention and its decision can be officially recognized by the Secrétariat à l’adoption internationale.

The international adoption secretariat is the central authority in Quebec and operates in partnership with approved international adoption agencies. The secretariat draws up an international adoption file containing all the necessary legal documentation and forwards the adopting parent’s file to the adopted child’s country once the verifications have been completed. The secretariat ensures that the proposal is consistent with the recommendations in the psychosocial evaluation of the adopting parents.

● (1345)

When it is satisfied, the secretariat issues a letter of non-opposition. It is sent to the immigration authorities in Canada and Quebec and confirms that, after examining the documentation and the procedure that was followed, the secretariat has no reason to oppose the child’s coming to Quebec and Canada. Procedures are then followed in the child’s own country and the way is paved for the child’s coming to Quebec.

Adoption in Quebec confers parentage on the adopted child that replaces his or her original parentage. At that point, the child ceases to be a member of his or her original family.

Adoption decisions pronounced abroad must be officially recognized by a Quebec court to take effect in Quebec, with the exception of countries that have signed the Hague Convention. The responsibility for this task falls to the Court of Québec’s Youth Division.

The new provisions that are proposed would allow adopting parents to apply for citizenship in advance before the adoption is officially approved by the Court of Québec. Without this, adopting parents and adopted children in Quebec would not be in a position to benefit from the citizenship bill.

At the same time, another administrative measure could be applied immediately to speed up the process of awarding citizenship: rapid identification of the application at the Case Processing Centre. A special indication could be added on the application mailing envelope to specify and clearly identify that this is an international adoption application. When the child is travelling to Quebec, measures could be considered to improve communications between the different airports, to the delight of the adoptive parents who want to see administrative measures that do their job.

Government Orders

Each successive government has promised us major and necessary revisions to the Citizenship Act. You are surely aware of how long parliamentarians have been working on this sort of legislation, and I am pleased that we are agreeing to move quickly to refer the bill on adoption to committee.

Other citizenship measures will have to be tabled here in this chamber, as recommended by the Standing Committee on Citizenship and Immigration in the last parliamentary session. For example, there is no substantive appeal in the case of citizenship applications, and the government limits recourse to judicial review in the event of a negative decision. In this regard, sponsorship under the “family reunification” class seems to offer more protection for adoptive parents. We have been told this by the organizations testifying before the standing committee.

We have been waiting long enough. We have been waiting for these sorts of legal provisions since 1998. In fact, a decision of the Federal Court of Appeal found that the government is violating section 15 of the Canadian Charter of Rights and Freedoms as it pertains to adoption.

In granting adopted children citizenship more quickly, the federal government is finally taking account of the best interests of the child.

The adoptive parents have to start a long series of procedures. They have had enough of long waits in dealing with the federal government to adopt a child. I am certain that speeding up the awarding of citizenship will facilitate the integration of adopted children in their new family.

I would be remiss if I did not bring up the issue of adoption treaties, and the validity of the Gérin-Lajoie doctrine and the necessity of recognizing it in this field, in the interest of the child. For Quebec to be able to exercise its adoption and civil law powers, it should be able to conclude its own adoption treaties with the children’s countries of origin. It is the responsibility of the federal government to permit Quebec and the provinces to negotiate specific international agreements in the field of international adoption. Until it does so, we will continue to see the unfortunate consequences of its irresponsible management, such as those caused by the distressing episode of the adoption treaty with Vietnam, where the federal position is bad, plainly dysfunctional and increasingly indefensible.

We have here another example where the federal government must grant Quebec the ability to fully assume its constitutional jurisdiction on the international stage. Whatever it claims, the federal government does not have exclusive jurisdiction in international relations, for the Constitution does not state which level of government is responsible for international relations.

I repeat: since the Government of Quebec is responsible for adapting the Civil Code of Quebec, the Code of Civil Procedure and the Youth Protection Act, the Government of Quebec alone is in a position to guarantee that the rights of children will be respected. An adoption treaty concluded between the federal government and a foreign country could not offer such a guarantee. It is therefore imperative that Quebec conclude its own adoption treaties.

● (1350)

[English]

Mr. Bill Siksay (Burnaby—Douglas, NDP): Mr. Speaker, I am pleased to participate in the debate today on Bill C-14, an act to amend the Citizenship Act regarding adoption.

As we have already heard, this is exactly the same bill as Bill C-76 that was introduced last November in the last Parliament. I want to commend the Conservative government for getting it on the agenda so soon. It is unfortunate that we did not get it on the agenda sooner in the last Parliament because it is a change in our citizenship law that many families have been awaiting for many years. It is one that has been proposed in the past, long before the Conservatives adopted it as their party policy. I wanted to correct the minister’s assertion on that. This is something that has been around for many years and supported in many corners of the House. It is a good thing that it is finally on the agenda and hopefully we can expedite its passage so that adoptive foreign children have the same rights as children born to Canadians.

The bill would amend the Citizenship Act to allow a grant of citizenship to a child adopted by a Canadian. In this corner of the House we strongly support the bill. It would ensure that adoptive children are treated the same as biological children under the provisions of the Citizenship Act. In doing so, it will make citizenship automatic for adopted children as it is for children born to Canadians. Children who are eligible in this regard are eligible if the adoption took place after February 14, 1997, the date of the implementation of the current Citizenship Act.

This proposal has been supported by the courts. The federal court has said that the distinctions in law based on adoptive parentage violate the Charter of Rights and Freedoms and specifically section 15 on equality rights. The courts have said that the legislation needs to be updated and changed in light of the equality provisions of the Charter of Rights and Freedoms. If the need was not there before, it clearly needs to be on our agenda now.

This points out what many adoptive parents and adoptive children have felt over the years, that they are somehow second-class citizens, that they and their families are somehow second-class because they were not afforded the same automatic citizenship that children born to Canadians were. I am glad we are finally getting around to righting that because when it comes to citizenship, there should be no distinctions. Everyone should feel like a first-class citizen and there should be no distinctions in categories of our citizenship. Any time someone feels that somehow their citizenship is less than someone else’s, we need to look at that very carefully. This is one of those areas, so it is a good thing that we are moving to fix that.

Government Orders

Currently an adoptive child must be sponsored for permanent residence by their adoptive parent. This process would be eliminated, and we all know what a lengthy process that can be. Unfortunately, it has proven problematic for many families, so it is good to be able to remove that bureaucratic impediment to the full participation of adoptive children in Canada. Now it will still be open to people and some lawyers have said that they would recommend to clients that they still go through the process of applying for permanent resident status for the child and then subsequently to that citizenship. That option would remain but under the new legislation it would not be required.

Under Bill C-14, the adoption must meet certain criteria, and four in particular: First, the adoption must be in the best interests of the child as defined by the Hague Convention on the protection of children in inter-country adoption. We wanted to ensure the provisions of the Hague Convention were upheld and the legislation does that.

The second thing is that a genuine relationship must be created between the parent and the child, which means the building of a family and the building of a parent and child relationship.

Third, it must have been done in accordance with the laws of the jurisdiction where the adoption took place and the laws of the country of residence of the child. All the laws of both the province in Canada where the adoption has taken place and the laws of the country of residence where the adoptive child was born and lives must be upheld.

Fourth, it must not have been entered into for the purposes of acquiring status or privilege in relationship to citizenship or immigration. It cannot be an adoption of convenience, an adoption that is intended to do some kind of end run around our citizenship laws.

It is a good thing that all of those criteria are included in the bill because we want to ensure this is about recognizing families, recognizing adoptions and recognizing the importance of adoptions for Canadian families.

• (1355)

The bill also includes specific recognition of Quebec's particular adoption process and, as we have heard already, that is a crucial part of this legislation.

The bill recognizes adult adoption if the adoptive parent acted as the person's parent before he or she was 18. We know that is also a crucial part of the legislation.

For all those reasons, we in the New Democratic Party support the bill.

I wish we would have had the opportunity to deal with this months ago. It is a shame that it came to the House so late in the last Parliament. It was almost an afterthought. It came in the dying days of the last House when so many promises had been made about citizenship. We heard, more often than not, on several occasions from ministers of the previous government, that there was an intent to go ahead with an overall revamping of the citizenship legislation, something that many of us felt was long overdue. We have not looked at our citizenship legislation since 1977.

We know the previous government tried to update the Citizenship Act three times with Bill C-63 in the 36th Parliament and, more recently, with Bill C-16 and Bill C-18. All of those died on the order paper because they were not given the appropriate priority nor the proper attention to working out the problems and dealing with the suggestions that were being made around them I should point out that both Bill C-16 and Bill C-18 would have addressed the issue of adoption and citizenship.

We could have dealt with this a long time ago if it had been given the appropriate priority by the Liberal government and if it had lived up to the priorities that it stated it had around citizenship legislation.

We are, again, looking at a very particular proposal around citizenship legislation with this bill. We need to move forward on that because families have waited too long.

It would be nice if the Conservatives' agenda were a bit broader than just this legislation but that is not to denigrate the importance of this legislation. Families and adoptive children are counting on it, but there are other citizenship issues that need to be addressed.

In the last Parliament, the Standing Committee on Citizenship and Immigration urged the government at that time to move on the issue of adoption in two reports, one in November 2004 and one in October 2005. Therefore, the government is well aware of the standing committee's enthusiasm for dealing with this matter.

There was no excuse for delaying the legislation in the past and there should be no excuse for delaying the legislation now. We need to get this to committee, get it back to the House as soon as we can so it can go through the process and families can take advantage of this proposal.

I want to make a few comments about the broader citizenship agenda that I asked the minister about earlier. We need to ensure we have this overall review of citizenship legislation. The act, as I mentioned, was passed back in 1977, and there are many aspects of it that demand our attention. I think crucial in that is the whole revocation process, the whole process where someone's citizenship can be revoked. This is another one of those areas where people feel like they are being treated as second-class citizens.

Many new Canadians have said that because their citizenship can be revoked, unlike the citizenship of someone born in Canada, it makes them feel second class. They always feel like that possibility of challenge hangs of their head. That is not a good thing to have when it comes to citizenship. When we are trying to establish people's attachment to Canada and when the citizenship process is the appropriate process for doing that, we need to ensure it meets that standard of developing attachment for people who become citizens.

The Standing Committee on Citizenship and Immigration, in a report to the House in the last Parliament, recommended that the charter should be fully applicable to the Citizenship Act. The committee recommended that the process for revoking citizenship should be a fully judicial—

Statements by Members

●(1400)

The Acting Speaker (Mr. Royal Galipeau): It is with regret that I interrupt the hon. member. It being 2 o'clock, we are going to statements by members under Standing Order 31. There will be ten and a half minutes left to the hon. member when we come back to this debate.

STATEMENTS BY MEMBERS

[English]

MULTICULTURALISM

Mrs. Nina Grewal (Fleetwood—Port Kells, CPC): Mr. Speaker, Canadians are proud that our country is the most multicultural and diverse in the world. Our multicultural policies should focus not only on tolerance but also on acceptance. We must accept the multicultural realities of modern Canada.

Ethnic groups should not be pitted against one another. This government will not promote the hyphenation of Canadians but will help to build cohesive values and promote acceptance with a Canada first attitude.

The immigrant settlement policies announced in the budget will focus on an immediate and improved start for newcomers to Canada. Their academic and work related credentials should be recognized and put to better use for Canada as well as for new Canadians.

This government will ensure that we integrate our population, not segregate it. We all want to continue to see a united and strong Canada.

* * *

CANCER SCREENING PROGRAMS

Hon. Joe McGuire (Egmont, Lib.): Mr. Speaker, recently the MP for Cumberland—Colchester credited a free cancer screening clinic here on the Hill for detecting a mole diagnosed as malignant melanoma. He was lucky to have the screening and can now continue to enjoy his life.

The big cancer killers are lung, breast, colon and prostate cancers and, with the exception of breast cancer, there are no adequate screening programs in any province or territory in Canada despite scientific evidence that screening would be an effective tool to reduce both the incidence of cancer and deaths from cancer.

We as a nation continue to spend most of our health dollars treating cancer and very few dollars screening and preventing cancer. This policy has to be reversed. How long can we ignore scientific evidence that screening for cervical, prostate, breast and colorectal cancers saves lives in large numbers?

In rural areas, with the shortage of physicians, these screening programs are becoming a vital necessity. Swift and decisive action must be taken by Ottawa and the provinces to put these programs in place without delay.

[Translation]

GOURMET FOOD FAIR

Mr. Marc Lemay (Abitibi—Témiscamingue, BQ): Mr. Speaker, on May 26, the Gala des Grands Prix du tourisme québécois was held. This year, 216 regional winners were crowned. One of them, the Abitibi-Témiscamingue and northeast Ontario gourmet food fair, was awarded the gold medal in the category of festivals and tourist events with operating budgets under \$1 million.

The food fair offers visitors an opportunity to discover, and most importantly to taste, some of the exceptionally good agrifood products from Abitibi-Témiscamingue and northeast Ontario, at tasting sessions and cooking workshops, and by visiting the producers' kiosks.

I would like to congratulate and thank the devoted women and men who make the Abitibi-Témiscamingue and northeast Ontario gourmet food fair such a success. Their remarkable work helps to make our region one of the most sought-after tourist destinations.

The next food fair will take place on August 18 and 20. I invite the members of this House and people from all around to come for a visit and give themselves a treat.

* * *

[English]

AUTOMOBILE INDUSTRY

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, I rise to express concern regarding the negative impact on Canada's important auto industry of a possible free trade agreement between Canada and Korea.

Canada's auto industry already faces some very difficult challenges. It already has lost 10,000 jobs in assembly since 1998 and another 10,000 parts jobs since 2003. The high dollar, a growing flood of offshore imports and structural problems are making matters worse by the month.

Canada already buys \$1.7 billion worth of automotive products every year from Korea. In return, we export almost nothing back, with just \$11.5 million last year. There are non-trading tariff barriers that are a problem for Canadian manufacturers and deny us access to the market. Korea has promised in the past to remove them, but has yet to do so.

We need to stop this deal. If the government wants to be helpful, what it should do is bring in a national auto policy, one New Democrats have been calling for. It would protect Canadian jobs and assure the future of an auto industry in the technological revolution. It would make sure that we have clean, efficient vehicles on our roads, produced by Canadians and our country.

*Statements by Members***STOLLERY CHILDREN'S HOSPITAL FOUNDATION**

Mr. Rob Merrifield (Yellowhead, CPC): Mr. Speaker, I stand today to honour an exceptional citizen of the great riding of Yellowhead. Braden Mole was only eight years old when a tumour was discovered in his brain. Since his diagnosis, he has had four brain surgeries and has suffered a stroke, but Braden has persevered.

This weekend, Braden, now 15 years old, is holding his second annual fundraiser to benefit the Stollery Children's Hospital Foundation. To date, his efforts have raised over \$71,000 for the foundation. This year, his goal is to raise \$200,000 to provide the hospital with a rotating x-ray machine.

It is amazing what an individual can achieve with hard work and a positive attitude, whatever his lot in life. Braden's efforts are a testament to his strong character and citizenship. Instead of letting this challenge overcome him, Braden has turned it around and has given the entire community something to look toward.

I extend congratulations for his accomplishments to Braden. I will see him this weekend.

* * *

● (1405)

[Translation]

MON AMIE LA TERRE

Mr. Jean-Claude D'Amours (Madawaska—Restigouche, Lib.): Mr. Speaker, on April 9 I had the honour of attending a play put on by children who attend Les débrouillards child care centre and the Énergiecentre of Val D'Amours in my riding, Madawaska—Restigouche.

The play, entitled *Mon amie la Terre*, was performed by children who have taken part in a project designed to find techniques for intervening positively with children in order to reduce aggressive behaviour. The name of the project is "Moi, je contrôle mon agressivité".

This activity provided the children with an opportunity to develop their self-esteem, express their feelings and practise their social skills. This means that the program provided benefits for the children, families, child care staff and schools, and also the community as a whole.

I would like to congratulate the four children who acted in the play: Anthony Maltais in the role of Virgule, Véronic Thibeault in the role of Miranda, Marie-Pier Savoie in the role of Valentine and Jean Eude Maltais in the role of Tifon.

I would also like to salute the work done by all of the organizers and volunteers who contributed to this project: Angéline Gaudet, Jean-Philippe Savoie, Yvette Levesque and Flavie Lagacé, Mona Normandeau, Lise Lurette and Patrick Gaudet.

* * *

[English]

VOLUNTEERISM

Ms. Helena Guergis (Simcoe—Grey, CPC): Mr. Speaker, on Sunday I had the privilege of attending a spaghetti dinner fundraiser in Clarksburg for Michelle Keeling, a constituent of mine in Simcoe

—Grey. I met Michelle three and a half weeks ago, when she told me about her medical mission trip to Africa.

Michelle recently received a bachelor of nursing degree through the University of New Brunswick at Humber College in Toronto. Michelle's commitment to assisting those in need bodes well for her chosen career as a registered nurse.

Everyone likes to make a difference in life. However, nothing is more rewarding than making a difference in the lives of others. Volunteers like Michelle are driven by an inner sense of having to do something about an acute situation, yet volunteer work is much different from paid work. It has its own special qualities. It is an opportunity to care for and work with others to alleviate human suffering.

On behalf of the Government of Canada, I want to commend Michelle for her tremendous commitment and wish her all the best for a very successful trip.

* * *

[Translation]

COMPTON

Ms. France Bonsant (Compton—Stanstead, BQ): Mr. Speaker, the village of Compton is throwing a year-long party in 2006. Why? Because the people of Compton appreciate the good things in life and they have decided to celebrate the 150th anniversary of the Saint-Thomas d'Aquin parish.

In fact, the township was settled earlier than that and the name of Compton had been appearing on maps for a little longer, but the parish was officially founded in 1856.

Compton is one of the friendliest municipalities in the region. This certainly has to do with the varied origins of settlers. During their celebrations, the people of Compton are promoting the sense of celebration, family participation, parish and community life, history as well as local heritage.

Until August, the organizing committee is inviting everyone to come and discover a beautiful village and wonderful people. Welcome all to the 150th anniversary of the Compton parish of Saint-Thomas d'Aquin.

* * *

ETCHEMIN RIVER RESTORATION COMMITTEE

Mr. Steven Blaney (Lévis—Bellechasse, CPC): Mr. Speaker, after 13 years of efforts to protect and restore the precious heritage of Etchemin River, the Etchemin river restoration committee has succeeded in bringing back Atlantic salmon, which had last been seen in these waters some 200 years ago.

For that achievement, the committee won top honours at the Canadian Environment Awards gala on June 5, 2006, in Vancouver. A major change in people's habits, in terms of environmental behaviour, has been rewarded.

Statements by Members

This unique dream of bringing a wildlife species back to its natural habitat after some 200 years was brought to life with the help of many partners, including the municipalities of Bellechasse and Etchemins. Their representatives are with us today. I welcome them here and thank them from the bottom of my heart for this token of hope for future generations.

* * *

• (1410)

[English]

BASTILLE DAY

Mr. Mario Silva (Davenport, Lib.): Mr. Speaker, on July 14 the people of France will celebrate Bastille Day. This national holiday is a date of great significance to the people of France and their friends across the world.

I have always been proud to call myself a friend and supporter of France. Just a few years ago, I was pleased to join with the mayor of Paris in Toronto as we unveiled a plaque at the Exhibition Place grounds on Toronto's waterfront to commemorate the first French fort in Toronto.

As an elected official for over 13 years, I have ensured that each year on Bastille Day the French flag is raised over Toronto City Hall, a tradition that continues to this day.

France is one of the founding peoples of our great country. As the people of France prepare to celebrate this important date, I invite all members of the House to join with me in extending to them our very best wishes on Bastille Day 2006.

* * *

[Translation]

OFFICIAL LANGUAGES

Mr. Guy Lauzon (Stormont—Dundas—South Glengarry, CPC): Mr. Speaker, at a meeting of the Standing Committee on Official Languages on June 8, the member for Papineau made irresponsible comments about the Minister of Foreign Affairs.

The member said that when the minister spoke during the conference in Saint-Boniface, his French was unacceptable and that he should not speak in French at international forums.

I can only point out that my colleagues are making an effort to learn French. As the Minister for la Francophonie and Official Languages stated, it is completely demoralizing to pass judgment on the quality of the results when someone has made an effort to speak our language.

The member's insulting remarks reflect a self-centred political party. The Bloc Québécois proved once again that it is intolerant and closed-minded.

The member should rise in this House and apologize.

[English]

INFRASTRUCTURE

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, there is no doubt that the B.C. lower mainland is growing. It is harder for people to get to work. The solution is more investment in rapid transit and better planning for greater Vancouver. Instead, we have seen the B.C. provincial government pushing the twinning of the Port Mann bridge.

The marketing meetings that were held around this project were not public consultations but just a superficial effort to sell a non-environmentally sustainable project. The reality is that twinning the Port Mann is not going to lead to better traffic circulation. What it will mean is more rat-running through the streets and neighbourhoods of Burnaby and New Westminster and more pollution.

The provincial government is basing its impact studies on adherence to the livable regions plan, but the twinning betrays the plan. The twinning of the Port Mann will increase traffic and pollution and in three to four years the lineup will be the same. Residents south of the Fraser desperately need more access to rapid transit that will get them to and from work.

Many unanswered questions have been raised by my colleagues in B.C. and in this House. This plan needs to be rethought and real public consultations held.

* * *

VOLUNTEERISM

Mrs. Susan Kadis (Thornhill, Lib.): Mr. Speaker, it started with an e-mail.

The Thornhill Soccer Club has a relationship with the Dagoretti District Primary School in Nairobi, Kenya, one of East Africa's biggest and most impoverished areas.

While on a recent trip to Africa, Thornhill constituent Steve Snowball volunteered as a teacher and soccer coach at Dagoretti primary school. It is a school with 450 children and one soccer ball. Being involved with the Thornhill Soccer Club for years as a player, coach and referee, Steve sent an e-mail request to the Thornhill club for some soccer equipment for the children.

Six weeks later, at the season kickoff last Saturday, boxes of balls, goalie gloves and equipment overflowed the collection boxes. Shipments of the equipment will be shipped out to the Dagoretti primary school and to schools in the surrounding areas, including a girls soccer team in Abuja, Nigeria, thanks to the generous assistance of NGOs like Free the Children.

The message from Thornhill residents and local schools is very clear. Every child should have the right to play.

* * *

[Translation]

GUY A. LEPAGE

Mr. Maka Kotto (Saint-Lambert, BQ): Mr. Speaker, a Quebec television artist was recognized in Banff yesterday for his talent and the consistently high calibre of his work. His name: Guy A. Lepage.

Oral Questions

Although he is only 45, Mr. Lepage was honoured as the first francophone to receive the Sir Peter Ustinov Comedy Award, which is presented to a television actor in recognition of his body of work.

For those who are not familiar with the prolific, creative world of Quebec television, Guy A. hosts the program *Tout le monde en parle* on Radio-Canada and captivated us with cult series such as *Rock et Belles Oreilles* and *Un gars une fille*.

This committed artist masterfully combines intelligence, strength, determination, humility and elegance.

The Bloc Québécois salutes Guy A. May he keep on inspiring and challenging Quebec.

* * *

•(1415)

[English]

KENNETH THOMSON

Hon. Jim Peterson (Willowdale, Lib.): Mr. Speaker, Ken Thomson passed away suddenly yesterday in his 83rd year. His impact on Canada is profound.

When his father died in 1976, he inherited the title of Lord Thomson of Fleet and a business empire. He never sat in the House of Lords, but in just 30 years he grew the business some 40 times, to over \$22 billion, making him the richest in Canada and ninth richest in the world.

He took the *Globe and Mail* national and moved into electronic publishing, never interfering but always nurturing his people.

His donation of some 3,000 works of art plus \$70 million to the Art Gallery of Ontario was generous beyond belief.

To his wife Marilyn and children David, Peter and Taylor, we send our heartfelt sympathy.

We give thanks for the life of this humble, frugal, caring man whose leadership and philanthropy have done so much to make Canada better.

[Translation]

We thank you, Ken. He will not be forgotten.

* * *

[English]

HEALTH CARE

Mr. Dean Del Mastro (Peterborough, CPC): Mr. Speaker, yesterday the member for Brampton—Springdale stood in the House and falsely accused this government of failing to reduce health care wait times since taking office four short months ago. As usual, the Liberals' opposition is merely an indictment of their own time in government.

This government is committed to wait times guarantees. A guarantee is a guarantee and this government has demonstrated that we honour our commitment to Canadians.

As the member for Brampton—Springdale knows, wait times doubled during the 13 years of Liberal government in this country.

The opposition should refrain from being so critical. This government has accomplished more in 130 days than the previous government did in 13 long years.

If the member is so concerned with reducing wait times for Canadians, perhaps she is in the wrong party. We will deliver a wait times guarantee. This government delivers on its promises.

ORAL QUESTIONS

[English]

SOFTWOOD LUMBER

Hon. Bill Graham (Leader of the Opposition, Lib.): Mr. Speaker, for many of the reasons we raised in the House some weeks ago, the Prime Minister's rushed and poorly thought out softwood lumber deal is presently unravelling. His comments yesterday that the industry and the provinces support the settlement do not quite square with the facts.

As for the industry, at least 80 Canadian lumber companies have filed suit in the U.S. courts over the last two weeks, and unless they withdraw those actions, the deal is dead on arrival.

I ask the Prime Minister, do his comments yesterday represent an ignorance of the lumber industry, a misunderstanding of the deal that was signed, or ultimately an unconditional capitulation to the lumber interests of the United States of America?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the House will know that an agreement in principle was reached some weeks ago. Considerable work has been done, is being done and will be done to make sure we get a final legal text and operating rules that reflect that agreement in principle. Of course, we are confident that when that happens we will see the same provincial and industry support that we have seen all along.

Hon. Bill Graham (Leader of the Opposition, Lib.): Let us hope so, Mr. Speaker, but presently the provinces are sounding the alarm over the consequences of the Prime Minister's rush to please the American lumber industry. B.C. is concerned. Ontario and Quebec are concerned as well. Remanufacturers are shut out. The American proposal, as we understand it, rewrites the rules so the Americans can keep illegally collected duties and gut the dispute resolution mechanism which is the very basis of NAFTA.

I ask the Prime Minister again, do his comments yesterday represent an ignorance of the lumber industry, an ignorance of the deal, or an unconditional capitulation to the interests of the United States of America which will threaten the future of free trade between our two countries?

Right Hon. Stephen Harper (Prime Minister, CPC): Once again, Mr. Speaker, this government is working hard. We are working with the industry and provinces to finalize the text that we agreed to some weeks ago. We expect all parties can and will abide by the agreements they made. We will reach a final agreement. The only people who will be disappointed are the members opposite who did such a terrible job of managing this file for 13 years.

Oral Questions

[*Translation*]

Hon. Bill Graham (Leader of the Opposition, Lib.): Mr. Speaker, we will see. In fact, as the hon. member for Wascana pointed out yesterday, the free access to the American market guaranteed by this agreement only remains in effect if the market situation stays the same as it was last April. However, as everyone knows, and as we predicted, the market situation has already changed, putting our industry at a disadvantage.

Is this not proof of the Prime Minister's total capitulation to the American forest industry?

• (1420)

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the forest industry, including the Quebec forest industry, rejected the former Liberal government's plan. It wants us to solve this problem. Which is what we are currently doing and which is why we are taking the necessary time to conclude this agreement.

[*English*]

Mr. Blair Wilson (West Vancouver—Sunshine Coast—Sea to Sky Country, Lib.): Mr. Speaker, the minister of trade filed a letter of recusal with the Ethics Commissioner in which he undertook to abstain from any participation in discussion or decision making which would involve direct dealings with or a significant impact on Canfor Corporation. As the former CEO of Canfor, which now accounts for 25% of Canada's softwood lumber industry, the minister still retains his entitlement to an unregistered pension plan. Yet when it comes to this weak softwood deal, the minister has muddied the file with his own hands.

My question is straightforward. Has the minister recused himself from this file or has he not?

Hon. Rob Nicholson (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, as usual the hon. member has it wrong. There is a process in place whereby disclosures are made to the Ethics Commissioner. All my colleagues have followed his directions.

Mr. Blair Wilson (West Vancouver—Sunshine Coast—Sea to Sky Country, Lib.): Mr. Speaker, after taxes and adjusting for the stronger dollar, it is estimated that cash-strapped Canfor will likely receive about half a billion dollars in returned illegal duties. That is a quarter of the total after tax return of all duties our industry has paid should this softwood sellout get rammed through.

Can the minister confirm he has had no direct dealings with Canfor as his own declaration to the Ethics Commissioner states, or does the minister expect Canadians to believe that \$500 million does not represent a significant impact on Canfor's balance statement?

Hon. Rob Nicholson (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, I can confirm that the hon. member has followed all the directions of the Ethics Commissioner.

[*Translation*]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, six weeks ago, the government stated loud and clear that the preliminary agreement reached between the U.S. and the Canadian softwood lumber industry was a total success. Yesterday we learned that a final agreement still has not been reached and that the parties are diverging on the content of the agreement.

How does the Prime Minister explain that a month and a half ago he was bragging about resolving the softwood lumber dispute with a deal that suited everyone, he said, and that today we learn that it is not resolved and that the two parties cannot agree on important aspects at issue?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the final phase of such a complex agreement takes time. Lawyers for other parties involved have to go over the all the documents, the details of this agreement, as well as the rules of application. We are taking the necessary time to do so.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, by wanting to negotiate too quickly with the U.S. government, the Canadian government risks reaching a cut-rate agreement that could extend over nine years. I want to remind hon. members that the only thing the softwood lumber industry can count on is losing a billion dollars to the U.S. government and the U.S. industry.

Does the Prime Minister realize that by wanting to proceed as quickly as possible he risks botching an agreement that will penalize the Canadian softwood industry for a very long time?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, obviously we have no intention of working as quickly as possible. We intend to take the time we need to complete this agreement so as to represent the real interests of the Canadian industry and Quebec's industry.

I ask that the Bloc Québécois help us complete this agreement of which the vast majority of Quebec's forest industry is in favour.

Mr. Pierre Paquette (Joliette, BQ): Mr. Speaker, on May 31, the president of the Quebec Forest Industry Council told the Standing Committee on International Trade, and I quote, "A cap so hard as to disallow in any circumstances whatsoever any over-quota shipment whatsoever is unacceptable".

Will the government confirm that, anxious as it may be to strike a deal in a mad rush, it is out of the question that it will accept such an inflexible cap, which would prevent businesses from securing and honouring major contracts?

• (1425)

[*English*]

Hon. David Emerson (Minister of International Trade and Minister for the Pacific Gateway and the Vancouver-Whistler Olympics, CPC): Mr. Speaker, when the legal fine tuning is completed on this agreement, there will be options for different provinces to pursue different adjustments in weak markets. If the province of Quebec were to select what is referred to as option A, there would be no hard cap or no hard restriction on the exports from that province.

[*Translation*]

Mr. Pierre Paquette (Joliette, BQ): Mr. Speaker, the minister ought to know that the province of Quebec prefers option B, and that this was the context in which the previous question was put.

Oral Questions

What assurances can this government give that the compromises it is prepared to make, in order to strike a deal in a mad rush, will not result in jeopardizing any future opportunity for Quebec to make changes to its forest development strategy? What assurances can it give this House?

[English]

Hon. David Emerson (Minister of International Trade and Minister for the Pacific Gateway and the Vancouver-Whistler Olympics, CPC): Mr. Speaker, we have had extensive consultations with provinces and industry players from across this country, including the province of Quebec.

I believe that this framework agreement has an excellent basis for the Quebec industry to grow and prosper going forward. It is certainly going to be much better than the alternative of more years of litigation, which other members of this House seem to be preferring, more years of litigation, new lawsuits, more interim duties, higher tariffs, money going into the U.S. treasury and death of jobs here in Canada.

* * *

ABORIGINAL AFFAIRS

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, we are 100 days into it and the situation in Caledonia is growing more and more intense by the day. Now we have learned that the provincial government is planning to cancel the scheduled negotiations that were to take place. Where has the federal government been in all of this? It has been missing in action. There is no leadership. There is no plan whatsoever. Caledonia is a powder keg that is about to blow.

I am asking the Prime Minister, where is his commitment to take action to settle this decades old dispute, or has his party learned nothing since Oka?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the Government of Canada has been working with the Government of Ontario throughout this difficult dispute. I know I have talked with Premier McGuinty. The clerk has talked with his counterpart. The Minister of Indian Affairs has been talking with his counterpart. Barbara McDougall and others are working on our behalf at Caledonia.

We are working closely with Ontario. We support the Ontario government's position that the law must be respected and must be enforced. We would certainly urge all parties to ensure that the law is respected and that anybody who has committed any acts of violence is properly apprehended.

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, the government cannot just sit here and wash its hands of this situation. This is a dispute that goes back decades regarding treaties that involve the Crown.

The fact is that the responsibility is not being taken. The government appointed a fact finder three months ago and we have not heard a word. The first nations and the non-aboriginal people in the Caledonia area are waiting to hear the results.

Will the Prime Minister take his responsibility seriously and take some leadership here, and get involved and settle this decade old dispute or not?

Hon. Jim Prentice (Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, CPC): Mr. Speaker, the hon. member is seriously out of date on the facts that he brings to the House.

I am pleased to advise the House that we are encouraged by the steps taken by Six Nations today, particularly Chief McNaughton and the clan mothers. As the Prime Minister said, we are also supportive of the steps taken by the province of Ontario.

Six Nations has today taken steps to remove the remaining barricades near Caledonia, including the rail line. This goes a long way to removing a huge source of tension in the community and to build trust. We are encouraged. We continue to look forward to making progress. We are hopeful of what lies ahead in the coming days.

* * *

NATIONAL DEFENCE

Hon. Ujjal Dosanjh (Vancouver South, Lib.): Mr. Speaker, there is a very serious shortage of tactical airlift for our troops in theatre. This is a concern recognized by the previous Liberal government and repeatedly expressed by the Chief of the Defence Staff, General Rick Hillier.

Would the Minister of National Defence listen to our troops and pursue the tactical airlift as his first priority for purchase?

● (1430)

Hon. Gordon O'Connor (Minister of National Defence, CPC): Mr. Speaker, no decision has been made yet by the government on equipment. However, Canadians may recall that in our election campaign we said that tactical and strategic lift was a high priority.

This is unlike the previous government that prosecuted three projects in 13 years. That is the Liberal government record.

Hon. Ujjal Dosanjh (Vancouver South, Lib.): Mr. Speaker, the Minister of National Defence knows what procurement was obtained during the 13 years. He is absolutely wrong. He should know the truth as a lobbyist.

Based on military advice, the previous government announced last November the acquisition of tactical airlift under a competitive process with maintenance to be done in Canada.

Why did the minister play politics by cancelling that decision?

Hon. Gordon O'Connor (Minister of National Defence, CPC): Mr. Speaker, I think the member opposite hit the key word "announced". That is all Liberals ever did: announce and announce. The Liberals never produced.

We are going to deliver this year more equipment for the Canadian Forces than the Liberals can ever imagine.

[Translation]

Hon. Denis Coderre (Bourassa, Lib.): Mr. Speaker, the entire Canadian Forces air fleet benefits from a maintenance program carried out by Canada's aeronautics industry.

Oral Questions

The Conservatives' new communications strategy for the C-17s is now to make us believe that Canadians will be responsible for level one maintenance. That means changing the oil, refuelling and checking the planes' wiper fluid.

Will the Prime Minister finally show some respect for the excellent work done by some 75,000 Canadian workers and guarantee them full responsibility for maintaining these planes?

[English]

Hon. Gordon O'Connor (Minister of National Defence, CPC): Mr. Speaker, no decisions have been made on equipment. When they are made, they will be in the interests of the military, Canadians and industry. They will all come with industrial benefits. There will be a great improvement in the industrial situation in Canada.

[Translation]

Hon. Denis Coderre (Bourassa, Lib.): Mr. Speaker, I have a box of chocolates here for the member who likes to quote Forrest Gump and treat everyone like Forrest Gump.

[English]

This is so he can get a life because life is like a box of chocolates. I have one for him here.

[Translation]

Mr. Speaker,—

Some hon. members: Oh, oh!

[English]

The Speaker: Order, please. I know the hon. member for Bourassa is trying to be very sweet, but we do not allow props in the House.

The member is an experienced member and is well aware that bandying about boxes of sweets is very nice for the minister, but he will want to put his question at once and never mind the chocolates.

Hon. Denis Coderre: Mr. Speaker, I am sweet enough all right, but I offer it anyway.

[Translation]

When the current Conservative turncoat Minister of International Trade was Minister of Industry, he put forward the national aerospace and defence strategic framework, in which he himself recognized the importance of this sector to security and the economy.

Does he still feel the same way today, that maintenance must stay in Canada?

[English]

Hon. Gordon O'Connor (Minister of National Defence, CPC): Mr. Speaker, as I said before, no decision has been made on any equipment. Maintenance will be done where it is appropriate in Canada.

I was not thinking about the box of chocolates. I was thinking about the other one when I talked about Forrest Gump.

[Translation]

SOFTWOOD LUMBER

Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, on April 11, the Prime Minister said in this House, and I quote: "If there is no solution, the Minister of Industry intends to propose loan guarantees and help to the industry". Two months have passed since then, and the softwood lumber dispute has not yet been resolved.

Given that it will be some time before a final agreement is reached and some of the money is recovered, why is the government still refusing to grant loan guarantees to the companies that need them so badly?

[English]

Mr. Colin Carrie (Parliamentary Secretary to the Minister of Industry, CPC): Mr. Speaker, we are not talking about guaranteeing loans, we want to guarantee an entire industry. If we look back at the Liberal legacy in softwood lumber, we have closed mills, tens of thousands of jobs either lost or in jeopardy, and tens of thousands of families without security.

The minister and the government have put forward security for these families, security for moving forward, and when the time comes, we hope the Bloc will be supportive of our position.

[Translation]

Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, the government, which talks so much about industry support, is abandoning the industry completely. That is what is unacceptable.

Why is the government refusing to grant loan guarantees to the forestry industry when that is the solution while we wait for a final agreement to be reached? Is it going to let the companies die with no agreement?

• (1435)

[English]

Mr. Colin Carrie (Parliamentary Secretary to the Minister of Industry, CPC): Mr. Speaker, as I said, we are working on guaranteeing the industry, not guaranteeing loans. As this moves forward, we are very confident that we are going to have a great agreement for the Canadian softwood lumber industry and a great agreement for all Canadians.

* * *

[Translation]

OFFICIAL LANGUAGES

Mrs. Vivian Barbot (Papineau, BQ): Mr. Speaker, regarding the Canadian Forces' lack of compliance with the Official Languages Act, the Minister of National Defence attempted yesterday to justify the Canadian Forces' practices, which have been criticized by the Commissioner of Official Languages.

Does the Minister of National Defence not feel that he is in a very delicate position since, starting in the 1980s, he held senior positions in the Canadian Forces that require bilingualism, when he is clearly not bilingual?

Oral Questions

[English]

Hon. Gordon O'Connor (Minister of National Defence, CPC): Mr. Speaker, I do not understand the purpose of the question from the member opposite.

However, the Canadian Forces will be developing an official languages plan. It will be out within the next two months and will meet all the needs of the Canadian Forces and the language commissioner.

[Translation]

Mrs. Vivian Barbot (Papineau, BQ): Mr. Speaker, yesterday the minister stated, and I quote: "In fact, in the military, francophones are represented in a higher proportion than in the overall population".

How can the minister say that francophones are represented in a higher proportion in the military and justify that 68% of positions designated as bilingual are held by anglophones who are not bilingual? Does he not realize that his statement makes the situation even worse than what has been criticized?

[English]

Hon. Gordon O'Connor (Minister of National Defence, CPC): Mr. Speaker, as I said before, a strategic plan will be coming out to adjust positions and identify bilingual positions in the Canadian Forces. When this adjustment comes out, I think members will find a dramatic improvement in the defence department.

* * *

HEALTH

Ms. Ruby Dhalla (Brampton—Springdale, Lib.): Mr. Speaker, Canadians from coast to coast are waiting for doctors in emergency rooms, waiting for home care services, waiting for a national pharmaceutical strategy, and waiting for CT scans and MRIs. Meanwhile, the only thing that the minister is waiting for is his next dividend cheque from his drug company. Owning a drug company, when the health minister is responsible for the drug approval process in this country, is a conflict of interest.

Canadians want to know, when will this minister do the right thing, stop waiting, and sell his shares in his drug company?

Hon. Rob Nicholson (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, that is a nasty comment by the hon. member. She should be ashamed of herself. She should be applauding individuals like this who have effortlessly served Canada. She should withdraw her question.

Ms. Ruby Dhalla (Brampton—Springdale, Lib.): Mr. Speaker, the person who should be ashamed is the minister, who is letting his mouthpiece do the talking.

In the last five months the minister has put forward no plan to ensure that wait times are reduced in this country. He has taken no action to ensure that Canadians receive safe and affordable access to medications.

Why can the minister not stand and admit that his ownership in a drug company is compromising his ability to do his job? Let the minister plan to get to work and introduce a national pharmaceutical strategy.

Hon. Rob Nicholson (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, the Minister of Health's ethical commitment to this province, to this country, and to the Crown is second to none. Any members who question that should be ashamed of themselves.

* * *

CANADIAN TELEVISION FUND

Hon. Navdeep Bains (Mississauga—Brampton South, Lib.): Mr. Speaker, the Minister of Canadian Heritage is responsible for the Canadian Television Fund to which the government and Canadian companies allocate funding to television producers to develop original programming. One such content producer, which has in the past benefited from the Canadian Television Fund grant, is Alliance Productions Limited.

According to documents filed by the Minister of Canadian Heritage with the Ethics Commissioner, she holds a financial interest in Alliance Productions Limited.

Is the minister not in a conflict of interest?

• (1440)

Hon. Rob Nicholson (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker—

Some hon. members: Oh, oh!

The Speaker: Order. Despite the popularity enjoyed by the government House leader in the House, we must have some order so that we can hear his response to the question that was asked.

Hon. Rob Nicholson: Mr. Speaker, nothing could make me more proud than to stand with my colleagues on this side on the question of ethical behaviour. We have nothing to learn from the Liberal Party.

I suggest the Liberals look at themselves in the mirror and be ashamed of the way they conducted government in this country. We have nothing to apologize for.

Hon. Navdeep Bains (Mississauga—Brampton South, Lib.): Mr. Speaker, he is absolutely correct, the Conservatives have learned nothing.

There is a reoccurring theme when it comes to conflict of interest. The Minister of Canadian Heritage is responsible for the Canadian Television Fund. Does the minister recognize that every time Alliance Productions Limited obtains funding from the government, it appears as though she is using taxpayers dollars to enrich herself?

My question is simple. Does the minister plan to disqualify Alliance Productions Limited from receiving any government funding as long as she remains the Minister of Canadian Heritage?

Hon. Rob Nicholson (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker—

Some hon. members: Oh, oh!

The Speaker: Order. The hon. government House leader has the floor.

Oral Questions

Hon. Rob Nicholson: Mr. Speaker, my colleague has made a complete disclosure to the Ethics Commissioner and has followed all the rules. But if the hon. member wants to get upset about it, why does he not talk to one of his colleagues who has been hitting up kids for donations down in Toronto? Why does he not talk to him?

* * *

CHINESE CANADIANS

Mr. Laurie Hawn (Edmonton Centre, CPC): Mr. Speaker, for years the previous Liberal governments refused to do the right thing by apologizing for the Chinese head tax. In the Speech from the Throne, Canada's new government committed to an act in Parliament to offer an apology for the Chinese head tax.

Can the Minister of Canadian Heritage inform the House when this historic apology will take place?

Hon. Bev Oda (Minister of Canadian Heritage and Status of Women, CPC): Mr. Speaker, during the election campaign, the Prime Minister committed to working with the entire Chinese Canadian community to establish consensus for reconciliation and redress.

We have kept our word by holding an unprecedented series of grassroots national consultations on redress. I want to thank all of those who participated.

I am pleased to announce that the Prime Minister will keep his word by righting this historical wrong when he makes the formal apology in this House on Thursday, June 22.

* * *

[*Translation*]

AERONAUTICS

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, Canadians demand nothing less than a totally safe transportation system. Yesterday, four Air Canada Jazz mechanics were suspended for daring to reveal the fact that roughly once a week a Jazz plane flies with serious mechanical irregularities. In the meantime, the minister wants to eliminate all transparency and give the airlines carte blanche. It is unbelievable.

Will the minister change his policy and withdraw Bill C-6?

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, as my colleague mentioned, I was indeed informed of this situation this morning. Transport Canada officials are verifying whether these allegations are founded. If so, we will see to taking the appropriate action.

[*English*]

Mr. Peter Julian (Burnaby—New Westminster, NDP): It is clear, Mr. Speaker, with that minister, it is safety last.

We learned last week that more than 80,000 Canadians have been put at risk over the last five years due to near misses. Fatal aircraft accidents have increased almost 50% in Canada. What is the response from the minister? More secrecy, less responsibility and fewer flight attendants to evacuate passengers in an emergency. It is unbelievable.

Canadians want to see better flight standards, not this foolish attempt to push lower American standards.

Will the minister commit today to reject this irresponsible plan to reduce flight attendants and the margin of safety on Canadian flights?

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, Canada has one of the safest aviation systems in the world and the accident rate continues, basically, on a downward trend. That has been the case over the last several years.

Transport Canada constantly monitors the safety of the aviation environment and does not hesitate to take the appropriate action to protect the safety of the travelling public.

* * *

● (1445)

AIRBUS

Mr. David McGuinty (Ottawa South, Lib.): Mr. Speaker, this morning we read for a second time an editorial in the *Montreal Gazette* about former Prime Minister Mulroney and his relationship with Karlheinz Schreiber. The editorial refers to three questionable \$100,000 payments to Mr. Mulroney, something the former PM has acknowledge receiving.

All parties involved and all Canadians would like to see the facts on the table. The Prime Minister has had months to deal with the situation.

The *Gazette* states that his government would be expected to have some interest in the airbus affair, no matter where it might lead.

In light of this powerful editorial, is the Prime Minister prepared to call a public inquiry into this matter?

Hon. John Baird (President of the Treasury Board, CPC): Mr. Speaker, the last time a Liberal spoke to this issue, there had to be a million dollar plus settlement, which cost taxpayers literally hundreds of thousands, well in excess of a million dollars.

The member opposite should be ashamed by asking that question. If he feels so strongly, why does he not repeat it outside?

[*Translation*]

Mr. David McGuinty (Ottawa South, Lib.): Mr. Speaker, this morning for the second time in the *Montreal Gazette* there was an editorial on the links between former Prime Minister Mulroney and Karlheinz Schreiber. Without a doubt, it is high time to answer the questions surrounding this relationship, questions that have remained unanswered thus far. All parties concerned, and all Canadians, would like the facts to be made clear. The *Montreal Gazette* talks about \$2.1 million taken from taxpayers' pockets. It says the Prime Minister should address the Airbus affair, whatever the outcome.

The Prime Minister has had months to give us an update. Will he finally set up an independent inquiry?

Hon. John Baird (President of the Treasury Board, CPC): Mr. Speaker, I note that the hon. member from Ottawa asked the exact same question in French.

Oral Questions

The last time a Liberal member said anything about the matter, \$2 million was spent on charges of false accusations. The Liberals had 13 years to make this request and they never did during their 13 years in government. The real reason they did nothing is because there is nothing to discuss.

* * *

[English]

CITIZENSHIP AND IMMIGRATION

Mr. Sukh Dhaliwal (Newton—North Delta, Lib.): Mr. Speaker, could the Minister of Citizenship and Immigration explain why one gentleman, who jumped the queue by paying money, was issued a temporary resident visa from our Chandigarh office? To make matters worse, upon his arrival here, it was discovered that among his supporting documents to obtain the visa was a phony letter of support that claimed to be from my office. It was a fraud.

What will the government do to get to the bottom of this scandal?

Hon. Monte Solberg (Minister of Citizenship and Immigration, CPC): Mr. Speaker, obviously we are always concerned about allegations of fraud. That is why we have an entire branch of the department that looks at those kinds of allegations.

I can assure the member that we are already looking into this situation. When we have more to report, we will report it.

Mr. Sukh Dhaliwal (Newton—North Delta, Lib.): Mr. Speaker, I thank the hon. minister for looking into this matter.

However, that answer does not cut it for thousands of deserving people who legally apply to come to Canada, either for a visit or to settle, and they are all refused.

The minister must tell us if he, his staff or department officials have changed the government's policy regarding the issuance of Chandigarh visas on compassionate grounds simply because some of his caucus members asked him to do so.

Has he changed this policy so political requests are simply rubber-stamped?

Hon. Monte Solberg (Minister of Citizenship and Immigration, CPC): Mr. Speaker, that suggestion is outrageous. Tens of thousands of people are admitted to Canada through the Chandigarh office every year. The policies have not changed. In fact, what we request of the officers is that they show some common sense and some compassion when that is what is required in the situation, such as situations where there is a funeral or a pressing family matter.

* * *

• (1450)

[Translation]

HEALTH

Ms. Nicole Demers (Laval, BQ): Mr. Speaker, in reply to a question yesterday about the increase in the price of nitric oxide, the Parliamentary Secretary to the Minister of Health maintained that he could not take action because the Patented Medicine Prices Review Board is an independent quasi-judicial body.

I would like to point out to the Minister of Health that section 90 of the Patent Act authorizes him to refer matters to the Patented

Medicine Prices Review Board for inquiry and to establish the time limits and terms of reference. What is the minister waiting for to take action?

Hon. Tony Clement (Minister of Health and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, I would like to say to this House that the Patented Medicine Prices Review Board is an independent agency with quasi-judicial authority. It is impossible to intervene in this situation because it is up to the Patented Medicine Prices Review Board to make that decision.

Ms. Nicole Demers (Laval, BQ): Mr. Speaker, I will repeat my question to the minister as I believe he did not understand it.

The Minister of Health is authorized to refer matters to the Patented Medicine Prices Review Board for inquiry and to establish the time limits and terms of reference pursuant to section 90 of the Patent Act. What is he waiting for to take action?

Hon. Tony Clement (Minister of Health and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, the Patented Medicine Prices Review Board can determine if the price is excessive. In such case, it is possible that it has the requisite authority to have the price lowered. It is a quasi-judicial board, independent from the government. I support this system.

* * *

[English]

FIRST WORLD OUTGAMES

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, last week the sports minister said that his government had no money for the 1st World Outgames Montreal 2006. Happily, he was wrong. The Government of Canada is contributing some \$1.5 million to these outgames, supporting the human rights of lesbian, gay, bisexual and transgendered people.

Hallelujah, the Conservatives have seen the light. Now will the Prime Minister take his courage into his two hands and attend the outgames or is he afraid of the reaction of his caucus?

Hon. Michael Chong (President of the Queen's Privy Council for Canada, Minister of Intergovernmental Affairs and Minister for Sport, CPC): Mr. Speaker, what I indicated to the House was that Sport Canada had not contributed to the support of the games because of a policy that is in place with respect to international sporting events, a policy, I might add, that the previous government put in place.

I pay tribute to any group of Canadians that gets together to encourage greater physical fitness and sport participation. Obviously, the Prime Minister's schedule is something that is often sought after and is often full, but I am sure an event like this will be given full consideration.

* * *

THE ENVIRONMENT

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, the Minister of the Environment has had 88 chances in the House to come clean on her government's plan for climate change, 88 questions and still no answers.

Oral Questions

So far the minister has skipped out on a smog summit, snubbed environmental groups, bailed on Canadian mayors and questioned the very science of climate change.

Does the minister even believe there is a climate change crisis or does she agree with the flat earth society of the Conservative Party that dinosaurs walked the earth with humans? Which is it, the world consensus on climate change or the Flintstone theory?

Hon. Rona Ambrose (Minister of the Environment, CPC): Mr. Speaker, I thank the member for his apparently 89th question on this issue, but he is still going down the wrong path. As usual, his alarmist and negative tone is only adding, unfortunately, to the good work that our environment committee is trying to do.

What the member is doing is disrupting the opportunity of the government and environmental groups to amend the most important piece of Canadian environmental legislation at the environment committee by working with the Bloc and the Liberals to disrupt any good amendments coming forward to ban pollution.

[*Translation*]

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, the environment minister has had 89 opportunities to unveil her plan in this House, yet we have seen nothing. The minister has instead ignored environmental groups, deserted the cities and abandoned the provinces, who want to reach their targets.

The NDP presented solutions for greener homes and greener communities.

This country has ideas for cleaning up the environment, but when will it have a government willing to put them into action?

• (1455)

[*English*]

Hon. Rona Ambrose (Minister of the Environment, CPC): Mr. Speaker, again the member is all talk and no action, by working with the Liberals and the Bloc. He continues to do that.

The Liberals have put the health of Canadians at risk for years. Mercury causes blindness and infant death, and the Liberals sat on the issue of banning mercury for years.

While the Liberals failed and the NDP supported their failure, our new government has brought in a new pollution law, within four months, that will protect the health of Canadians. We are banning 10 tonnes of mercury out of the environment in the next 10 years.

That is protecting the health of Canadians.

* * *

ATLANTIC CANADA OPPORTUNITIES AGENCY

Hon. Geoff Regan (Halifax West, Lib.): Mr. Speaker, our part time regional development minister is sullyng the reputation of ACOA.

An analysis of ACOA funding by CanWest reveals that the Conservatives are spending taxpayer dollars to bolster the election campaigns of their provincial pals. This was clearly the case when the minister promised to dole out cash to a Nova Scotia riding if it elected a Conservative.

Will the Prime Minister order his misguided minister to stop treating ACOA like his personal political piggy bank?

Hon. Peter MacKay (Minister of Foreign Affairs and Minister of the Atlantic Canada Opportunities Agency, CPC): Mr. Speaker, the faint-hearted former minister is obviously flirting with the truth on this matter.

ACOA has been set up to help deserving recipients throughout Atlantic Canada. Does the member opposite want the department to stop spending money in Atlantic Canada? He should explain to his constituents why he does not want ACOA to continue to give money to Atlantic Canada, to deserving, well-placed recipients.

* * *

HEALTH

Mr. Gary Goodyear (Cambridge, CPC): Mr. Speaker, like all Canadians, hospitals too have struggled with a large tax burden left by the Liberals.

The Canada Revenue Agency has been reviewing the application of GST to hospitals. The Ontario Hospital Association says that a retroactive GST payment would cost them \$90 million, money they do not have. Hospitals are rightfully concerned that they could be on the hook for GST, going back 10 years.

Could the government show its commitment to sustainable health care and end the uncertainty left by the previous dithering Liberals?

Hon. Carol Skelton (Minister of National Revenue and Minister of Western Economic Diversification, CPC): Mr. Speaker, I thank the Minister of Health for his representation. The GST is a tax burden, which we are reducing on July 1 from 7% to 6%. I am pleased to announce that we are ending the GST uncertainty for Canadian hospitals.

We will not require hospitals to pay the retroactive GST tax. The government supports sustainable health care. Moving much needed dollars into health budgets is just one important way we are doing that.

* * *

[*Translation*]

OFFICIAL LANGUAGES

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, for over 30 years, National Defence has been operating unlawfully by not respecting the Official Languages Act. It is extremely insulting to Canada's linguistic minorities recognized by that act.

Knowing that the government must set an example, will the Minister of National Defence insist that his department comply with the Official Languages Act? If not, will he ensure that it is respected and hand out serious reprimands, yes or no?

[*English*]

Hon. Gordon O'Connor (Minister of National Defence, CPC): Mr. Speaker, within the next few months the strategic language plan will be issued in defence which will provide clear objectives of the department. I believe that this will address the needs that the member has identified.

Government Orders

[Translation]

PUBLIC SAFETY

Mr. Jean-Yves Laforest (Saint-Maurice—Champlain, BQ): Mr. Speaker, on June 1, the Minister of Public Safety stated in this House that he would help the victims of flooding in La Tuque, but only if the requests for help met the disaster assistance program criteria.

Since that program is not applicable, will the minister tell the House today whether he intends to provide assistance to the people of La Tuque through some other disaster mitigation or critical infrastructure program which would be applicable?

• (1500)

Hon. Stockwell Day (Minister of Public Safety, CPC): Mr. Speaker, I appreciate the hon. member's question. I will point out, incidentally, that it was a Conservative member who first brought this matter to the attention of the House. I am pleased to see that another member is concerned about this situation.

As I said, there is a federal plan in place to help communities when this kind of situation arises. I will be expecting a letter from the mayors or representatives concerned. I will then consider their request and reply.

* * *

[English]

PRESENCE IN GALLERY

The Speaker: I would like to draw to the attention of hon. members the presence in the gallery of the Hon. John Ottenheimer, Minister of Intergovernmental Affairs for Newfoundland and Labrador.

Some hon. members: Hear, hear!

* * *

[Translation]

REQUEST FOR EMERGENCY DEBATE

SPEAKER'S RULING

The Speaker: Order, please. Before proceeding to the orders of the day, I am prepared to make a ruling on the request for emergency debate made by the hon. member for Montmagny—L'Islet—Kamouraska—Rivière-du-Loup concerning the impact of the value of the Canadian dollar on the manufacturing sector.

I regret to inform the hon. member and the House that this request does not meet the requirements of the Standing Order at this time. The request is therefore denied.

GOVERNMENT ORDERS

[Translation]

CITIZENSHIP ACT

The House resumed consideration of the motion that Bill C-14, An Act to amend the Citizenship Act (adoption), be read the second time and referred to a committee.

The Speaker: Order. Before oral question period, the hon. member for Burnaby—Douglas had the floor.

[English]

He has 10 minutes remaining in the time allotted for his remarks. I am pleased to call upon the hon. member for Burnaby—Douglas to resume his speech.

Mr. Bill Siksay (Burnaby—Douglas, NDP): Mr. Speaker, I am happy to continue my remarks on Bill C-14, the amendment to the Citizenship Act to facilitate citizenship for children adopted by Canadians overseas.

When I was last speaking, I mentioned that the Standing Committee on Citizenship and Immigration had been working hard on the question of a revised Citizenship Act, on the necessary revisions that are required to the Citizenship Act, which has not been looked at since 1977.

Some of the things we had been talking about pertained to the whole question of revocation of citizenship. I had mentioned that the process for revoking citizenship should be a full judicial process. That is something the standing committee in the last Parliament felt very strongly about. The standing committee felt that there should be no provision in law for an administrative power to annul citizenship and that to revoke citizenship, false representation, fraud, or knowingly concealing material circumstances should be proven beyond a reasonable doubt in a criminal court. That was a very important standard that the standing committee wanted to hold up. It is something that is dramatically lacking in the current act.

That higher evidentiary standard is higher than the one that currently exists in the legislation. Right now it is not beyond a reasonable doubt. It is the lower standard of the balance of probabilities, the civil standard. The committee felt very strongly that this needed to be raised to the higher standard of beyond a reasonable doubt.

The committee also talked of the need for a review of the residency requirements for citizenship and that refugees should be able to count their residency from the time they make their claim, not from the date of a positive finding of that claim. Those are very significant issues for many people in Canada.

We need to have a standardization of the residency requirement. We need to honour the time that refugees have spent in Canada from the time of making their claim. That is very important. We want to facilitate the gaining of citizenship by refugee claimants. This would be one way of doing it, something that is not currently done in the act and one of the reasons that the standing committee believed there should be a review of the Citizenship Act.

The Standing Committee on Citizenship and Immigration also said that we needed to ensure that criminal proceedings against an applicant outside Canada could be taken into account in the same way that such proceedings in Canada are taken into account. Given the concerns that many people have about security clearances, security issues and criminal issues, this was seen as an important addition that should be made to the act.

Government Orders

There was a concern about citizenship court judges. The standing committee felt very strongly that they should be maintained. There have been attempts in recent years to get rid of citizenship court judges. I am pleased to see that the government has appointed some new citizenship court judges in jurisdictions where their services were urgently required, but we need to maintain that important position. I think the standing committee last year was very moved by the dedication of citizenship court judges to their important work and felt that they made a very important contribution that should be maintained in any future Citizenship Act.

There was also the matter of the citizenship oath. There is some sentiment in Canada that the oath does not appropriately reflect the reality of Canada today, that the stress on allegiance to the Queen may be something that needs to be looked at. There should be a question of looking at loyalty to Canada and stressing that in the oath as well, perhaps recognizing the importance of the Constitution and the Canadian Charter of Rights and Freedoms in the oath and establishing the kinds of relationships that new citizens have with their new country.

There were all kinds of issues that the Standing Committee on Citizenship and Immigration thought needed to be looked at in a review of the Citizenship Act.

The previous government kept telling us that it was on the verge of tabling legislation. It kept saying that it was almost ready to go and if we only gave it a little feedback, it would be ready to run with that legislation. Unfortunately we never saw it.

I suspect there is draft legislation hanging around in the department, perhaps even in a corner of the minister's office. I would encourage the new Conservative minister to look for it, to blow that pile of dust off of it, to see if it is something he can run with and introduce in the House. There are a number of citizenship issues that are very important and need attention, not just the important matter of adoption and the gaining of citizenship for adopted children.

• (1505)

Another issue that I feel very strongly about in the citizenship file is the whole question of the processing fee for citizenship applications. Unfortunately, the standing committee, in hearing testimony last year, heard of cases where people had to delay their application for citizenship because they could not afford the fee. That is a very serious situation. No one in Canada should be delayed or prevented from attaining citizenship merely because they cannot afford to pay the application fee.

Last year the standing committee said very strongly that the application fee for initial applications for Canadian citizenship should be eliminated. I hope the current government will take that under advisement. No one in Canada should be prevented from taking that step of becoming a citizen because they do not have the financial means to pay for the application. I hope the government will pay some attention to that recommendation.

Many issues in the Citizenship Act should be addressed and many would require a new Citizenship Act. I hope the Conservatives will expand their citizenship agenda beyond the relatively compact issue

of adoption and citizenship and move on to a broader agenda around citizenship to update that important legislation.

I want to return to Bill C-14 and say that there was one area that the standing committee thought should be addressed with regard to a citizenship application for an adopted child and that was the case where it was refused. The standing committee, in its reports to the government and to the House last year, recommended that a full appeal on the facts and law should be permitted in federal court on any refusal of an application for citizenship for an adopted child. I know this is not part of the legislation. There is the opportunity to apply for leave to appeal at the federal court, but the standing committee believes that should be clearer and more direct in terms of a direct appeal to the federal court. That is one area where the legislation might be improved.

This is legislation that was long overdue. It would provide a measure of equity and fairness to adopted children and to their families and remove that spectre that many adoptive parents and their children have felt that they were somehow second-class citizens in Canada. The bill will finally address that at long last. I hope every party in the House wants this to receive the attention that it so richly deserves.

• (1510)

[*Translation*]

Ms. Meili Faille (Vaudreuil-Soulanges, BQ): Mr. Speaker, in his speech, the minister mentioned just how important family reunification is to him. He also said that he was motivated by humanitarian concerns.

I have a hard time understanding the minister's position, which would delay reunification for parents who are granted refugee status and protection. Children are always at risk, yet he is delaying parent-child reunions. Waiting periods have become unacceptably long.

I am sure you will understand my sympathy for people who are not given the right to appeal, especially for refugees for whom an appeal provision was included in the legislation, in the form of a refugee appeal division that has never been allowed to come into force.

The bill provides that it will come into force on a date to be fixed by order in council. The committee knows that the government is using this provision to avoid implementing the refugee appeal division of the Immigration and Refugee Board of Canada even though the legislation was passed by both houses and received royal assent.

Does my colleague think that the bill should come into force immediately? Does he also think that the current wording of this bill offers no guarantee that it will one day come into force? Given the history of immigration and citizenship issues, we are concerned about this.

Government Orders

[English]

Mr. Bill Siksay: Mr. Speaker, the member for Vaudreuil-Soulanges has raised an important point. I think all of us who have been working on questions of refugee rights in this Parliament have been very disappointed by the failure of the previous Liberal government and now the failure of the current government to implement the refugee appeal division. It is a legislated part of the Immigration and Refugee Protection Act. It is a small measure but one that every refugee and immigrant serving agency in Canada has been calling for because it will guarantee fairness.

It was a compromise when we debated that legislation in the House back in 2001. The government of the day wanted to move to see two-member immigration and refugee board panels reduced to one member. However, many concerns were raised about what would happen if a mistake were made in that circumstance, when there was no appeal on the merits of the actual case.

The compromise was to establish the refugee appeal division, which is a paper appeal. It would give a refugee claimant the opportunity to introduce new evidence, to introduce the facts of the case and to have the opportunity to see that case heard again and a real appeal heard. It is something that is absolutely necessary. We are concerned that those circumstance could arise again with this legislation.

The minister did mention this morning the situation of refugees in his more general remarks about immigration policy. I want to take this opportunity to mention that this morning I stood with a group of refugees and activists from the Parkdale neighbourhood in Toronto who were calling on the government to remove the fee for permanent resident applications that is charged to refugees whose case has been determined within Canada.

This fee of \$550 is extremely onerous for people who have very meagre means for the most part in Canada. We know that many of the refugees who come to Canada and make a refugee claim live in poverty in our communities. We know they often do not have the best jobs in our communities and they are just scraping by. For many of them to gather the amount of money that is required to make a permanent residence application and to do it within the period required is extremely difficult.

When we have people who have been found to be refugees and who have shown that their lives are in danger in their country of origin, there should be no excuse for delaying their permanent resident status in Canada.

I think it is important that the government give urgent and serious consideration to removing the requirement of that fee for these people. This is a very important and it demands the government's immediate attention.

• (1515)

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, I am delighted the government has brought back our Bill C-76, which would give citizenship to foreign adopted children of Canadian citizens. This bill has now turned into Bill C-14.

This is simply a matter of fairness. In Canada, all children, whether adopted or not, should have the same rights and privileges. The bill would fix the administration so that would be the case. It

does not matter how a family is formed in Canada. Families should be allowed to strengthen and grow without any administrative burdens, which would be the case if the bill is passed. The legislation was brought forward a few times before but it was caught up in an election. Hopefully, we can get it through this time.

We as Liberals have always put a lot of provisions into supporting families and that is certainly in the spirit of the bill. I know other groups have been doing great work supporting families. The Canadian Labour Congress Women's Conference is in town today and some members may have spoken to its delegates who are working very hard to improve the funding for day care, which is of such critical urgency in Canada at this time.

The fees at a French day care centre in my riding have gone up \$200 and low income parents cannot afford to send their children to day care and go to work. I commend the work of those in my riding who have sent the message loud and clear that we need vastly improved resources for day care but that they are not being provided by any programs so far. They have also made a great case for supporting the anti-scab legislation.

Not having Bill C-14 has caused a lot of administrative problems for Canadian citizens who have generously adopted babies from overseas. In my riding, for instance, 17 Chinese babies have recently been adopted, as well as some African babies, and it has led to some very unfortunate and unnecessary administrative problems for the families. Some of them have had to wait 14 months to get citizenship for these babies and, therefore, a Canadian passport, whereas, had it been their baby born overseas, there would have been no waiting.

It makes it very difficult, if not impossible, for these families to travel. If the baby does not have citizenship and therefore cannot get a Canadian passport, it makes it very difficult for the family to travel together. How many parents want to travel without their young baby? It really causes great upheaval for a family, especially if there are important reasons for travelling to other countries.

This is the time of life when parents often take their babies to meet their grandparents because children under the age of two fly free. Once the child is over two the families many not be able to afford the flight. Once again that is discrimination against families that have adopted overseas as opposed to those that have their own babies, and for no good reasons.

Without Canadian citizenship, babies cannot get a social insurance number, which may lead to a lack of access to other programs. I am not positive but they may not be eligible for the government provided part of the grant for RESPs. We want adopted children to have social insurance numbers just as quickly as babies born to Canadian families so they do not run into these types of unnecessary administrative burdens.

Government Orders

In my riding, which is adjacent to the U.S. border, and I am sure this happens in many Canadian territories and provinces, people often go across the border for the day for any one of a number of reasons. In my area they go to a place called Skagway on the ocean. It is a beautiful drive and people go on family outings quite often at this time of year.

All of a sudden a family cannot go across the border because it has adopted a baby overseas who does not have Canadian citizenship and who may not have one for as long as 14 months. The reason may be that the baby has Chinese citizenship and of course anyone with Chinese citizenship cannot go into the United States without a visa. Parents need to go through a long process and for an afternoon picnic it is not very practical.

The families that have adopted overseas babies have acquired a real good feeling for the famous saying that one does not know what one has until one has lost it because when a member of a family suddenly does not have Canadian citizenship, the family realizes the number of problems, the benefits that come with citizenship and the amount of upheaval for the family.

• (1520)

For these reasons, I will do everything I possibly can to make sure that we get Bill C-14 through Parliament as quickly as possible and that it does not again die on the order paper. On behalf of all Yukon families who have adopted babies overseas, I heartily support this bill.

I hope all members of Parliament will support the bill, because it would strengthen families and provide fairness to all, no matter how those families were put together. It would remove unnecessary burdens, such as doing a criminal record check on a baby. It would make it possible for families to stay together and to travel together. It would amend our immigration laws to better reflect the great Canadian values of caring, generosity, equality, inclusiveness, fairness and family.

Hon. Andrew Telegdi (Kitchener—Waterloo, Lib.): Mr. Speaker, I thank my colleague for his endorsement of this piece of legislation. The proposal for this piece of legislation has been around for a long time. In 1998 we had Bill C-63, which dealt with the Citizenship Act and which also contained this recommendation. In 2000 we had Bill C-16, which also had this recommendation. That bill passed in the House of Commons, but was not dealt with by the Senate prior to the election, so the bill died. In the subsequent Parliament, Bill C-18 dealt with this legislation.

In the last Parliament, we again dealt with a recommendation on this very issue before the committee on citizenship and immigration. Recommendation 5 of the October 2005 report essentially underlined the need to have children who are adopted abroad obtain citizenship. Of course we know that in the last Parliament we had Bill C-76, itself introduced to do exactly the same thing as the bill before us today.

I will just make the point that this bill has been kicking around for a long time and that a number of attempts were made to get it through the House. I am very pleased to see that it will finally be going through.

Hon. Larry Bagnell: Mr. Speaker, there was no question from the member, but this gives me a chance to say three things I forgot to say during my speech.

On the first point, I talked about how effective the Canadian Labour Congress Women's Conference was in its work. There is another thing that it has also been very effective in. I talked about creating families in different ways. Also very effective is the work the women's conference has been doing in supporting same sex marriage and equality for all Canadians.

Another point I wanted to mention is that I went to the government about a month ago to ensure that this bill was brought forward, because it is very important for a number of families in my riding. I am delighted that the government has done this.

Finally, I would like to disagree with one of the earlier speakers, who seemed to suggest that we need a whole bunch of other changes to the Citizenship Act and the Immigration and Refugee Protection Act. I do not disagree with that. However, I would not like that to confuse this bill.

This is a very simple bill, with just a couple of clauses on a couple of pages, that basically deals with these babies and their families. I would not want to complicate it with anything else so that it would once again, for a third or fourth time, die on the order paper. Let us keep it simple. I think everyone in this House supports this. Let us get it through as quickly as possible.

• (1525)

[*Translation*]

Ms. Meili Faille (Vaudreuil-Soulanges, BQ): Mr. Speaker, I would like to take this opportunity to commend my hon. colleague from Kitchener—Waterloo for his work on the Standing Committee on Citizenship and Immigration. He worked very hard on issues concerning the Citizenship Act.

Nevertheless, it must be said that this citizenship bill is not perfect. The committee heard numerous witnesses. Yet we expected to hear even more.

During the previous session of Parliament, the government had tabled a piece of legislation identical to the one before us now. Unanimity had been reached regarding that piece of legislation, which dealt with only one aspect of the Citizenship Act. It was a compromise—one aspect of the Citizenship Act that achieved unanimity.

I have a question for my hon. colleague from the official opposition. Why did the previous government take so long to proceed with tabling this bill? How can he explain that, over the past 30 years, everything concerning the question of identity or involving the Citizenship Act always took so long? These issues always seemed to come to an end due to an election or something similar. Why were they so slow to table this type of bill, even though it is something very important to adoptive parents?

[*English*]

Hon. Larry Bagnell: Mr. Speaker, the previous government of course had a huge agenda. Many very important bills got through.

Government Orders

I agree with the member that it is unfortunate the government was terminated prematurely by an election call when a couple of very important things were in the midst of happening. One, of course, was this particular bill. As I mentioned during my remarks, we tried several times to bring it forward. It was not brought forward just recently. We tried very hard to get this particular bill brought forward.

Even more catastrophic losses from that premature election call were the day care program, as I have talked about, and the Kelowna agreement. These were instrumental programs.

The day care program was instrumental for families. As I mentioned, in my riding I have already had some very critical cases of low income mothers who now are in very serious and precarious positions. The funding they expected has not come through. Of course, the day care program, into which we were going to put \$10 billion, is not there. There are no major subsidies for day care in my area, which might have made it possible for these women to send their children to day care and to remain in the workplace so they could have a reasonable family life.

Of course the Kelowna agreement, for which \$5 billion was set aside, was a historic agreement between the first nations people of this country and the nation of Canada, not a particular political party, but the nation of Canada. When there is one group of people in the country that is disadvantaged, that has lower achievements in a number of areas such as successful childbirth, jobs and education, we can remedy that inequity when those people themselves have come up with solutions.

The Government of Canada, the premiers, the first nations leaders from across Canada and the chiefs of first nations across Canada all got together in a remarkable effort that took over 18 months. They actually came up with a solution. They actually came up with some peace and harmony, which is not occurring in Caledonia, for instance. It was a great move forward, and when the agreement this nation made was abrogated, I think it was a very sad moment for Canada.

• (1530)

[*Translation*]

Mr. Yvan Loubier (Saint-Hyacinthe—Bagot, BQ): Mr. Speaker, a while ago I listened to my Liberal colleague say that it was because of the election that we were not able to pass this bill. The Liberals were defeated and that was the explanation for it. I would remind her that they had 13 years to table such a bill, which was awaited by thousands and thousand of parents wishing to adopt.

It was not the Liberal Party of Canada's priority to grant adopted children a status similar to that of those born here or born abroad but to parents who are Canadian citizens.

It is not a privilege. It is also linked to an international convention commonly called the Hague Convention. Under this convention, parents and children, regardless of their origins or whether the parents are biological or adoptive, must be treated equitably and similarly, without discrimination.

It is understandable that after nearly 30 years and five abortive attempts at passing such a bill, we are happy with this outcome, as are thousands of men and women across Quebec and Canada.

I am not an expert in international adoption. I am quite simply a father who has experience in international adoption. My wife and I are experiencing it still today. We adopted a little girl 19 months old eight years ago now. Today this little girl is 10 years old. We are in the process of adopting a little brother for her from Thailand—Bangkok, to be more specific. I know better than anyone, with my wife of course, all the worries, all the work, all the sweat it can take to prepare an adoption file and deliver it. And then there is the interminable wait and all the steps taken before, during and especially after.

I am in a good position to know that this bill, though it does not resolve all the problems and does not substantially reduce the administrative work, will nevertheless be a great help. It is being well received by thousands of parents who have already adopted or who are in the process of adopting, as is the case for my wife and myself.

There is no reason for having let this debate drag on for so long. There is no reason for not having adopted an accelerated procedure so that such a bill might see the light of day.

First and foremost, this bill is meant to remedy the unfair way that parents in Quebec and Canada are treated. If a child is born outside Canada to Canadian citizens, the child is automatically considered to be a Canadian citizen, even if he or she is born outside the country. On the other hand, a child who comes to Canada as a result of an international adoption is not entitled to the same treatment, even if the parents are citizens of Canada. To begin with, we will have fairer, non-discriminatory treatment that complies in all respects with the spirit and the letter of the Hague Convention.

There can be several months, and even years, of waiting between when the adoption process is begun and when it ends, culminating in citizenship for the adopted child. For parents waiting for a child, this seems like an eternity. They have to be sure that they have all the papers, and a complete file to send to the country of origin of the child who is about to be adopted. It takes months and months of work and of psychological assessments of the adoptive parents.

We often forget this aspect. If we made birth parents undergo all these psychological assessments and tests to evaluate their parenting skills—this is what happens especially for a child coming from somewhere else—I am quite sure that many might be disqualified.

• (1535)

The assessment is thorough: your childhood, your relationship with your parents, and so on. It is never-ending, and it is right that this should be so, because this is how it was intended.

Adoptive parents, or candidates for international adoption, must be able to prove that they will be good parents, that they will be able to include a child who has come from elsewhere in the world in their family, and rear that child, when often, in the case of some countries, they do not know the age or sex of the child.

Government Orders

For months, there are lots of requirements to be met, and there is also anxiety, because while we may all be parents and have good opinions of ourselves as potential parents, doubts will always arise. We have been through this, my wife and I. Thousands of adoptive parents or would-be parents go through it as well, year after year. It is a cause of great anxiety, before the evaluation report comes back to us and tells us, finally, after all of the assessments, that we are going to be good parents.

The Immigration Canada procedure also has to be followed; then there is the Youth Protection Branch, for Quebec; there are even procedures that have to be followed at Sûreté du Québec or RCMP offices to get certificates stating that you have no criminal record, for example; and there are administrative procedures with the registrar of civil status. In other words, there are months of work before a file is complete and can be sent to the country.

After that, when the file is complete and has been sent off, there is the waiting. For that interminable waiting period, day after day, there is anxiety, there is excitement, and there are plans. We try to imagine—and we are going through this right now, my wife and I—what the child will be like. We try to imagine ourselves with this child. Everyday, or almost, we have dreams, we build virtually an entire life plan for this child, whom we do not even know.

It is no different for mothers, for example, who are carrying a child, and for the fathers who, too, are waiting. It is exactly the same thing. It means waiting. It means hopes. It means building plans for a life. It even means having a very fertile imagination, so that you imagine, at some point, walking down a path in the woods, having this little one who is coming there between us, sometime in the next few months.

A lot of castles in the sky are built, but a lot of administrative stumbling blocks are also encountered. Even if the files are complete when they leave here, the authorities abroad sometimes ask for further verifications and more documents to be included in the file. Then the anxiety starts all over. Is it all right? Do the authorities consider this application to be completely legitimate? In the eyes of the foreign authorities—Thailand, in our case, my wife and I—are we considered to be good parents?

These months of waiting culminate in the trip to the country where the child so long awaited is currently living. Once we arrive there, it is not over. There remain interminable procedures and incredible red tape. For those not accustomed to working in administration, to shuffling papers, to going through these sorts of procedures—I am not talking about an MP or a lawyer—these are mountains to be crossed. Even for us, this red tape is something very arduous and very demanding, both psychologically and physically.

Once in the country of adoption, it is necessary to deal with the embassy and also with a local doctor. We still do not have the child. Three or four days may go by before we finally meet the child we have been waiting for, often for a year and a half, two years, in some cases two and a half years. Next, as if that were not enough, the country authorities often carry out their own evaluation.

• (1540)

The two adoptive parents are at a table with five or six local officials, whether social workers or university deans. They are asked

questions for a period that can range from a half hour to three hours. They are bombarded with questions about their parenting skills, their family history, their connection to the child. If biological parents were asked to take such tests, there would be certain surprises, because this is very demanding and extremely complicated.

This continues after we come back with the child. Six to ten months may go by, even a year, before the adoptive parents become the parents of the child. In Quebec, to confirm an adoption decision, it is necessary to go through further administrative procedures with the youth protection branch, the international adoption secretariat and the Court of Quebec.

I am very happy to have this sort of bill. However I know for a fact, from having discussed this particular bill with my colleague from Vaudreuil—Soulanges who is the immigration critic, that a few amendments should be made to this bill. It is absolutely necessary that this bill be passed quickly to prevent it from meeting the same fate as the five other bills tabled over the last 30 years. There are some minor amendments to be made.

The rules might not apply in certain countries where people go to adopt children. For example, Thailand is a country where the rule of immediate citizenship might not apply. In the Philippines, this bill might not be enforced. Why? Because as long as the authorities of the country of origin—in this case the authorities of Thailand or the Philippines—have not authorized the adoption, something which can take six, seven or eight months, one cannot be the legal and legitimate parent of that child.

“Progress reports” are required, that is, one has to undergo other assessments from month to month. Thailand, for example, requires three progress reports. These reports mention such things as whether the child is integrating well and whether the parents have a good relationship with the child. Once again, the parents are waiting for six or eight months before the Thai authorities decide that the adoption can go ahead.

In the meantime, one has to apply for a placement order upon arriving in Quebec. That makes the parents the legal guardians of the child. As long as the Thai authority has not issued its consent and the assessment reports have not demonstrated that the people are good parents and the child is integrating well, immediate citizenship cannot be granted to the child born in Thailand or the Philippines. A few other countries operate the same way.

There should be a provision in the bill for those countries of origin where the authorities have to provide their approval—an approval that the Court of Quebec must await before it can issue its adoption order. This provision would ensure that when the authorities in the country of origin—

Some hon. members: Oh, oh.

Mr. Yvan Loubier: I know that this is of very little interest to some Conservative members, but the bill is important to thousands of parents. That is what helps me keep my cool and say what I think about this fantastic bill.

Government Orders

There would have to be procedures, therefore, to ensure that as soon as the country of origin approves the adoption of a child who is already on Canadian soil, there is a quick arrangement to provide the child automatically with Canadian citizenship. This could be a form to fill out after the receipt of authorization from the country of origin or a Citizenship and Immigration Canada form with an annotation in the upper right-hand corner saying: "Adoption". Citizenship and Immigration Canada could even be required to grant citizenship within a reasonable amount of time, for example a maximum of 30 days.

● (1545)

This would make it possible to take into account the specifications of the countries of origin of certain children who will not be in a position to take advantage of the bill.

If this is done, it would greatly facilitate the work of parents, which often goes on for two years between the time when their file is forwarded and the adoption order is issued. The result would be less red tape for parents who want to adopt from countries like those I mentioned: Thailand, the Philippines and Taiwan too. I would have to check on Taiwan actually, but I am certain about Thailand and the Philippines. So their task would be simplified.

Apart from the bill, an amendment like that would be a kind of acknowledgement added to the federal tax credit for adoption expenses. The Bloc Québécois has introduced this measure on a number of occasions because we thought that these parents deserved some kind of support. These two signals would send adopting parents a clear message that when we talk about family, demography, and the future of Quebec and Canada, children who came from elsewhere to be adopted by parents here must be considered. This is the finest gesture that we could make because it is much more difficult to complete an international adoption than is generally assumed.

It is not just an administrative ordeal, but a deeply human ordeal, experienced by aspiring parents who are practically stripped of their privacy having to put so much on the table: their life, their feelings. Sometimes they undergo an all-out interrogation. And so it should be. A child should not be entrusted to just anyone. Children are precious; they are the most precious gems in the world.

However, this would give some recognition to these parents by virtue of being considered true parents and these children considered true Quebecers and Canadians, who will enrich our society and be good citizens in the future. It starts here by taking those measures that we can. We do not have any authority over decisions taken by foreign countries. They have already been kind enough to trust us as adoptive parents; they have been kind enough to entrust one of their own to us so we could give these children a future and help them become citizens of Quebec and Canada.

I think that parents here should be recognized for what they are: true parents, not unlike birth parents, with children who must live here without any discrimination. When I say discrimination, this goes for parents as well. This bill, with the desired amendments, will truly address what we want.

The Bloc Québécois feels strongly about everything to do with family and demographic growth. Rest assured that we will work very

hard for these amendments to be integrated into the bill. This time the bill must be passed quickly for parents like my wife and I who are in the middle of the adoption process anxiously waiting and hoping to know their baby boy one day.

● (1550)

[*English*]

Mr. Steven Fletcher (Parliamentary Secretary to the Minister of Health, CPC): Mr. Speaker, I listened to the member's comments with great interest. In this House we often talk about abstract issues and terms and big dollar amounts and large numbers of people, but to hear the personal story of the member's family was quite touching.

I wonder if the member would be kind enough to share with us a bit more of his journey in the adoption process and how adopting children from other countries can enrich the lives of Canadians. I wonder if he could let someone like me, who may have to go down the route of adoption because of my particular situation, know how adopting from a foreign country could meet the goals that we all have of building the Canadian dream of a family and having kids and grandkids. I wonder if the member could also share with us how we could educate people about adopting from a foreign land to make Canada a better place.

[*Translation*]

Mr. Yvan Loubier: Mr. Speaker, I thank my colleague for his question. I also hope that he will experience what my wife and I are experiencing now and will soon experience with our second child, at least we hope so. We do not know how much time it may take.

I think that a bill like this one is a small step, like the tax credit for expenses in connection with an international adoption. I think that this is only fair. We cannot say that we have been going through a demographic decline for at least three generations and that we welcome immigrants with open arms, without granting some sort of collective support when parents, citizens of Quebec and Canada, wish to go and seek a child abroad.

We are not asking the population to take our place as adoptive parents or to do the work in our place, but things should be made easier where possible. There will actually be more and more parents in this situation, who will be opting for international adoption. It is really a nice way of ensuring the integration of citizens in our society for the future.

I do not know how it works in the rest of Canada, but I know that there are agencies. In Quebec, there are agencies recognized by the Secrétariat à l'adoption internationale. These agencies are properly accredited and they help prepare files. They do not take the place of the people, but they endorse files and also handle the procedures for sending them, depending on particular ties with certain countries. I think there are agencies in Ontario. In the rest of Canada, I do not know. These agencies deal with particular countries. If someone is looking at Asia, Latin America or Europe, there are specialized agencies that have established a legal network, of course, and this facilitates the process.

Government Orders

This is an experience which I keenly hope the member will have. If he wishes, I will get some information for the rest of Canada. I will be pleased to do this for him, and I hope he gets to enjoy this tremendous experience.

For the past eight years, my wife and I have been experiencing this with Rosalie and we are getting ready to experience it again with our little boy, who is on the way. It is a parental experience, a human experience, an extraordinary life experience.

Being a parent is already extraordinary, but going through this experience, after months and months of waiting, is quite fabulous, as far as my wife and I are concerned.

[*English*]

Hon. Andrew Telegdi (Kitchener—Waterloo, Lib.): Mr. Speaker, I thank my colleague for his input and for his personal experience on this bill. One issue is indirectly related to adoptions. I want to bring it to the attention of the House and maybe get the member's input.

A number of years back, I believe, CBC did a special on a young girl who was adopted from Romania. I believe she was about eight years old. She had parents in Romania, but she was in an orphanage because her mother could not take care of her. This young girl was adopted. Her father was a physician. As soon as she was adopted, she lost her Romanian citizenship because of the legislation that existed in Romania. Within a couple of years, her adoptive parents sent her back to Romania and adopted someone else.

The reason I raise this is once the young girl went back to Romania, because she was no longer a Romanian citizen, she could not go to school. She came from a bad situation, but by coming to Canada, supposedly for a better life, she ended up a lot worse. I believe a lawsuit is going on about this.

I raise this not in the context of this legislation. This legislation has a chance of improving the process, but it raises the question of giving this individual citizenship. Once this young girl was sent back to Romania, she was stateless. She had landed status in Canada, but once she left here, she lost that status and she had not status in Romania.

We probably should look at some kind of legislation separate from this one. In this case, if we had the legislation before us, she would have been a Canadian citizen. She had landed status, but when she left, she was neither a Canadian citizen nor a Romanian citizen. Therefore, this would have addressed the important issue about being stateless.

At some point in time I hope we can perhaps deal with legislation that will address the morality of the issue where this young girl was very much victimized. Has the hon. member heard about that case or if he is familiar with it?

• (1555)

[*Translation*]

Mr. Yvan Loubier: Mr. Speaker, I wish to thank my colleague for the question. I have never heard of such a situation: parents who go ahead with an international adoption and then, after a while, decide that they no longer want the child. I think these are unfortunate exceptions. I have never heard of such cases.

That being said, when you are the legal guardian of a child and an adoption order is made, you have full and complete responsibility for that child. It is as though they were your biological child. Under the law, you have a parental responsibility.

I cannot believe that that can happen. I may be mistaken as I am not an expert. However, it seems to me that the laws, especially in view of the Hague Convention, are in place to protect children. When the adoption order is made, whether in the child's country of origin or here in Quebec or Canada, you become parents and you have exactly the same responsibilities as biological parents. I cannot believe that such cases can occur, except for the one in that television program.

Of course, just as there may be exceptions with biological parents, there may be some among adoptive parents. Some may be poor parents, in one way or another, although that would really surprise me. When you wait for children and really want children with all your heart, and then they arrive, it seems to me that you have a duty. The parents are making themselves happy as well as making the child happy.

That being said, I advise parents who adopt children from another country to obtain dual citizenship. It is easy, it can be done in Canada, it is permitted. This is just in case, when the child is older, they wish to return to their country of origin to see for themselves where they came from. No one knows what the future holds. I think it would be a good idea to have dual citizenship.

• (1600)

[*English*]

The Acting Speaker (Mr. Royal Galipeau): Is the House ready for the question?

Some hon. members: Question.

The Acting Speaker (Mr. Royal Galipeau): The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

An hon. member: On division.

The Acting Speaker (Mr. Royal Galipeau): Accordingly the bill stands referred to the Standing Committee on Citizenship and Immigration.

(Motion agreed to, bill read the second time and referred to a committee)

* * *

PUBLIC HEALTH AGENCY OF CANADA ACT

The House proceeded to the consideration of Bill C-5, An Act respecting the establishment of the Public Health Agency of Canada and amending certain Acts, as reported (without amendment) from the committee.

Hon. Chuck Strahl (for the Minister of Health) moved that the bill be concurred in.

(Motion agreed to)

Hon. Chuck Strahl (for the Minister of Health) moved that the bill be read the third time and passed.

Government Orders

Mr. Steven Fletcher (Parliamentary Secretary to the Minister of Health, CPC): Mr. Speaker, I am pleased to speak in the House today at third reading of Bill C-5, an act respecting the establishment of the Public Health Agency of Canada.

We had an opportunity at the Standing Committee on Health to discuss the key elements of the bill. I am pleased to report that there were no amendments to the bill made by the committee.

The committee agreed to report back to the House on this bill for third reading. I was pleased to see the strong support of my colleagues for the legislation. Additionally, I am happy to report that the Canadian Public Health Association has written in support of the legislation.

I think that most of us agree that the bill will provide the stability and authorities that the agency and the Chief Public Health Officer need to help protect and promote the health of all Canadians.

It is important that the bill be passed for a number of reasons. The legislation is not only to provide stability for the agency, but it is also needed so that we can properly address and respond to public health threats and emergencies.

In the event that we are faced with a public health emergency, such as an influenza pandemic, the agency and the Chief Public Health Officer must have the authorities and tools to be able to effectively respond.

First, the Public Health Agency of Canada must have specific regulatory authorities for the collection, management and protection of public health information to ensure that the agency can receive the information it needs. As the SARS outbreak clearly showed, it is important for the government to have the ability and the means to assess accurate information.

I would like to mention that the current Minister of Health was indeed the minister responsible for issues around SARS when it broke out in Canada, when he was minister of health in Ontario. This is in large part the reason why the government is so enthusiastic about creating a legislative framework to ensure that we can fight pandemics in an effective and meaningful manner. We are certainly fortunate in Canada to have the Minister of Health who is also someone who has had firsthand experience in dealing with these types of issues.

This is of particular importance because of the growing threat of an influenza pandemic or other public health emergencies. The Public Health Agency of Canada must have clear legal authority to collect, use, disclose and protect information received from third parties. The bill provides that authority.

This is important as it will first, give the provinces and territories the necessary assurances that they can share public health information with the agency in accordance with their own privacy legislation. Second, the Chief Public Health Officer must have the parliamentary recognition as Canada's lead public health official. He must have the expertise and legislative authority to communicate with Canadians and report on public health issues.

Bill C-5 establishes the position of a Chief Public Health Officer and gives him the legislative authority to speak out on issues of

public health. Finally, as the public health agency was established only through an order in council in the past, passing the bill will provide a statutory foundation to the agency.

This will provide the stability that the Public Health Agency of Canada needs to continue to promote and protect the health of Canadians through leadership, partnership, innovation and action.

It will also provide the foundational basis for the Public Health Agency of Canada to meet the challenges ahead and address many of the other public health issues that were raised during second reading.

I understand that there may be a concern by some members that the legislation encroaches upon provincial jurisdiction. Let me be clear. Bill C-5 does not expand existing federal activities related to public health. Further, the bill does not supercede any existing provincial legislation nor does it impinge on the activities of provincial public health agencies and organizations. Rather, it simply creates a statutory foundation for the agency and establishes the position and dual role of the Chief Public Health Officer.

● (1605)

By providing a statutory footing for the agency, the bill responds to provincial and territorial demands for a federal focal point with appropriate authority and capacity to work with them in preparing for and addressing public health emergencies. In fact, the federal government has a well established leadership role in public health, working in collaboration with provinces, territories and other levels of government.

We intend to continue along this approach. The preamble of Bill C-5 clearly states the federal government's desire to promote cooperation with the provincial and territorial governments, and coordinate federal policies and programs. For example, the agency is working with provincial and territorial authorities through the pan-Canadian public health network. The public health network is a forum for multilateral intergovernmental collaboration on public health issues and respects jurisdictional responsibilities in public health. The network represents a new way of federal, provincial and territorial collaboration on public health matters.

By facilitating intergovernmental collaboration through the public health network, the agency is also able to develop scientific knowledge and expertise in order to provide the best public health advice to Canadians. This legislation continues the strong tradition of cooperation and collaboration which has been part of Canada's approach to public health for decades.

Clearly, we all have a shared interest to protect and promote the health of all Canadians. Through this legislation we will be demonstrating to Canadians that we have listened to their calls to establish a permanent focal point to better address public health issues and that we are taking the necessary steps to strengthen the public health system as a whole.

It is important that we have such legislation in order to provide a statutory foundation for the Public Health Agency of Canada and support our collective efforts to strengthen public health in Canada.

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I would also like to add that the government has brought forward this legislation in its first 100 days which I think demonstrates the commitment that the government has to public health. I realize that some members opposite may suggest that they had brought forward the legislation, but it is important to point out that at that time it had not even made it to second reading.

Having said that, I am pleased to say that all the federalist parties seem to support the government in bringing forward this legislation and it is important to demonstrate that through action. In budget 2006 we saw \$1 billion set aside to deal with pandemic preparedness. That shows not only are we bringing forth legislation, we are going to back up the legislation with the necessary resources and the necessary political, public and governmental commitments to ensure that Canada is as prepared as possible to ensure the protection of health and that the health of Canadians is maintained in case of a pandemic emergency.

With that, I am very pleased that the bill has approached third reading and will come to a vote shortly. I look forward to the support of all the federalist parties to ensure the protection of all Canadians.

• (1610)

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I thank the member for his opening speech on this bill which I am sure will have the support of all parties. Health care continues to be the number one priority of Canadians. I think that the initiatives with regard to establishing wait time benchmarks in the last Parliament and a commitment to wait time guarantees will also be important building blocks in our health care system.

The member mentioned whether or not this was a predecessor bill. When the House begins each and every day, we begin with a prayer. The prayer is that we make good laws and wise decisions. Quite frankly, I do not care where it came from. What I do care about is that we do the right job on behalf of all Canadians.

I had the opportunity to be in committee when it had Dr. David Butler-Jones before it. There is this challenge, I would say, that we have with regard to the agency, with regard to its funding, and more importantly, with regard to its priorities. I think it would be very interesting and helpful to the House if the member could relay some of the concerns that the committee had around the priority areas to make absolutely sure that we are not just creating another agency that is going to begin creating an empire.

It has an important mandate, but it also has some options. I think those priorities are important for Canadians to know about as well as the concerns that the committee had expressed. The member may want to share those thoughts with us.

Mr. Steven Fletcher: Mr. Speaker, it is very important to understand that we all need to ensure that the agency focus on its core competencies, which is of course pandemic preparedness and infectious disease.

There are other things that overlap, but I know the member was particularly concerned in the last Parliament with fetal alcohol syndrome. The health committee will have further information when it reports to Parliament on this issue. I ask the member to be patient and he will see that report presently.

With regard to the preamble in the member's comments on benchmarks in health, I must take a moment to remind the House that in too many cases the benchmarks were not set by the previous government and the health care guarantee was actually a promise made by the Conservative Party in the last election. Interestingly, about a month after it was announced, it was largely copied by a couple of the other parties.

The guarantee stems from the Supreme Court decision that came in June, which is a decision that access to wait time is not access to health care. Unfortunately, that has been quite an indictment on the previous government, where wait times doubled and there was a shortage of family physicians and other health care professionals. However, that is just to clear the record.

I am very pleased that among the federalist parties there is an understanding that with Bill C-5 a pandemic does not respect borders. We must be prepared and we must work together across party lines and political parties to ensure that we are prepared as much as possible to ensure the protection of public health and Canadians.

• (1615)

Mrs. Joy Smith (Kildonan—St. Paul, CPC): Mr. Speaker, I am very pleased to ask the member a question regarding the Public Health Agency of Canada because, as the member knows, it is located in Winnipeg.

It is a very important agency, especially with the issue of the future and possible pandemics and, as the member so eloquently relayed to us, the present health minister was actually in charge when the SARS epidemic hit Ontario.

Could the member outline some of the very important things that the Public Health Agency, under Dr. Butler, will offer to all Canadians in terms of safety, health care in a possible pandemic at some point in time, and how that might relate to West Nile virus, for example?

Mr. Steven Fletcher: Mr. Speaker, I would like to thank the member for highlighting the point that the current Minister of Health essentially led Canada's response to the SARS crisis. The lessons learned during that time were the genesis of the Public Health Agency.

We learned that we needed an individual who was beyond politics, someone who could see the big picture and who had the scientific knowledge necessary to deal with something like SARS. That is where the Chief Public Health Officer comes in. The Chief Public Health Officer can coordinate and deal in a non-political, scientific and evidence based manner with the issues around infectious diseases, pandemics and things like the West Nile virus.

The member also pointed out that we have a world-class level four lab in Winnipeg that can test for pandemic viruses, flus and other infectious diseases. The member may also know that it was a previous Conservative government and the then health minister Jake Epp that brought that lab to Winnipeg. As a fellow Winnipegger, I am very proud to have that facility in my province.

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I am pleased to have the support of Manitoba colleagues in bringing forward Bill C-5 as it will affect Winnipeg in many ways. More important, it will help protect the health of Canadians in ways that have been outlined in debates at health committee, in this House, and in other venues.

I look forward to seeing this bill pass so we can get on with other matters as well.

• (1620)

Ms. Ruby Dhalla (Brampton—Springdale, Lib.): Mr. Speaker, I want to commend the member opposite on the great work he has done along with me and other health committee members.

In his opening remarks he mentioned investments that have been made by the new Conservative government for the Public Health Agency and public health initiatives. Perhaps the member could expand on exactly what those initiatives are.

Mr. Steven Fletcher: Mr. Speaker, the gist is that \$1 billion over five years has been set aside for pandemic preparedness. This is a significant investment. It is an important investment. I would like to refer the member to the budget for further details as I am getting the signal from the Speaker that I have run out of time.

We thank members from all federal parties for their support in allowing this bill to pass.

Mr. Ron Cannan (Kelowna—Lake Country, CPC): Mr. Speaker, I have a quick question with regard to the Public Health Agency.

In the summer of 2003 the Okanagan mountain park suffered damage as a result of forest fires. There was a real need for leadership from the provincial side that was somewhat challenged at the time. I appreciate the member saying that the federal level needs to show leadership. I know the provinces will be on side for that because they need stability, certainty and leadership during a national health crisis.

SARS occurred about four years ago and we identified that as a pandemic. It was shouting at us from a national perspective. Why has it taken so long for the Public Health Agency legislation to come forward?

Mr. Steven Fletcher: Mr. Speaker, it is a bit of a mystery why legislation was not brought forward until the very last days of the previous government. It should have been brought forward long before that.

The current government has brought it forward to deal with things such as a natural disaster. Heaven forbid that Canada should ever have to deal with something like hurricane Katrina or a pandemic situation. The Chief Public Health Officer will have laid the foundation along with provincial, territorial and municipal governments and first nation communities to ensure that we have an effective and quick response plan in place to reduce any harmful effects and protect the health of Canadians.

The Acting Speaker (Mr. Royal Galipeau): It is my duty, pursuant to Standing Order 38, to inform the House that the question to be raised tonight at the time of adjournment is as follows: the hon. member for Thunder Bay—Rainy River, Softwood Lumber.

Resuming debate, the hon. member for Brampton—Springdale.

Ms. Ruby Dhalla (Brampton—Springdale, Lib.): Mr. Speaker, it is with great pleasure that I stand here today to provide support for the third reading of Bill C-5, a bill to create the Public Health Agency of Canada.

In the previous Parliament this bill was introduced by the previous Liberal government as Bill C-75. However, due to the dissolution of the 38th Parliament, it died on the order paper.

Bill C-75, which was introduced by the Liberals in the last Parliament, was the initial step toward strengthening the ability of the federal government to protect the health and well-being of Canadians. I am glad to see that the new Conservative government has recognized this great piece of public policy initiative that was brought forward by the previous Liberal government and is now trying to ensure that we provide the necessary legislative framework for the Public Health Agency of Canada.

In September 2004 the Public Health Agency of Canada was established by an order in council, once again by the previous Liberal government. The agency's mandate was to strengthen Canada's public health and emergency response capacity, and to develop national strategies for the management of infectious and chronic diseases.

The Public Health Agency will assume the responsibility for the Canadian strategy for cancer control, an issue that is important to many Canadians across the country. Also as part of its key initiatives, the agency will develop an integrated pan-Canadian public health plan which will address issues of chronic diseases, including important diseases such as cancer and heart disease.

The need to improve and strengthen our coordination in the area of public health has been highlighted by the inadequate response to a national tragedy in 2003, the outbreak of severe acute respiratory syndrome, also known as SARS. After the SARS outbreak, the federal Liberal government appointed a National Advisory Committee on SARS and Public Health.

The National Advisory Committee on SARS and Public Health was given the mandate to provide a third party assessment of current public health efforts and lessons learned for any future infectious disease control. One of the many issues that the committee examined was how a federal public health agency could contribute to the renewal of public health, as well as how this new agency would be structured. The committee was chaired by Dr. David Naylor and hence the Naylor report was issued.

Given the objectives that the national advisory committee had, one of the main objectives was to ensure that there would be a chief public health officer who would serve as a national voice and a spokesperson for public health, especially during any outbreaks or other federal health emergencies.

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The chief public health officer it was recommended would advocate for effective disease prevention and health promotion programs and activities, would provide science based health policy analysis and would advise the Minister of Health. Also when required the chief public health officer would advise and make recommendations to the provincial and territorial health ministers, would provide leadership in areas of health initiatives and would ensure that we increased the quality of public health practice in this country.

In November 2003 the report from the Standing Senate Committee on Social Affairs, Science and Technology echoed the opinions that were issued in the Naylor report and agreed with the creation of a public health agency. The committee also recommended that the agency would enhance the federal government's ability to support local work in disease control and prevention.

In April 2004 our former minister of health, Anne McLellan, created a working group on public health that would work with the recommendations in the Naylor report and the standing committee report as well. A number of different witnesses appeared before the working group. They also recommended the creation of an agency that would concentrate and focus federal resources, that would enhance collaboration between the different levels of government and providers of public health services, that would allow for a faster and more flexible response to emergency situations and also would ensure that we improved and focused our communication efforts.

The committee stressed the need to take immediate steps for the creation of a public health agency. It felt, along with the many other stakeholders, that the agency should be responsible for emergency preparedness, immunization and chronic disease prevention.

• (1625)

The previous Liberal government was committed to public health in Canada. An investment of over \$354 million was made to over 1,600 health research projects. The former Liberal government was also very committed to ensuring that Canadians received the highest quality of health care services in this country. Hence, an investment of \$42 billion over 10 years was made to ensure that wait times were reduced in this country and also to ensure that Canadians received the highest quality of public health care service.

Budget 2005 by the former Liberal government invested another \$805 million over five years in the area of health, including chronic disease prevention, pandemic influenza preparedness, drug safety and environmental health. A federal wait times advisor was appointed. In addition, the Canadian public health care protection initiative was further strengthened.

We believe it is very important that an agency be created and that the new Conservative government also make significant financial investments to ensure the effectiveness of this agency. Public health efforts on health promotion and disease prevention are extremely critical. As a chiropractor, I think it is really important that we start practising a model of wellness and prevention in our country.

Many of the chronic diseases that face Canadians, including cardiovascular disease, cancer, heart disease and diabetes are the leading causes of death and disability in Canada. The Liberal Party and many individuals in our caucus remain committed to ensuring

that we protect the health and safety of Canadians. Health care is one of the most important issues to many Canadians across this country.

While I support Bill C-5, there is one element that is missing from the bill and the Conservative Party's agenda. The Conservative Party cancelled the ministry of state for public health that existed with the previous Liberal government. Health care is one of the most important concerns to Canadians. As a result, the Minister of Health has a number of obligations and responsibilities. One would want to see a public health minister in place in government to ensure that the health of Canadians was promoted and protected.

I strongly believe that the Conservative government should reconsider and reappoint a minister of state for public health to ensure that the leadership and innovation that is needed in the area of public health in this country is provided. Hence, I would request the reinstatement of the ministry of state for public health as a government department. The minister of state for public health could work with the Minister of Health, the Public Health Agency and the Chief Public Health Officer to provide the leadership and innovation that is needed in this area.

Some members who spoke before me are from Winnipeg, Manitoba which is where the headquarters for the Public Health Agency are located. As a former Winnipegger, I definitely hope that the Public Health Agency continues to have its headquarters in Winnipeg to ensure that it continues to provide the leadership in the area of public health across the country.

In conclusion, on behalf of my constituents of Brampton—Springdale and many members on this side of the House, we support Bill C-5 and the creation of the Public Health Agency. I would also hope that in the months to come the new Conservative government would once again reinstate the very important position of minister of state for public health. Public health is an issue that affects many Canadians across this country. I would hope that we could provide an environment of wellness and prevention to ensure that Canadians live their lives to the fullest.

• (1630)

Mr. Steven Fletcher (Parliamentary Secretary to the Minister of Health, CPC): Mr. Speaker, I found it interesting that the member would talk about the minister of public health when the position is not included in the bill. Ministerial positions are not generally included in legislation, particularly ministers of states.

In the previous government, the minister of public health really did not speak to issues of public health at committee or in the public. It was often the health minister. It is important to understand that the legislation makes it clear that the health minister will be responsible for determining the scope of the mandate of the Public Health Agency as it goes to things outside the pandemic preparedness.

The member mentioned the Canadian strategy for cancer control which, intrinsic in the strategy, is an arm's length body. That is what was in the debate on the June 7 motion last year and the understanding that exists now.

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My concern is that the creation of a public health ministry would blur the lines of communication. It is very clear that in a pandemic the Chief Public Health Officer has a specific role, as does the health minister. Having a minister of public health, as was the case in the previous government, blurs the lines of communication. This was mentioned many times in the health committee and I believe I also mentioned that concern. We want an effective government and an effective cabinet, and creating more positions that may or may not be necessary is probably not in the interests of Canadians.

Members of the Bloc gave us some feedback that somehow pandemic preparedness interferes with provincial jurisdiction. I wonder if the member would agree that pandemics do not respect borders and that it is important that we have a national strategy and that we be part of an international strategy.

•(1635)

Ms. Ruby Dhalla: Mr. Speaker, I first want to comment on his comments in regard to the minister of state for public health, which I had mentioned in my speech. I did not, in my speech, mention that the position should be included within the bill.

However, after looking at the mandate and at the different branches within the Public Health Agency, including the infectious disease and emergency preparedness branch, the health promotion and chronic disease prevention branch, the public health practice and regional operations branch, and the strategic policy communications and corporate services branch, I believe it is extremely important to the public health strategy of this country to have a minister of state of public health who would work alongside the Minister of Health to ensure we have a pan-Canadian strategy to address issues of importance to Canadians, like cancer prevention, heart disease and other chronic diseases.

In regard to the member's question about the Bloc perhaps thinking that the Public Health Agency would impinge on provincial jurisdictions, I think what Canadians across the country are really looking for right now in the area of health care is leadership. Health care, sickness and disease know no boundaries and people want, I think, federal, provincial and municipal elected officials to put aside their territorial jurisdictions and ensure we do what is best for the Canadian public.

When it comes to the area of health care, Canadians from coast to coast want to see all individuals work together to address the issues that are important to them, such as reducing wait times, ensuring we have wait time guarantees, ensuring Canadians have access to doctors, ensuring that when we bring in the best and brightest physicians from all over the world that those physicians have the opportunity in Canada to have their qualifications licensed and accredited so they can contribute successfully to the health work force.

Canada should be providing and taking an international role when it comes to addressing issues of pandemic preparedness, such as the avian flu and the West Nile virus. When it comes to the issue of emergency preparedness, we as a country and Ontario as a province have already been through the unfortunate tragedy of SARS in 2003. As a result of that, we have learned a tremendous amount and can provide the leadership that is required internationally to address other emerging issues, like the avian flu and the West Nile virus.

In that light, I would hope all parties will support the legislative framework of Bill C-5 for the Public Health Agency.

[*Translation*]

Mr. Jean-Yves Roy (Haute-Gaspésie—La Mitis—Matane—Matapédia, BQ): Mr. Speaker, what I just heard strikes me as a bit simplistic, both what the parliamentary secretary had to say as well as the hon. member who just spoke.

I will just give the example of the World Health Organization. It does not give orders to anyone, not to any country in the world. Does it give orders to the United States or to the Canadian or Quebec health agencies? No, it does not give any orders.

They say they want to establish a Canadian health agency because the provinces are incapable of getting along or incapable of doing their job or because sicknesses know no boundaries. It is very simplistic to say these kinds of things.

We should also not forget that the health agency will have a \$665-million budget. Of this amount, about \$165 million will be spent over two years on other federal public health initiatives. What are these other initiatives? Will these initiatives not just duplicate services that are already provided in other provinces?

Quebec has a fine health care system. The problem it has, as in the other provinces, is the chronic under-funding from which it has suffered since 1993, the reduction in federal funding, which fell from 50¢ to 14¢ on the dollar. This is what we need to realize.

The provincial health care systems, including the one in Quebec, are very effective now and have developed over the years. However, they have been under-funded, probably on purpose by the previous government. It did this so that some day, since the provinces and health systems were starved out, it could barge in claiming that the systems were not very effective. It is obviously impossible to be effective when there is no money.

I would like the hon. member to reply to these questions.

•(1640)

[*English*]

Ms. Ruby Dhalla: Mr. Speaker, while I agree with the member that Quebec probably does have a superior health care system, it is important to recognize that this public health agency would not impinge on any other provincial jurisdiction. Rather, it would work in collaboration with the provinces and territories to ensure the country is prepared nationally for any possible future outbreaks, whether it be SARS, the avian flu or the West Nile virus.

We can talk about these great public policy initiatives but it is also important to invest in them, which is why I was quite disturbed, upon reading the budget put forward by the new Conservative government which mentioned health care and wait times reduction as being a priority, that it contained no new investments to ensure the implementation of these wait times guarantees.

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We can talk about reducing wait times, about trying to increase the number of doctors, about having a national pharmaceutical strategy and about the fact that Canadians need to have the best in home care services, but if the new government does not put in the required resources, both the financial resources and the manpower resources, it will be difficult to address some of the issues that we face in health care.

I would urge the Conservatives to invest the money in the priority areas to which they have spoken because it will only be through investments and having an innovative mindset that we will actually address the many challenges in health care. We must start practising and thinking in the mindset of preventing and promoting health care and wellness.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, during her speech, the member referred to wait time guarantees. The current health minister indicated that the wait time guarantees were actually covered financially under the moneys related to the \$42 billion health accord that was agreed upon with the provinces and the prior government.

I am curious as to how we will get wait time guarantees with the promise of funding out of the moneys that already were there, even though the provinces have no idea that it is included in that funding.

• (1645)

Ms. Ruby Dhalla: Mr. Speaker, I know the member has had a great deal of interest in the area of health care and in ensuring his constituents are represented.

I am glad he asked the question. As we saw in the new budget released by the Conservative government, it outlined health care as one of its top priorities but no new money or investments were made to ensure the wait times guarantees would be achieved.

The Minister of Health has, unfortunately, told the provinces to get off the pot and get to work on implementation, but the minister—

The Acting Speaker (Mr. Royal Galipeau): The hon. member for Laval.

[*Translation*]

Ms. Nicole Demers (Laval, BQ): Mr. Speaker, I am very pleased to rise today to speak about Bill C-5.

The first time we heard about this was under the previous government, when we were talking about another bill, on December 12, 2003. The Liberal government announced then that it would soon be creating the Public Health Agency of Canada, which would report to the Department of Health. There has been a great deal of debate since that time. Was the creation of a public health agency a logical step?

In the wake of the SARS episode in Toronto, the public was gripped by a number of fears and needed reassurance. The government decided that it was time to think about setting up a public health agency.

However, the Public Health Agency of Canada is mandated to step up its efforts to prevent injuries and chronic diseases such as cancer and heart disease and to act in public health emergencies and infectious disease outbreaks. The Public Health Agency of Canada will also work closely with the provinces and territories to help

Canadians live healthy lives, with the goal of reducing the pressures on our health care system. That is the mandate of the Public Health Agency of Canada, and the government wants to justify and confirm the agency and make sure it works well here in Canada.

Yet as recently as this afternoon, we again had proof that Health Canada does not work, and the government wants to create another agency, duplicate mandates and put money into more structures.

As recently as yesterday, we learned that a drug had been developed with public funds. It was necessary, even essential, to the survival of babies born prematurely. It is a nitric oxide inhalation treatment, a drug that obtained a single patent. In fact, an American company took out a single patent. As a result, the price of this drug has quadrupled in the space of a year.

This is incredible. Hospitals that previously paid \$30 a day to treat children are now paying \$2,500 a day for the same treatment, the same drug, and an American company is reaping the profits.

The Minister of Health and Minister for the Federal Economic Development Initiative for Northern Ontario was asked to demand an inquiry by Patented Medicine Prices Review Board Canada. But the Minister of Health and Minister for the Federal Economic Development Initiative for Northern Ontario told us that it was not within his jurisdiction, as this was an independent quasi-judiciary body. However, section 90 of the Canada Health Act clearly states that the minister has the right and the duty to demand an inquiry when things are not going right in his or her department.

We have also seen that, in various other areas of the health department like in the House of Commons, employees are not even covered under the Commission de la santé et de la sécurité au travail, or CSST. Yet, they want to establish a public health agency. They are not able to look after their own people, to look after the people working on Parliament Hill, but they want to create more duplication in terms of the mandates of the various departments.

Aboriginal people received no new assistance in the last budget to deal with the tuberculosis and HIV-AIDS epidemics. This prompted the auditor general, in 2004 and again in her latest report, to criticize the lack of follow up of the medication taken by Aboriginal people since 1999. She even strongly suggested that Health Canada implement enabling legislation to enable it to follow up, and ensure that the use of non-insured prescription drugs is rigorously controlled and that people are administered the appropriate drugs.

The annual increase of the budget for the federal health system for the first nations capped at 3%. We are talking about a budget of approximately \$600 million for the Public Health Agency. That is a lot of money, which will be used to duplicate what the provinces are already doing. That is very unfortunate.

Cuts were made in health travel, access to medication and diabetes prevention. In addition, we learn from the May 10 report of the Canadian Institute for Health Information that, with respect to drug expenditures in Canada, the first nations represent the segment of population with the lowest percentage of funding per capita.

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We also learn that, for Canadians in general, per capita expenditures total \$750, as compared to \$419 for first nations.

• (1650)

There have been incidences of tuberculosis in Garden Hill. Only 4% of houses have running water, and overcrowding in housing is three times higher there than elsewhere. Places like Kashechewan still do not have drinking water. There are places where there is no affordable housing. There is no adequate housing. Resources are lacking to help them.

We have been talking about a number of national strategies, yet we cannot even take care of our own responsibilities. It is very disheartening to see that the government wants to establish a public health agency—which would merely duplicate what Quebec already has—yet it will not even take care of children, adults and the elderly.

Thousands of people in first nation communities are denied access to basic health services that are taken for granted by others. They have no official recourse.

Our soldiers return from dangerous missions raw, traumatized and suffering from post-traumatic stress, only to be denied the services they have every right to expect.

The poor and the very vulnerable can do very little to improve their situations because we do not have the resources we need to help them do so.

Some military women in vulnerable situations start drinking more, thus endangering the health of their current and future children. They are also endangering their own health.

There are even people from Health Canada who are rather zealous, although not at the right time. A veterinarian was punished by the Canadian Food Inspection Agency for doing his job. When he found hogs unfit for human consumption in line for slaughter, he took them off the line. Instead of someone punishing the company that produced those hogs, the veterinarian who was preventing people from eating tainted meat was punished. This is outrageous.

Yet, in a speech given on April 20, 2006 in Montreal, Prime Minister Harper touted his open federalism:

Open federalism means respecting areas of provincial jurisdiction. Open federalism means limiting the use of the federal spending power—

In the same vein, the health minister declared, in reference to guaranteed wait times:

We have to respect the jurisdictions of the provinces, even if it means taking a little longer to act.

This proves, once again, that their actions do not match their words.

Quebec has had its own public health agency since 1998. This agency takes care of everything under its jurisdiction. The Institut national de santé publique du Québec already has plans that are working well and that are shared with the public on a regular basis, for example, plans for SARS, mad cow disease, the West Nile virus, infectious diseases, nosocomial diseases such as *C. difficile* infections, the Quebec plan for an influenza pandemic, a blood surveillance and immunization plan and, recently, a plan to fight avian influenza.

All of this was done on our own, with the little money we have received from the federal government since 1994. In fact, health care budgets have been reduced by several million dollars, if not billions. The federal government added a little bit last year, but it still has not returned to the sums being invested in health care in 1994.

• (1655)

My colleagues in the Bloc Québécois and myself feel that, since it is the Government of Quebec that has the expertise and can intervene with all the establishments in the Quebec health network, it is the Government of Quebec that should set the priorities, develop the action plans for its territory and integrate them with the international objectives developed by organizations such as the WHO.

The Conservative Party said that it would respect the jurisdictions of the provinces. It repeated this during its campaign, in its electoral platform and in the throne speech. However, establishing this sort of agency is not going to make people really believe that this government wants to respect the jurisdictions of the provinces. This is just duplication and some very cumbersome new structures.

In a television interview a few weeks ago, an Indian grand chief was saying that of every five dollars invested in the first nations, only one dollar actually reached them. The other four were absorbed by structures.

Do we really need this? We need money in the health field. People are asking for care every day. Some are on waiting lists. People need surgery and treatment. We do not need a public health agency; we need a health department that functions appropriately and efficiently. For that we do not need more structures; we need to make the existing structures more efficient. That is the problem.

This has nothing to do with whether one thinks there are too many public servants or not enough. I will not get into that debate. However, as long as we are unable to adequately improve the efficiency of our structures, as long as we do not recognize the provinces' jurisdiction in the fields of concern to them, as long as we do not return the money to those provinces so that they can meet the needs of their clientele and their population, as long as we take no action, we are on the wrong track. Indeed, it is not an agency that we need. Of course there are certain needs. But what we need is money so that services can finally be provided to our fellow citizens.

Mr. Speaker, I assume that I do not have much time left, as I see that you are rising. But as you are indicating that I still have five minutes, I am pleased that I have some time to tell you more about this.

You are a young family man, Mr. Speaker. I perhaps should not say that. I do not know if I have the right to say it. I know I do not have the right to talk about others, but I may perhaps tell the Speaker that he is a young family man.

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I am sure, Mr. Speaker, that the health of your family is dear to you. I am sure that it is very important to you that the medication, treatment and care that your family may need be available in a timely manner. That can only be possible if we agree to increase health transfers, if we agree to respect provincial jurisdictions. I would go so far as to say the following. Mr. Charest, the current premier of Quebec, who is not known as a separatist, said not so long ago:

The premiers dealt with other matters, such as the establishment of a public health agency capable of coordinating a national response to a crisis caused by an infectious disease such as SARS. The two levels of government will also examine the means of coordinating their efforts in the event of a natural catastrophe. Quebec, has created its own structures in these two areas, and they are working. They will collaborate with those to be put in place; however the issue of duplication—

Therein lies the problem. We will again lose money because of this duplication.

● (1700)

I do not know whether this is true in New Brunswick, Nova Scotia or Newfoundland, but in Quebec we are having a hard time making ends meet with our health budgets because we do not get the necessary funding. The population is aging everywhere and is having problems everywhere. However, particularly in places where we want people to be healthy, governments need to be given the means to do so, the means to take their responsibilities.

I will close by saying that Health Canada's responsibilities are to take care of soldiers, veterans, the first nations, the Inuit, to take care of their own matters and give money to the provinces to ensure that they in turn can take care of their own affairs. It is not Health Canada's responsibility to implement national strategies on cancer, Alzheimer's disease or diabetes. Health Canada has to help the provinces set up their own strategies because every situation is different.

I hope my colleagues will take what I have said to heart and vote against Bill C-5. I am not against health, but I am against outright waste.

[*English*]

Mr. Steven Fletcher (Parliamentary Secretary to the Minister of Health, CPC): Mr. Speaker, while I thank the member for her comments, I thought we were debating Bill C-5. There was some deviation from the Bill C-5 legislation, perhaps, and I would like to remind the member that the product she was referring to is dealt with by the PMPRB, which is a quasi-judicial format. It will be dealt with appropriately through that venue.

With regard to the aboriginal issue, this is a very big concern. There was money set aside in budget 2006 for an investment of \$450 million in aboriginal public health: to improve water and housing on reserve and educational outcomes and to assist aboriginal women and children. It also confirms up to \$600 million for aboriginal housing off reserve and in the north. Furthermore, there is \$190 million for an aboriginal diabetes initiative and \$145 million for maternal and child health. There have been significant investments made and there will continue to be.

Let us get back to Bill C-5 directly. Bill C-5 is important because it allows for coordination of provincial efforts. It does not in any way infringe on provincial jurisdiction. Rather, it is a focal point for coordinating provincial responses to a pandemic threat. This is

important for everything from dealing with privacy concerns to communicating a message to the public. This would be done through the Chief Public Health Officer.

Speaking of provincial jurisdiction, if a pandemic were to break out in Ottawa, I think it is very important that we have a coordinated role so we can deal with it in Gatineau. For all intents and purposes, there is no boundary. It is just a political boundary. It does not deal with the realities of nature and pandemics. The Ottawa area is a classic example of why a national coordinating effort is important. It is because we are so close together.

I understand that the member comes from an ideological background which is provincial this and provincial that all the time; however, what I find interesting is that the people on the far left, the NDP, and the Liberals and the Conservatives all take a national view. We all see that having this public health agency is important. I wonder if the member would agree that pandemics do not respect political borders.

● (1705)

[*Translation*]

Ms. Nicole Demers: Mr. Speaker, I am pretty certain that, if a pandemic were to break out in Ottawa, no one would want to save us; it would be an easy way to get rid of us.

All joking aside, I am glad that I was able to raise this question again in my speech on nitric oxide. At least we heard the beginnings of an answer. It seems very interesting.

I am also pleased that the hon. member mentioned the fact that the Liberals, Conservatives and NDP all agree on the need for a national vision. I have nothing against that idea. It is Canada's prerogative to want to have a national vision, which is legitimate.

We want to cooperate and coordinate our efforts in Quebec so that this may run smoothly. However, we want no part of this national vision. Even Premier Charest has said so. This could not be more clear. When a die-hard federalist states that he does not want this national vision, it must be because there is a problem with it.

I would also point out that one of the reasons why this does not work is perhaps because of the funding set aside when developing strategies. The hon. member mentioned the money being invested for aboriginal peoples. As I said earlier, whether another \$200 million, \$600 million or \$30 million is invested in another program, we cannot forget that \$2 billion was taken away this year. That is a lot of money.

Even if money is invested, it is not enough to adequately meet all needs. There are entire generations of people who are dying. We cannot allow this.

No matter where one lives in Canada or Quebec, everyone has the right to healthy living conditions and to have a roof over their head.

Hon. Robert Thibault (West Nova, Lib.): Mr. Speaker, I listened carefully to the member. I agree with her on some points. That said, I will not be voting with her because I support this bill. I think that we need this institution to help us protect ourselves.

Government Orders

I agree with her that we do not want duplicate services. It is important that our resources for this be used wisely.

The member seems to have skipped over one thing: everything that is going on internationally. When we have to deal with avian flu, SARS or some other as-yet-unnamed threat, we need an agency that can work with international groups and provincial governments to ensure a concerted approach.

I had the opportunity to visit China with the Minister of Health to see what we were doing and how we were participating internationally in the SARS issue, avian flu, or the possible flu pandemic.

We developed tools like the Global Public Health Intelligence Network (GPHIN), a Canadian tool used by several countries around the world.

It would be unfortunate if each of the ten provinces and three territories were to develop such a tool. I think it would be reasonable to have just one nationwide tool managed by an institution like the one run by Dr. David Butler-Jones. We must have an institution like that to work with provincial authorities and with regional groups through the provinces. I think that is reasonable.

It will contribute to ensuring the health safety of the Canadian public in all provinces and territories. That is what the member wants, so I encourage her to reconsider her position and support this bill.

● (1710)

Ms. Nicole Demers: Mr. Speaker, I thank my colleague, with whom I once sat on the Standing Committee on Health and whom I miss very much, despite the difficulties we sometimes had.

In fact, the central database of this Health Canada program can compile data from all over the world, which is very interesting. But that is part of something that can be coordinated at the provincial level. Now, with computers, it is very easy to work together with these databases. We have nothing against coordination or working together. What we are saying is that, unfortunately, the Public Health Agency is taking on responsibilities that do not belong to it.

It is not the Public Health Agency's responsibility to work on issues such as a national chronic disease strategy. That is the provinces' responsibility. We cannot stress this enough.

There is another point that is just as important. We have to be in contact with other countries when we are talking about pandemics, diseases that can cross borders very quickly. That is one of the reasons why it is very important that Quebec has a presence at the international level to discuss these issues. In fact, even though Quebec has a so-called voice at UNESCO, in reality this means nothing. Quebec merely sits at the Canadian table. It has no vote. It has to agree with Canada or keep quiet.

This is no way to act, and it does not make Quebec enthusiastic about getting involved in major projects that mean nothing and produce no results in the end.

The Acting Speaker (Mr. Andrew Scheer): There is time for another short question. The hon. member for Chambly—Borduas.

Mr. Yves Lessard (Chambly—Borduas, BQ): Mr. Speaker, I want to start by congratulating my colleague on her very enlightening presentation on the Bloc's position, and more importantly what the provinces, and Quebec in particular, are going through as a result of the federal government's withdrawal over the years.

One of the problems encountered over the years came from the federal government continuing to interfere and give orders to the provinces while at the same time withdrawing financially. I would like to point out that, at the beginning of Confederation, the federal government was expected to pay 50% of the costs for health care. Just 20 years ago, it paid 25% of these costs. But that percentage has since dropped to approximately 17%. This goes to show the federal government's withdrawal from health care funding.

My question for my hon. colleague is this. Under a provision of this bill, the federal government will be allowed to interfere in the area of front-line public health by providing \$100 million. We know that such services come under the jurisdiction of the provinces, that is the problem. One hundred million dollars is not a huge amount, but it is enough to put in place a structure which, in turn, will give orders to the provinces and Quebec. That is what is wrong with this bill. I would like to hear my hon. colleague on that.

Ms. Nicole Demers: Mr. Speaker, I am very pleased with my colleague's question. He is well aware of the social issues and knows full well how difficult it is for a province to meet the needs of its residents if transfers are cut.

We were talking about structures earlier and there are still about \$100 million earmarked for front line services. To me this just represents more offices that will open here and there. It will take even more bureaucrats to give orders to the provinces. The provinces will have to do what they are asked, but without additional resources because they will not have received more money for their health services.

How can front line health care providers in the provinces meet the needs of the public if money is invested in structure? That does not work. Money absolutely has to be invested in services.

● (1715)

[English]

Ms. Penny Priddy (Surrey North, NDP): Mr. Speaker, as with any new initiative, I would hope there will be an ongoing evaluation of how Bill C-5 is proceeding. At committee, people were interested in the initiative, but some had questions about what it would look like in six months or twelve months and whether it would accomplish what it was put forward to do.

I am very hopeful that the government will put in place a way to monitor and to evaluate whether the legislation has done the work that Canadians expect it to do. There are still some pieces that we can work on a bit.

A number of issues need some following. Because time is short, I will focus only on the bill and on another day I will give another speech.

Government Orders

People know about pandemics. Anybody who turns on a radio, or a television, or talks to a neighbour may not understand everything about a pandemic, but at least they know it is a health crisis. They read about people dying from it. They see the kinds of actions being taken, as we saw in Ontario last year around SARS and TB. They have seen people wearing masks.

There is no question that the work around pandemics in the bill takes us forward. However, some things fall from that. While individuals might understand a pandemic, they may have no idea about the other things the Public Health Agency does or will do. They count on the government to be there to do the work. They are not even sure what "the work" is. Most of what they read about, if not pandemics, are the bed shortages at their local hospitals. People depend on the government to do this other work, which also falls under the agency. I will speak to that in a moment.

The issue of a pandemic and the responsibility of the Chief Public Health Officer is extremely important. We have federal areas of jurisdictions, such as transportation, airports, railways, ports, which are incredibly busy in the area where I come from, and military bases. I believe the Chief Public Health Officer should have jurisdiction over all those. New or very dangerous viruses entering the country know no jurisdiction. They enter the country and spread as quickly as possible.

It is difficult. In certain areas we clearly have federal jurisdiction and in other areas the provincial health officer would make decisions about quarantine and actions taken around a pandemic. I really believe the Chief Public Health Officer is the individual who should make those decisions. I also believe that the Chief Public Health Officer needs to have a mandate to do that. It is not always clear in the bill where the Chief Public Health Officer's mandate to act starts and where it ends.

• (1720)

One of the things I might raise is that I gather we had a new quarantine act last year. I was not here. I know it has had royal assent, but I do not think it has yet been proclaimed. I am not going to ask those questions because I am not going to use up that time yet, but I will at some stage. Perhaps we could learn that from the health committee. When will this quarantine act actually be proclaimed so that it therefore can be used in the way that it is intended to be used?

There are some other things I would look at in the act that need to be at least monitored on an ongoing basis.

By the way, the other thing I would say around federal responsibilities and the Chief Public Health Officer's responsibility is the fact that we also have international obligations. We do not just have obligations to the people who live in Canada, because again, viruses and other illnesses do not know borders. We have an international obligation to meet, which is not just a moral obligation but a contractual obligation. I think the Chief Public Health Officer is the person to ensure that we do this.

The one thing that concerns me is that the ability to declare a quarantine is still left with the Minister of Health. I must admit that as a citizen of Canada I would much rather see the quarantine act or the proclamation of the quarantine in a certain area for a certain reason rest with the Chief Public Health Officer as opposed to the

Minister of Health. This is an area which I must admit I could be more comfortable with.

I think people expect that this person will be a professional individual, not that the minister is not one. People expect that it will be a trained, educated person who has a medical background, medical expertise and expertise in diseases that are contagious. However, having made that point, I want to go on to the other points that I am a little worried about. That is why I will look for the report about the act from this committee.

One point is resourcing. Other people have spoken to this. Resourcing is going to be extremely important in order for this agency and its staff to be successful. There is no question about it. I know there has been a significant amount of money added as a result of the pandemic part of the agency. I more than understand that, but there is another huge responsibility that comes under the Public Health Agency.

One huge responsibility is surveillance. We need to know what it looks like across the country for a number of chronic diseases. It could be chronic obstructive pulmonary disease, COPD, or type II diabetes. It could be Alzheimer's disease. It could be a variety of chronic illnesses for which this agency already has the responsibility to do the surveillance.

I want to make sure, particularly as we see more chronic diseases and growth in the numbers of people with these diseases, that this agency is able to carry out its tasks in an able and efficient fashion. I do not want to see resources diverted to prevent people from doing that at a time when we are actually seeing more people with chronic illnesses.

There is another thing about surveillance, of course, and I know that for my colleagues across the way this is a concern. There is no mandatory reporting. I would far rather have seen mandatory reporting.

I do not think any province is deliberately going to hold back information, but I would rather have seen mandatory reporting whereby provinces have to report to the Chief Public Health Officer what the status is around chronic illnesses or other trends they are seeing. That would be important for the federal government to know in order to take proactive as opposed to reactive action. I would much rather have preferred, as I say, to see mandatory reporting.

• (1725)

Another thing we have recently seen across the country in many places, but which is different in every province, is a drop in immunization. There are a lot of people today who have never seen a communicable disease. Either they have been immunized against it as children or their children have been, but they have never seen tuberculosis. They have never seen an outbreak of tuberculosis unless, of course, they are working in a downtown urban area now, although we thought it was gone. They have never seen, as I have in one province, 50 children left significantly challenged as a result of the fact that their parents had not had the children immunized.

Business of Supply

When we start to see those drops in immunization, that is a trend across the country. I want the Chief Public Health Officer to know that and to be able to at least provide some leadership. I want the health officer to look at whether there are some reasons why it is going up in one province and down in the other and to look at what have we learned from the province that is doing well and what is happening in the province that may not be. Without mandatory reporting, that is not always possible, although, as I say, I do not think anybody would ever try to deliberately hold back that kind of information.

It also indicates that if we start to see more chronic disease across the country, we may, although I am not saying we will, start to see a need for certain kinds of surgery. I assume that this would somehow affect guaranteed wait times or the fifth platform, which I am still anxious for us to have an opportunity to speak about. I will not take up the time today, but it may have an implication for how we can continue to guarantee wait times if there is a trend that says we have more people with a particular chronic illness, which we know may lead to surgery at some stage for many of these people.

The other two areas that I think are extremely important have also been mentioned earlier. These are the areas of promotion and prevention. We will do far less work in health care and we will have significantly less wait times if we do really sound and solid work in the area of promotion, which is about helping people make good choices. Then there is prevention, which means being able to do those things such as helping young women learn to exercise very early on. I bet that if we did this with every girl child in Canada we would see far less broken hips from osteoporosis when those young girls are 65 or 75 or whatever.

These areas of promotion, of promoting health lifestyles, and prevention, the kinds of things that we know can prevent certain illnesses, often are pushed to the back because we are concerned about the pandemic, the wait times and what we read about at our local hospital. I speak from some experience as a health minister when I say that prevention and promotion often get pushed to the side.

I am not saying that there is an intent in this. I do not want there to be an inherent risk because of the very broad mandate, and because of the extreme interest in pandemics, as there should be. Many people have died during a pandemic. We have seen more information recently from another country to show that one virus can go from person to person. This means that virus is mutating, so that is very front page news.

I think it would be easy as the agency to focus on those areas that we hear so much about and see so much about and that people talk so much about, and yet those areas that could reduce our wait times, make our population healthier, et cetera, may not get the kind of attention they need. If we can do promotion and prevention and encourage that while we have young children, then the minister of health, whoever that is in 20 years' time, is going to have a healthier population and will spend less money because we will not see people with the same levels of a number of those chronic illnesses.

● (1730)

Recently there has been quite a bit in the paper about asthma and the number of people who die from asthma, often because the

prevention being done is not being done in a way that is consistent and not in a way that always meets their needs. I would want to see that from across the country, so—

The Acting Speaker (Mr. Andrew Scheer): The member for Surrey North will have five minutes to complete her remarks the next time the bill is before the House.

* * *

BUSINESS OF SUPPLY

OPPOSITION MOTION—THE ECONOMY

The House resumed from June 8 consideration of the motion.

The Acting Speaker (Mr. Andrew Scheer): It being 5:30 p.m., pursuant to order made on Thursday, June 8, the House will now proceed to the taking of the deferred recorded division on the motion relating to the business of supply.

Call in the members.

● (1800)

[*Translation*]

(The House divided on the motion, which was agreed to on the following division:)

(*Division No. 16*)

YEAS

Members

Abbott	Ablonczy
Albrecht	Alghabra
Allen	Allison
Ambrose	Anders
Anderson	Angus
Arthur	Atamanenko
Bagnell	Bains
Baird	Barnes
Batters	Beaumier
Bélanger	Bell (Vancouver Island North)
Bell (North Vancouver)	Benoit
Bernier	Bevington
Bezan	Black
Blackburn	Blaikie
Blaney	Bonin
Boshcoff	Boucher
Breitkreuz	Brown (Oakville)
Brown (Leeds—Grenville)	Brown (Barrie)
Bruinooge	Byrne
Calkins	Cannan (Kelowna—Lake Country)
Cannon (Pontiac)	Carrie
Casey	Casson
Chamberlain	Charlton
Chong	Chow
Christopherson	Clement
Coderre	Comuzzi
Crowder	Cullen (Skeena—Bulkley Valley)
Cummins	Cuzner
D'Amours	Davidson
Davies	Del Mastro
Devolin	Dewar
Dhaliwal	Dhalla
Doyle	Dryden
Dykstra	Emerson
Epp	Eyking
Fast	Finley
Fitzpatrick	Flaherty
Fletcher	Folco
Fontana	Galipeau
Gallant	Godfrey
Godin	Goldring
Goodale	Goodyear
Gourde	Graham
Grewal	Guarnieri

Routine Proceedings

Guergis	Hanger	DeBellefeuille	Demers
Harper	Harris	Deschamps	Duceppe
Harvey	Hawn	Faïlle	Freeman
Hearn	Hiebert	Gaudet	Gauthier
Hill	Hinton	Guay	Guimond
Holland	Hubbard	Kotto	Laforest
Ignatieff	Jaffier	Laframboise	Lalonde
Jean	Jennings	Lavallée	Lemay
Julian	Kadis	Lessard	Lévesque
Kamp (Pitt Meadows—Maple Ridge—Mission)	Karetak-Lindell	Loubier	Lussier
Keeper	Kenney (Calgary Southeast)	Malo	Ménard (Hochelaga)
Komarnicki	Kramp (Prince Edward—Hastings)	Ménard (Marc-Aurèle-Fortin)	Mourani
Lake	Lapierre	Nadeau	Ouellet
Lauzon	Layton	Paquette	Perron
LeBlanc	Lee	Picard	Plamondon
Lemieux	Lukiwski	Roy	Sauvageau
Lunn	Lunney	St-Cyr	St-Hilaire
MacAulay	MacKay (Central Nova)	Thibault (Rimouski-Neigette—Témiscouata—Les Basques)	
MacKenzie	Malhi	Vincent— 50	
Maloney	Manning		
Marleau	Marston		
Martin (Winnipeg Centre)	Martin (Sault Ste. Marie)		
Masse	Mathysen		
Matthews	Mayes		
McCallum	McGuinty		
McGuire	McKay (Scarborough—Guildwood)		
McTeague	Menzies		
Merasty	Merrifield		
Miller	Mills		
Minna	Moore (Port Moody—Westwood—Port Coquitlam)		
Moore (Fundy Royal)	Murphy (Moncton—Riverview—Dieppe)		
Murphy (Charlottetown)	Nash		
Neville	Nicholson		
Norlock	O'Connor		
Obhrai	Oda		
Owen	Pacetti		
Pallister	Paradis		
Patry	Peterson		
Petit	Poilievre		
Prentice	Preston		
Priddy	Proulx		
Rajotte	Ratansi		
Redman	Regan		
Reid	Richardson		
Ritz	Rodriguez		
Rota	Savoie		
Scarpaleggia	Scheer		
Schellenberger	Scott		
Sgro	Shiple		
Siksay	Silva		
Simard	Simms		
Skelton	Smith		
Solberg	Sorenson		
St. Amand	St. Denis		
Stanton	Steckle		
Storseth	Strahl		
Stronach	Sweet		
Szabo	Telegdi		
Temelkovski	Thibault (West Nova)		
Thompson (New Brunswick Southwest)	Thompson (Wild Rose)		
Tilson	Toews		
Tonks	Trost		
Turner	Tweed		
Valley	Van Kesteren		
Van Loan	Vellacott		
Verner	Wallace		
Wappel	Warawa		
Warkentin	Wasylcia-Leis		
Watson	Wilfert		
Williams	Wilson		
Wrzesniewskij	Yelich		
Zed— 231			

PAIRED

Members

Gagnon Mark— 2

The Speaker: I declare the motion carried.

ROUTINE PROCEEDINGS

[*English*]

COMMITTEES OF THE HOUSE

CANADIAN HERITAGE

The House resumed consideration of the motion.

The Speaker: The House will now proceed to the taking of the deferred recorded division on the motion to concur in the first report of the Standing Committee on Canadian Heritage.

Hon. Jay Hill: Mr. Speaker, I believe that should you seek it, you will find unanimous consent to apply the results of the vote on the previous motion to the motion presently before the House with Conservative members present voting yes.

The Speaker: Is there unanimous consent to proceed in this way?

NAYS

Members

André	Asselin
Bachand	Barbot
Bellavance	Bigras
Blais	Bonsant
Bouchard	Bourgeois
Brunelle	Cardin
Carrier	Crête

Routine Proceedings

Some hon. members: Agreed.

Hon. Karen Redman: Mr. Speaker, Liberals will be voting in favour.

[*Translation*]

Mr. Michel Guimond: Mr. Speaker, the Bloc Québécois will vote in favour of this motion.

Mr. Yvon Godin: Mr. Speaker, the members of the NDP vote yea on this motion.

Mr. André Arthur: Mr. Speaker, after consultation, I am voting yea.

(The House divided on the motion, which was agreed to on the following division:)

(Division No. 17)

YEAS

Members

Abbott	Ablonczy	Harper	Harris
Albrecht	Alghabra	Harvey	Hawn
Allen	Allison	Hearn	Hiebert
Ambrose	Anders	Hill	Hinton
Anderson	André	Holland	Hubbard
Angus	Arthur	Ignatieff	Jaffer
Asselin	Atamanenko	Jean	Jennings
Bachand	Bagnell	Julian	Kadis
Bains	Baird	Kamp (Pitt Meadows—Maple Ridge—Mission)	Karetak-Lindell
Barbot	Barnes	Keeper	Kenney (Calgary Southeast)
Batters	Beaumier	Komarnicki	Kotto
Bélangier	Bell (Vancouver Island North)	Kramp (Prince Edward—Hastings)	Laforest
Bell (North Vancouver)	Bellavance	Laframboise	Lake
Benoit	Bernier	Lalonde	Lapierre
Bevington	Bezan	Lauson	Lavallée
Bigras	Black	Layton	LeBlanc
Blackburn	Blaikie	Lee	Lemay
Blais	Blaney	Lemieux	Lessard
Bonin	Bonsant	Lévesque	Loubier
Boshcoff	Bouchard	Lukiwski	Lunn
Boucher	Bourgeois	Lunney	Lussier
Breitkreuz	Brown (Oakville)	MacAulay	MacKay (Central Nova)
Brown (Leeds—Grenville)	Brown (Barrie)	MacKenzie	Malhi
Bruinooge	Brunelle	Malo	Maloney
Byrne	Calkins	Manning	Marleau
Cannan (Kelowna—Lake Country)	Cannon (Pontiac)	Marston	Martin (Winnipeg Centre)
Cardin	Carrie	Martin (Sault Ste. Marie)	Masse
Carrier	Casey	Mathysen	Mathews
Casson	Chamberlain	Mayes	McCallum
Charlton	Chong	McGuinty	McGuire
Chow	Christopherson	McKay (Scarborough—Guildwood)	McTeague
Clement	Coderre	Ménard (Hochelaga)	Ménard (Marc-Aurèle-Fortin)
Comuzzi	Crête	Menzies	Merasty
Crowder	Cullen (Skeena—Bulkley Valley)	Merrifield	Miller
Cummins	Cuzner	Mills	Minna
D'Amours	Davidson	Moore (Port Moody—Westwood—Port Coquitlam)	
Davies	DeBellefeuille	Moore (Fundy Royal)	
Del Mastro	Demers	Mourani	Murphy (Moncton—Riverview—Dieppe)
Deschamps	Devolin	Murphy (Charlottetown)	Nadeau
Dewar	Dhaliwal	Nash	Neville
Dhalla	Doyle	Nicholson	Norlock
Dryden	Duceppe	O'Connor	Obhrai
Dykstra	Emerson	Oda	Ouellet
Epp	Eyking	Owen	Pacetti
Faille	Fast	Pallister	Paquette
Finley	Fitzpatrick	Paradis	Patry
Flaherty	Fletcher	Perron	Peterson
Folco	Fontana	Petit	Picard
Freeman	Galipeau	Plamondon	Poilievre
Gallant	Gaudet	Prentice	Preston
Gauthier	Godfrey	Priddy	Proulx
Godin	Goldring	Rajotte	Ratansi
Goodale	Goodyear	Redman	Regan
Gourde	Graham	Reid	Richardson
Grewal	Guarnieri	Ritz	Rodriguez
Guay	Guergis	Rota	Roy
Guimond	Hanger	Sauvageau	Savoie
		Scarpaleggia	Scheer
		Schellenberger	Scott
		Sgro	ShIPLEY
		Siksay	Silva
		Simard	Simms
		Skelton	Smith
		Solberg	Sorenson
		St-Cyr	St-Hilaire
		St. Amand	St. Denis
		Stanton	Steckle
		Storseth	Strahl
		Stronach	Sweet
		Szabo	Telegdi
		Temelkovski	Thibault (Rimouski-Neigette—Témiscouata—Les
		Basques)	
		Thibault (West Nova)	Thompson (New Brunswick Southwest)
		Thompson (Wild Rose)	Tilson
		Toews	Tonks
		Trost	Turner
		Tweed	Valley
		Van Kesteren	Van Loan
		Vellacott	Verner
		Vincent	Wallace
		Wappel	Warawa
		Warkentin	Wasylcyia-Leis
		Watson	Willfert
		Williams	Wilson

Wrzesnewskyj
Zed— 281

Yelich

NAYS

Nil

PAIRED

Members

Gagnon

Mark— 2

The Speaker: I declare the motion carried.

GOVERNMENT ORDERS

• (1805)

[*English*]

CRIMINAL CODE

The House resumed consideration of the motion that Bill C-10, An Act to amend the Criminal Code (minimum penalties for offences involving firearms) and to make a consequential amendment to another Act, be read the second time and referred to a committee.

The Speaker: The House will now proceed to the taking of the deferred recorded division on the motion at second reading of Bill C-10.

The question is on the motion.

• (1810)

[*Translation*]

(The House divided on the motion, which was agreed to on the following division:)

(*Division No. 18*)

YEAS

Members

Abbott
Albrecht
Allison
Anders
Angus
Atamanenko
Batters
Benoit
Bevington
Black
Blaikie
Boucher
Brown (Leeds—Grenville)
Bruinooge
Calkins
Cannon (Pontiac)
Casey
Chamberlain
Chong
Christopherson
Comuzzi
Cummins
Del Mastro
Dewar
Doyle
Emerson
Fast
Fitzpatrick
Fletcher

Ablonczy
Allen
Ambrose
Anderson
Arthur
Baird
Bell (Vancouver Island North)
Bernier
Bezan
Blackburn
Blaney
Breitkreuz
Brown (Barrie)
Byrne
Cannan (Kelowna—Lake Country)
Carrie
Casson
Charlton
Chow
Clement
Cullen (Skeena—Bulkley Valley)
Davidson
Devolin
Dhaliwal
Dykstra
Epp
Finley
Flaherty
Fontana

Galipeau
Godin
Goodyear
Grewal
Guergis
Harper
Harvey
Hearn
Hill
Jaffer
Julian
Kamp (Pitt Meadows—Maple Ridge—Mission)
Komarnicki
Lake
Layton
Lukiwski
Lunney
MacKenzie
Manning
Martin (Winnipeg Centre)
Masse
Mayes
Menzies
Miller
Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)
Nicholson
O'Connor
Oda
Paradis
Poilievre
Preston
Rajotte
Richardson
Scheer
Shiple
Smith
Sorenson
Steckle
Strahl
Telegdi
Thompson (Wild Rose)
Toews
Trost
Tweed
Van Loan
Verner
Warawa
Wasylcyia-Leis
Williams
Yelich— 157

Government Orders

Gallant
Goldring
Gourde
Guarnieri
Hanger
Harris
Hawn
Hiebert
Hinton
Jean
Kadis
Kenney (Calgary Southeast)
Kramp (Prince Edward—Hastings)
Lauzon
Lemieux
Lunn
MacKay (Central Nova)
Maloney
Marston
Martin (Sault Ste. Marie)
Mathysen
McTeague
Merrifield
Mills
Norlock
Obhrai
Pallister
Petit
Prentice
Priddy
Reid
Ritz
Schellenberger
Skelton
Solberg
Stanton
Storseth
Sweet
Thompson (New Brunswick Southwest)
Tilson
Tonks
Turner
Van Kesteren
Vellacott
Wallace
Warkentin
Watson
Wrzesnewskyj

NAYS

Members

André
Bachand
Bains
Barnes
Bélanger
Bellavance
Blais
Bonsant
Bouchard
Brown (Oakville)
Cardin
Coderre
Cuzner
DeBellefeuille
Deschamps
Dryden
Eyking
Folco
Gaudet
Godfrey
Graham
Guimond
Hubbard
Jennings
Keeper
Laforest
Lalonde
Lavallée

Routine Proceedings

LeBlanc	Lee
Lemay	Lessard
Lévesque	Loubier
Lussier	MacAulay
Malhi	Malo
Marleau	Matthews
McCallum	McGuinty
McGuire	McKay (Scarborough—Guildwood)
Ménard (Hochelaga)	Ménard (Marc-Aurèle-Fortin)
Merasty	Minna
Mourani	Murphy (Moncton—Riverview—Dieppe)
Murphy (Charlottetown)	Nadeau
Neville	Ouellet
Owen	Pacetti
Paquette	Patry
Perron	Peterson
Picard	Plamondon
Proulx	Ratansi
Redman	Regan
Rodriguez	Rota
Roy	Sauvageau
Scarpaleggia	Scott
Silva	Simard
Simms	St-Cyr
St-Hilaire	St. Amand
St. Denis	Stronach
Szabo	Temelkovski
Thibault (Rimouski-Neigette—Témiscouata—Les Basques)	
Thibault (West Nova)	Vincent
Valley	Wilson — 116
Wilfert	

PAIRED

Members

Gagnon

Mark — 2

The Speaker: I declare the motion carried. Accordingly, the bill stands referred to the Standing Committee on Justice and Human Rights.

(Bill read the second time and referred to a committee)

ROUTINE PROCEEDINGS

• (1815)

[*English*]**COMMITTEES OF THE HOUSE**

AGRICULTURE AND AGRI-FOOD

The House resumed from June 12 consideration of the motion.

The Speaker: The House will now proceed to the taking of the deferred recorded division on the motion to concur in the first report of the Standing Committee on Agriculture and Agri-Food.

• (1825)

[*Translation*]

(The House divided on the motion, which was agreed to on the following division:)

*(Division No. 19)***YEAS**

Members

Alghabra	André
Angus	Asselin
Atamanenko	Bachand
Bagnell	Bains
Barbot	Barnes
Beaumier	Bélangier
Bell (Vancouver Island North)	Bell (North Vancouver)

Bellavance	Bevington
Bigras	Black
Blaikie	Blais
Bonin	Bonsant
Boshcoff	Bouchard
Bourgeois	Brown (Oakville)
Brunelle	Byrne
Cardin	Carrier
Chamberlain	Charlton
Chow	Christopherson
Coderre	Comuzzi
Crête	Crowder
Cullen (Skeena—Bulkley Valley)	Cuzner
D'Amours	DeBellefeuille
Demers	Deschamps
Dewar	Dhaliwal
Dhalla	Dryden
Duceppe	Eyking
Faillie	Folco
Fontana	Freeman
Gaudet	Gauthier
Godfrey	Godin
Goodale	Graham
Guarnieri	Guay
Guimond	Holland
Hubbard	Jennings
Julian	Kadis
Karetak-Lindell	Keper
Kotto	Laforest
Laframboise	Lalonde
Lapierre	Lavallée
Layton	LeBlanc
Lee	Lemay
Lessard	Lévesque
Loubier	Lussier
MacAulay	Malhi
Malo	Maloney
Marleau	Marston
Martin (Winnipeg Centre)	Martin (Sault Ste. Marie)
Masse	Mathysen
Matthews	McCallum
McGuinty	McGuire
McKay (Scarborough—Guildwood)	McTeague
Ménard (Hochelaga)	Ménard (Marc-Aurèle-Fortin)
Merasty	Minna
Mourani	Murphy (Moncton—Riverview—Dieppe)
Murphy (Charlottetown)	Nadeau
Nash	Neville
Ouellet	Owen
Pacetti	Paquette
Patry	Perron
Peterson	Picard
Plamondon	Priddy
Proulx	Ratansi
Redman	Regan
Rodriguez	Rota
Roy	Sauvageau
Savoie	Scarpaleggia
Scott	Siksay
Silva	Simard
Simms	St-Cyr
St-Hilaire	St. Amand
St. Denis	Steckle
Stronach	Szabo
Telegdi	Temelkovski
Thibault (Rimouski-Neigette—Témiscouata—Les Basques)	
Thibault (West Nova)	Valley
Tonks	Vincent
Vincent	Wappel
Wasylycia-Leis	Wilfert
Wilson	Zed- — 154

NAYS

Members

Abbott	Ablonczy
Albrecht	Allen
Allison	Ambrose
Anders	Anderson
Arthur	Baird
Batters	Benoit
Bernier	Bezan
Blackburn	Blaney

Points of Order

Boucher	Breitkreuz
Brown (Leeds—Grenville)	Brown (Barrie)
Bruinooge	Calkins
Cannan (Kelowna—Lake Country)	Cannon (Pontiac)
Carrie	Casey
Casson	Chong
Clement	Cummins
Davidson	Del Mastro
Devolin	Doyle
Dykstra	Emerson
Epp	Fast
Finley	Fitzpatrick
Flaherty	Fletcher
Galipeau	Gallant
Goldring	Goodyear
Gourde	Grewal
Guergis	Hanger
Harper	Harris
Harvey	Hawn
Hearn	Hiebert
Hill	Hinton
Jaffer	Jean
Kamp (Pitt Meadows—Maple Ridge—Mission)	Kenney (Calgary Southeast)
Komarnicki	Kramp (Prince Edward—Hastings)
Lake	Lauzon
Lemieux	Lukiwski
Lunn	Lunney
MacKay (Central Nova)	Mackenzie
Manning	Mayer
Menzies	Merrifield
Miller	Mills
Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	
Nicholson	Norlock
O'Connor	Obhrai
Oda	Pallister
Paradis	Petit
Poilievre	Prentice
Preston	Rajotte
Reid	Richardson
Ritz	Scheer
Schellenberger	Shipley
Skelton	Smith
Solberg	Sorenson
Stanton	Storseth
Strahl	Sweet
Thompson (New Brunswick Southwest)	Thompson (Wild Rose)
Tilson	Toews
Trost	Turner
Tweed	Van Kesteren
Van Loan	Vellacott
Verner	Wallace
Warawa	Warkentin
Watson	Williams
Yelich— 123	

PAIRED

Members

Gagnon

Mark— 2

The Speaker: I declare the motion carried.

The hon. member for Bourassa on a point of order.

* * *

POINTS OF ORDER

DECORUM

Hon. Denis Coderre (Bourassa, Lib.): Mr. Speaker, I have been a member of this House for nine years, something I am very proud of. I saw the member for Lotbinière—Chutes-de-la-Chaudière make a disgraceful gesture. He gave the finger to other members. I ask that he apologize, and I ask you, Mr. Speaker, to punish him accordingly.

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Mr. Speaker, I rise on the same point of order. When the member for Lotbinière—Chutes-de-la-Chaudière rose, he

gave the finger to the members of the Bloc Québécois. On behalf of this House and in the name of the decorum that must be maintained in the parliamentary precinct, I ask him, through you, to apologize.

Some hon. members: Oh, oh!

Mr. Michel Guimond: The member for Lotbinière—Chutes-de-la-Chaudière behaved in a way that is a disgrace to the office of member of Parliament, and he is an unfit representative of the people of Lotbinière—Chutes-de-la-Chaudière.

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, I would like to speak on the same issue. In this House of Commons, we sometimes have difficulty with decorum, and we are not able to stop acting like children in this place. That is totally unacceptable for parliamentarians.

I therefore make the same request: that the member apologize to the House of Commons.

Mr. Jacques Gourde (Parliamentary Secretary to the Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, I am sorry because I think the House misinterpreted my gesture.

Some hon. members: Oh, oh!

Mr. Jacques Gourde: If some people misinterpreted my gesture and thought that I was giving the finger, then I apologize to this House. I have the greatest respect for this House. If what I did was misinterpreted, I apologize, Mr. Speaker.

The Speaker: Order. That is the end of that point of order. It is over.

I see that we have another intervention. The hon. member for Bourassa.

Hon. Denis Coderre (Bourassa, Lib.): Mr. Speaker, it is vital that decorum be maintained in this House. It seems that there is an epidemic among the Conservatives. The member for Nepean—Carleton made exactly the same gesture.

An hon. member: We saw him!

● (1830)

Mr. Michel Gauthier (Roberval—Lac-Saint-Jean, BQ): Mr. Speaker, with regard to the second point of order, I would simply say that the situation is deteriorating and it is unacceptable to give the finger. In the first case, it was a parliamentarian; in the second, the gesture was repeated.

The finger has been given to all Quebec and Canadian farmers and dairy producers.

The Speaker: We have already heard from the hon. member for Lotbinière—Chutes-de-la-Chaudière, who withdrew his gesture and apologized. That brings to a close discussion of this point of order in this House.

I would like to take this opportunity to point out to honourable members that there is an important rule with respect to votes. This rule requires members to remain quietly in their places during votes in the House. I would like to remind the honourable members of this rule as this creates problems in the House.

Private Members' Business

[English]

From the time the Speaker begins to put the question until the results of the vote are announced, members are not to enter, leave or cross the House, or make any noise or disturbance.

I stress this. It is Standing Order 16(1) and it is cited in *House of Commons Procedure and Practice*. If hon. members were to comply with this rule in every respect and we had silence during votes, we would not have problems with points of order at the end of votes. For greater clarification I will read Standing Order 16(1):

When the Speaker is putting a question, no Member shall enter, walk out of or across the House, or make any noise or disturbance.

These rules are here. They are part of our Standing Orders. I know that frequently during voting there is a lot of cheering and sometimes yelling, and sometimes conversations, but of course it encourages gestures. We try to avoid these things. We have now had the hon. member render his excuse and that is the end of it.

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, you have dealt with the matter dealing with the member for Lotbinière—Chutes-de-la-Chaudière, but I do not believe we have yet seen a conclusive ruling and apology with respect to the member for Nepean—Carleton who was guilty of exactly the same offence.

That was the burden of the intervention of my colleague, to point out that not only had the member for Lotbinière—Chutes-de-la-Chaudière made the offensive gesture, but the member for Nepean—Carleton had made the same offensive gesture. In addition to that, Mr. Speaker, while you were just rendering your comments from the chair, that same member for Nepean—Carleton was mocking you, Sir, from the back row of the government. That is unacceptable in the House of Commons. You are the Speaker and you deserve the respect of every member of the House.

The Speaker: When the hon. member for Bourassa raised the second point of order, I did not think the hon. member for Nepean—Carleton was here. That is why I did not deal with it. There is nothing we can do until the member is here. I did not see the gesture, so I cannot make any comment. I am sure we will hear from the hon. member in due course, and if there is an apology necessary we will receive it.

I, of course, did not see the hon. member either when I was addressing the House, which is unfortunate, but there it is. We will now move on.

It being 6:35 p.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

PRIVATE MEMBERS' BUSINESS

•(1835)

[English]

CRIMINAL CODE

Mr. James Rajotte (Edmonton—Leduc, CPC) moved that Bill C-299, An Act to amend the Criminal Code, the Canada Evidence Act and the Competition Act (personal information obtained by fraud), be read the second time and referred to a committee.

He said: Mr. Speaker, it is my pleasure today to rise to speak to my own private member's bill, my first that has been debated in the House, Bill C-299, an act to amend the Criminal Code, the Canada Evidence Act and the Competition Act, personal information obtained by fraud.

The purpose of the bill is to protect individuals against the collection of their personal information through fraud and impersonation. This practice is often known as "pretexting" and is a widespread problem in the growing market for personal information.

The bill aims to close some of the loopholes in Canada's data protection law that allow data brokers to exploit people's personal information for commercial gain. As a legislator, I believe this is an area where the House, Parliament, can truly make a difference and needs to step up to the challenge.

The bill seeks to do three things in particular. First, it seeks to make the practice of pretexting illegal through changes to the Criminal Code and the Competition Act. Second, it seeks to provide a remedy for victims of this kind of invasion of privacy through legal recourse in the courts and compensation. Third, it seeks to tackle the cross-border aspect of pretexting, by holding the Canadian affiliates of foreign companies liable for invasions of privacy committed against Canadians.

By introducing the bill, I hope, above all, to open the debate on how our laws can keep pace with changing technology to meet the needs of Canadians. In doing so and in asking members to support the bill, I would like to discuss three things: first, the need for the bill in the new information economy; second, the loopholes that currently exist in Canada's data protection framework; and third, what the bill means for Canadians.

First is the need for the bill. It is our job as legislators to ensure that the law can keep up with the evolution of technology. The communication revolution of the last decade and the growing information economy have accelerated the exchange of information around the world. All kinds of data circulate around the globe and across borders at the click of a button in ways never before imagined. Furthermore, more data is being created, stored and traded than ever before. As with any new evolution, new possibilities breed new relationships and new patterns of transgression.

To evoke a cliché, knowledge is power and this has never been truer than it is now. Information is one of the most valuable commodities in the new economy, typified by the growing data brokerage industry. Data brokers buy and sell information, sometimes personal, usually for commercial or marketing purposes.

Some of this industry is legal and consensual, however, there is mounting evidence to suggest that many aspects of the data brokerage industry are poorly regulated and that pretexting is a recurring problem.

In a free and democratic society, individuals should be able to control how information about them is used and accessed. Personal information should not be treated as a saleable commodity like any other. We see that in a networked economy, where innocuous details about people's personal lives and transactions can be transformed into a complete profile of the person with a variety of serious implications.

Simple details like a birthday, postal code or graduation date can be used to obtain credit card records and can track an individual's location, activities and purchases without their knowledge. The possibility to track people without their knowledge, aided by data brokering and pretexting, ultimately undermines the inherent autonomy and independence of the individual and leaves him or her vulnerable to numerous abuses.

An individual's data profile can be used for a wide range of purposes, from unsolicited marketing to fraud, identity theft or intimidation of the individual and his or her family. Apart from the economic and security risks attached to invasions of privacy, there is a significant psychological dimension. Do we really want to live in a society where we know that our actions can be traced without our knowledge for commercial or other purposes?

We have to think about how this will change the way individuals think about themselves and society. As Canada is a society that has adopted many of the values of the Enlightenment, I think it is appropriate to quote one of my favourite philosophers, John Stuart Mill, from his treatise *On Liberty*. He states:

The only part of the conduct of any one, for which he is amenable to society, is that which concerns others. In the part which merely concerns himself, his independence is, of right, absolute. Over himself, over his own body and mind, the individual is sovereign.

These are important issues and questions to look at in our changing technological environment.

The second issue is the loopholes in Canada's data protection framework.

First, it is important to remember that as a democracy, the police and judiciary require a warrant in order to access people's personal information. The bill in no way changes the powers or information available for the purposes of law enforcement.

• (1840)

Now let us consider the following. The very same personal information that police officers require a warrant for could very well be purchased online for a few hundred dollars in a matter of hours.

This is exactly what happened to federal Privacy Commissioner Jennifer Stoddart in an investigative report done by *Macleans* magazine in November 2005. In the report, journalists were able to purchase Ms. Stoddart's cell phone records and access conversations between the commissioner and members of her family. The purchase was done through one of at least 40 online services that offered to track down significant personal information using just a name and postal address. This was possible despite the fact that the Privacy Commissioner was obviously more savvy about protecting her personal information than the average Canadian.

Private Members' Business

The journalists reported that pretexting was a major factor in obtaining the Privacy Commissioner's records. Common practices include masking phone lines so that the call appears to come from the account in question and hacking into accounts using passwords, birthdays and other personal information. Frequently, however, pretexters are able to simply ask for the information from service providers by impersonating the victim with the use of other personal information.

Broadly speaking, there are two kinds of data brokers with the potential to invade people's privacy.

First, there are the larger companies which trade in data, often for commercial or marketing purposes. Much of this is aggregated and not particular to individuals; however individual information may sometimes be extracted from these databases.

Second, a range of smaller companies offer to target individuals for a fee, as in Ms. Stoddart's case. These companies may simply sell personal information or they may offer more invasive services such as private investigation.

At the federal level, data protection falls under the Personal Information Protection and Electronic Documents act, known as PIPEDA. Commissioner Stoddart has already submitted a report to the privacy and ethics committee detailing possible improvements to the act in May of this year.

Notwithstanding possible changes to PIPEDA, there are three major loopholes in Canada's data protection framework.

First, though fraud and personation are crimes under the Criminal Code, they do not apply to personal information such as phone records, consumer preferences or purchases.

Second, while these actions violate PIPEDA insofar as it says that information cannot be disclosed without the expressed consent of the consumer or court order, this does not guarantee a remedy. The commissioner's rulings are not legally binding without a federal court order and the transgressors are not named.

Bill C-299 would change that by making it a crime under the Criminal Code to collect or counsel to collect personal information through fraud, personation or deception. Bill C-299 would also change the Competition Act to make it an illegal trade practice to obtain personal information through fraud, deception or personation. It would also characterize the promotion of a product that is provided by means of fraud, false pretense or fraudulent personation as a false or misleading representation to the public.

Third, the Privacy Commissioner has no jurisdiction to pursue complaints outside of Canada. However, as in Ms. Stoddart's case, Canadians can easily be targeted by data brokers in other countries, particularly the United States. In Ms. Stoddart's case, the Canadian phone service providers had to seek an injunction against the offending data brokers in a Florida court. Going abroad to get injunctions is both expensive and yields unpredictable results in different jurisdictions.

Private Members' Business

Bill C-299 would allow victims of privacy invasion to seek compensation from Canadian affiliates of foreign companies that invade their privacy. This is not a perfect solution, but it helps to deal with the problem of extraterritoriality.

Third, what does the bill mean for Canadians? If the bill is implemented, it would help preserve the trust and individual autonomy in a society that Canadians enjoy today. The legal remedy for invasions of privacy in Bill C-299 does two things. First, it assures Canadians that their right to privacy is recognized and seeks to compensate them for damages caused. Second, it seeks to catch invasions of privacy before it leads to more serious criminal activity.

In seeking criminal sanctions for intentional invasion of privacy for commercial purposes, it weakens the invasive parts of the data brokerage industry as a whole. For example, if the practice of pretexting is criminalized it will cut down on the instruments of identity theft. Charges can be brought for the invasion of privacy before they have to be brought for more large scale financial fraud and theft of identity. Moreover, cutting down on identity theft is in and of itself an important aspect in the fight against organized crime and international terrorism.

• (1845)

Furthermore, the bill recognizes the economic, social and psychological harm caused by the systemic invasion of privacy. It seeks to stem the fraudulent and invasive aspects of the data brokering industry, particularly, the practice of pretext.

If a law-abiding citizen has undergone the anxiety and inconvenience of being traced or interfered with for commercial gain, the bill would provide for recourse, through the courts, for a recovery of damages. In the event that the perpetrator is a foreign company with a Canadian affiliate, that Canadian affiliate may be held accountable.

Bill C-299 seeks to respond to the new challenges of information technology and close some of the gaps in our legal system. Invasion of privacy, through pretexting and data brokering, is a growing area and we need to open a debate on how to enforce meaningful protections.

Therefore, I ask all members to consider this legislation very seriously. It is a serious issue, which is growing, and it needs to be addressed. I am putting forward the bill to obviously address the protection of personal information. We also need to address, however, the whole issue of identity theft as well.

I believe the bill is the first step to do that. I look forward to the comments of other members. I note one of the Liberal members opposite has offered some helpful comments, as has the parliamentary secretary to the justice minister.

I would ask members to discuss the bill in principle at second reading, to move it forward to committee. If amendments are needed in terms of the bill itself, I would look forward to those. I am willing to work with all members in the House to improve the bill to address this important issue.

Mr. Brian Murphy (Moncton—Riverview—Dieppe, Lib.): Mr. Speaker, this is a very thoughtful bill. In the brief time the member

had, I know he did not have time to canvass what was going on in the rest of the world, from a law reform point of view.

He will know that the U.S. Trade Commissioner often and routinely prosecutes such crimes as are codified in the United States. He will also likely know that the United Kingdom information commissioner has tabled a report before the Parliament of Westminster on this very topic.

In principle, I support the bill, but in all fairness it has certain gaps and lacks clarity in some respects. Could he elucidate for the members of the House what is going on internationally, which might aid in beefing his bill up or making it certain for more clarity?

Mr. James Rajotte: Mr. Speaker, I thank the member opposite for sending me a note, offering some helpful suggestions.

First, we should acknowledge that this is a first step. The broader issue of protection of privacy and personal information identity theft would have to be dealt with in a much more comprehensive package. I readily acknowledge that.

I think a second issue, which the member may be hinting at and which the parliamentary secretary has raised, is the bill may have to be amended to insert “knowingly” to add *mens rea* so there is intent itself in the legislation. That is something I would be willing to add, if it goes to committee.

With respect to what other nations are doing, the member mentioned the United Kingdom and the United States. As he knows, two House committees in the United States are looking at three pieces of legislation: protecting consumer phone records act; law enforcement and phone privacy act; and prevention of fraudulent access to phone records act. According to my information, these bills have been approved at committee. My understanding is that both the senate and the House will be working in conference to try to bring the bills forward in a more comprehensive package.

I hope that addresses what the United States is doing in creating offences for fraudulently obtaining confidential consumer information from telephone or VoIP carriers to selling information, providing for substantial fines and a range of maximum years of imprisonment, from five to 20 years, and also creating a civil right of action, which I have in my bill. It is important to note there is a criminal as well as a civil provision in my bill.

• (1850)

[*Translation*]

Mr. Réal Ménard (Hochelaga, BQ): Mr. Speaker, I am always pleased to participate in private members' business. I hope that one day, we will witness a reform that will allow us to dedicate every Friday to debates among parliamentarians on private members' bills.

When I read our colleague's bill and when my party and I analysed it, we asked ourselves why our colleague wanted to add a new infraction to the Criminal Code—that is the crux of my question—when, quite frankly, it seems that his objectives would be reached quite effectively through section 403 of the Criminal Code?

Can he explain why we should amend the Criminal Code? Why create a new infraction from scratch? Why not use section 403? It clearly states:

Every one who fraudulently personates any person, living or dead,

(a) with intent to gain advantage for himself or another person,

(b) with intent to obtain any property or an interest in any property...

is guilty of an indictable offence and liable to imprisonment for a term not exceeding ten years or an offence punishable on summary conviction

I would like an answer, because I really do not understand why we need this bill, but I know he must have had a good reason for introducing it.

[English]

Mr. James Rajotte: Mr. Speaker, I did cover part of the hon. member's question in my speech. I hope it does address it, but the concern is that there are three loopholes that are not covered by section 403.

First, though fraud and impersonation are crimes under the Criminal Code, they do not apply to personal information such as phone records, consumer preferences or purchases. Second, while these actions violate that section and they violate the PIPEDA insofar as it says that information cannot be disclosed without express consent, this does not guarantee a remedy in the sense that the Privacy Commissioner is very limited to what she can actually do.

Our concern is with the Privacy Commissioner in her own situation. *Maclean's* magazine highlighted the fact that it was an American data broker who did this through impersonation. There is no recourse for the Privacy Commissioner or anyone else to remedy that problem unless there is a situation that we are putting forward in the bill whereby we make Canadian affiliates responsible in some way.

We feel that, in the new information technology, section 403 simply does not cover that. We need to cover phone records as the United States is doing through VoIP services. That requires these three pieces of legislation, the Canada Evidence Act, the Competition Act and the Criminal Code to be amended for that purpose.

[Translation]

Mr. Brian Murphy (Moncton—Riverview—Dieppe, Lib.): Mr. Speaker, first of all, this is only the second time I have spoken in this House.

I would like to thank the people of Moncton—Riverview—Dieppe for their support in the recent election.

[English]

I would like to underline that Moncton hosted the Memorial Cup. It is a hockey town and a Hockeyville, but that Memorial Cup was sponsored by MasterCard and what a fitting title for the MasterCard Memorial Cup when we are talking about identity theft and credit card misuse.

Private Members' Business

The issue of identity theft is becoming a concern for many Canadian citizens and the media reminds us of this daily. Canadians want to know that their information is safe and that misuse of their personal information will not take place. The unfortunate reality is that in Canada we are known for our mass marketing frauds. Many fraudsters operate from this country targeting Americans, the British, and to a lesser degree our own Canadian citizens. Let us not forget the Nigerian scams that Canadians and many others have been subjected to for a number of years.

One goal of these fraudsters is to gain the personal information of their victims and to use this information to further their illegal schemes. One example of the use of personal information is to obtain a credit card in the name of an innocent victim and use the card to its maximum without of course making any payments. It may take months, maybe years, for the payments to be made and the victims are probably not in a position to re-establish their credit rating.

In the United States data brokers are being sued by the trade commissioner of that country for the acts that are impugned in this proposed act. Unfortunately, many of our global partners are of the opinion that not enough is being done in this country to curtail this illegal activity and in that vein I welcome this bill.

Our American counterparts are being told by Canadian agencies, such as the RCMP, that it is better to have those committing the frauds from Canada on American victims deported to the United States so proper sanctions can take place. In the United Kingdom the information commissioner has just released his report on this very vexing problem.

● (1855)

[Translation]

Bill C-299 puts us on the right track. It targeted the existing problem, but does it go far enough? That is the question.

[English]

First and foremost is the definition given to personal information. Bill C-299, the bill in question, uses the definition found in PIPEDA. We ask ourselves whether that goes far enough. Personal information in that regard means information about an identifiable individual, but does not include the name, title or business address or telephone number of an employee or organization.

PIPEDA is designed to protect people. The hon. member plucked the definition of personal information from the act without perhaps giving it some thought, which at committee it will likely get, to ensure that the information which is stolen is in fact valuable information which does include the name, title and business address of the person in question. Otherwise, what use would the information be? The definition section may be a minor thing. With all due respect to the hon. member, that begs the question: Why limit the definition of personal information? A better definition could be drafted.

Private Members' Business

The material sought to be protected is also very much in question. By simply shadowing the definition found in another act of Parliament, it probably does not go far enough. It is necessary to broaden the definition with a non-exhaustive list. We should think wide if we are trying to protect our citizens.

[*Translation*]

In the proposed amendment to subsection 362(1), the offence in question is obtaining personal information from a third party. This subsection does not create the offence that is necessary in order to combat the theft or illegal use of personal information.

[*English*]

This amendment does not properly address the unlawful conduct that is at the crux of this problem. In its present state, the amendment to the Criminal Code does not deal with the victim who is directly targeted. Should the offence not be "obtains from any person", and this would be more Catholic, if we like, and would be more inclusive. The argument will be made that a third party is a person who facilitates the obtaining of the personal information. It does not automatically follow that it comes directly from a victim.

The term "third party" is ambiguous and must be replaced by "any person". It removes the ambiguity and it gives greater protection to Canadian citizens.

Further, the amendment to the Criminal Code limits that the personal information was obtained by false pretence or by fraud. If the mover were serious about tackling the misuse of personal information, and I have no doubt that he is, with his integrity and track record in Parliament, why would we limit the unlawful manner in which the material is obtained?

I suggest that the proper amendment should be "obtains in any manner". It therefore does not really matter whether it is obtained falsely, which is certainly bad, or illegally, which is very bad. If it is obtained in any way and misused, that is the crime that should be protected as well. We could of course be looking at tiers or subsections to an amendment to the Criminal Code.

Finally, the information could be acquired illegally and used for an illegal purpose. This is very debatable. I really do look forward to the debate in committee on this. Law enforcement officials and in some cases journalists, ombudspersons, and committees recently created that I am on studying Bill C-2 may in fact find ways and means to use information for illegal purpose. This either must be eliminated completely or addressed in a section of this amendment.

I am not of the same mind as my hon. friend across the way that there must be an exemption, but there probably could be an exemption for illegally obtained information which is used for illegal purpose, and it should be in the section.

Clearly, the use to be made of the obtained personal information must then be attacked, but the offence is to use the material for a fraudulent purpose. Whether it is for personation, to utter forged documents, et cetera, the issue is one where the use of the material needs to be dealt with.

We talked about credit card fraud, which I think is on everybody's minds, but these uses, these personations and using personal information can be a lot less illegal and a lot less damaging, but

nonetheless deserve the same protection under this law. The amendment does not deal with the person who steals personal information directly.

An example is the thief who enters a residence and sees the personal documents on a table. Many people just keep their PINs for the ABMs and Aeroplan points and so on by the phone in case they forget them. That personal information, including the social insurance number, might just be there for a thief to see. It might be a friendly worker who appropriates this information.

This information could be used to obtain a credit card and to use the credit card. The victim is not aware of any loss since a theft, as defined by the Criminal Code, never occurred. A year or so later the victim applies for credit and we know the rest of the story. He or she is refused because of a bad credit rating.

In its present form then, Bill C-299 deals with the matter in a less than complete way. On the other hand, should the thief sell the information, he or she may fall within one of the amended sections. This cannot be the intent of the amendment to the Criminal Code.

The other proposed amendments to the Canada Evidence Act and the Competition Act are made as a result of those made to the Criminal Code. I applaud the part of my colleague's bill that creates a civil wrong, or a tort, out of what we always thought of as a criminal act. I cannot say enough about how important it is for government to have hybrid motions and bills like this which encompass both the civil reality and civil loss.

● (1900)

The previous comments apply. The CEA and the Criminal Code must reflect that the personal information may be obtained in any manner. The use of the material is the crux of the issue, I submit.

[*Translation*]

Bill C-299 is a good idea in principle. I congratulate the hon. member.

[*English*]

The issue of dealing with personal information is complex and must be dealt with effectively. In its present form, this bill needs some work.

To combat the theft and the misuse of personal information, it is necessary, however, to draft a more comprehensive bill attacking the problem from all angles.

[*Translation*]

Only in this way will we be able to protect all Canadians' personal information.

Private Members' Business

Mr. Réal Ménard (Hochelaga, BQ): Mr. Speaker, I would first like to congratulate our colleague for introducing his bill, even though when we first read it in the Bloc Québécois, my colleagues and I and our research service were somewhat concerned about the possibility that it might be criminalizing some behaviour for no reason. I will provide more examples later. However, I know that the member for Edmonton—Leduc has been a serious member in the past, that he has served this House well, and I do not doubt that his motives are noble. Nonetheless, we have some concerns.

One of Quebec's premiers whom we hold in high esteem was called René Lévesque and was a powerful communicator. In the early 1960s, he said—and think how true this is today—that information was power. Obviously, the more information one has, the better a citizen one can be, and obviously, the better a member of Parliament.

The member for Edmonton—Leduc, who also chairs the Standing Committee on Industry, Science and Technology, is asking us to consider the extent to which the circulation of nominative information can be used for fraudulent purposes. Personal information about our identity, access to our credit, our telephone number—that is the example the member gave in his remarks—is what is called, generically, nominative information. If I understand correctly, the member is afraid that nominative information might be used for fraudulent purposes.

Certainly, in a world where networks, computers, communications and even cybernetics are burgeoning sciences, this question is a very relevant one.

The member told us that section 403 of the Criminal Code—and I will come back to this—is not completely adequate when it comes to a number of wrongful acts that he is afraid will occur. He therefore wants better protection. He is concerned about the reality of impersonation by telephone.

It is true that as potential consumers we are all very often solicited over the phone. You are familiar with my fundamentally generous nature and my propensity for communicating. I respond to every telephone survey that comes my way. Obviously, when there are political questions, I do have the ethics and honesty to say that I am a member of Parliament. Often it is young students who are earning their living by telemarketing, and I would not want to do wrong by them. Perhaps there are even some of our young pages who have done this in the past.

It is true that we are constantly at the mercy of this kind of solicitation, of being preyed on by telemarketers. The member for Edmonton—Leduc explained to us that there is unfortunately no real recourse, that the Criminal Code was powerless and that it was possible to obtain nominative, personal and confidential information over the phone.

That being said, our colleague's objectives are extremely noble and we are prepared to look at how far we must go in amending the Criminal Code, but we have some concerns. The member can perhaps tell me whether our concern is warranted.

Let us imagine the following situation. Hon. members know what a powerful motivation love is in life—there is nothing grander and more beautiful than love—and how great we feel when we are in

love. Now, let us imagine the situation where a person meets someone, a new love interest. You know how it is. But the truth of the matter is that we never know exactly how the relationship will turn out. So, this person calls the workplace of the someone in question to get his or her telephone number or information about this person he or she hopes to have a date with.

• (1905)

In the opinion of the hon. member for Edmonton—Leduc, who believes in love and in interpersonal relationships, is this a case for summary conviction, where a person might be liable to a sentence?

My colleagues in our caucus and our research staff were wondering how far-reaching this bill was. I am convinced, of course, that the hon. member for Edmonton—Leduc does not wish for such behaviour to be criminalized.

We are asking ourselves this question: How far should we go in our quest for privacy protection? We would have been more comfortable if the government had amended the Access to Information Act instead, as promised during the election campaign. We were also expecting Bill C-2 to be amended in a more fundamental way than it has so far.

Once again, we are starting from the premise that the member is serious, that he has served this House well, that his objective is honourable, and that he is worried about the networks, about computers. In his speech, the member talked about data brokers. When I was health critic, I remember having met people who specialized in managing information, computer data, for example, concerning what type of citizen was more likely to develop certain types of illnesses over others. As an MP, I have even met people from companies that specialize in the kind of billing used by general practitioners, since these doctors are statistically more likely to recommend certain types of medication over others.

Protecting personal data is a very worrisome topic. We must ask ourselves if this is not something that could lead to harm, a barrier that society does not want to breach.

Our fellow citizens should know that there exists at this time, in the Criminal Code, a section that provides for prosecution of anyone who personates a third party or against anyone who attempts to obtain information for more or less malicious purposes. I will take the time to read this entire section of the Criminal Code because I believe that sharing information is important. I would very much like to discuss with the member for Edmonton—Leduc the scope of his bill.

Section 403 of the Criminal Code states:

Every one who fraudulently personates any person, living or dead...is guilty of an indictable offence and liable to imprisonment for a term not exceeding ten years or an offence punishable on summary conviction.

There is intent to personate that is punishable as a criminal offence. The Criminal Code adds—and that is what we refer to as *mens rea* in legal language—:

(a) with intent to gain advantage for himself or another person,—

Obviously, telemarketers and others would fall under this provision of the bill.

Private Members' Business

Section 403 of the Criminal Code also states:

(b) with intent to obtain any property or an interest in any property,—

In addition to the intent to personate, there is a gain, a more pecuniary interest. There is an interest in a property or the intent to obtain it.

Section 403, which deals with both personation and obtaining a property, adds:

(c) with intent to cause disadvantage to the person whom he personates or another person.

● (1910)

Earlier I was talking about malicious intent; I think we find it synthesized in section 403(c):

with intent to cause disadvantage to the person whom he personates or another person.

I have only a minute left? Time flies. In that case, I will wrap up.

From the outside it seemed that the provisions of section 403 offered some protection. However, the hon. member seemed to be saying that it was not sufficient for cross-border trade or for telemarketing.

Again, in closing, we have concerns about using criminalization because we are nonetheless talking about 10 years in prison. We fear this is a bit excessive, but I would be pleased to discuss this with my colleague and ask him about his true intentions. I am not questioning his intention to serve the House well, with the serious—

● (1915)

[*English*]

The Acting Speaker (Mr. Andrew Scheer): Resuming debate. The hon. member for Windsor West.

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, I have had the opportunity to work with the member for Edmonton—Leduc since 2002, on the industry committee and on private members' business, and I know his legislation is always thoughtful. However, on this particular bill, some issues need to be examined.

Overall, I see the strategy the member is pursuing here. He is trying to focus on a particular aspect of three different acts that has left a gaping wound in the public privacy of Canadians right now and the repercussions for individuals who are abusing the public trust in many respects. This is a serious crime because identity theft threatens not only adults, but also the youth in our society, especially as we see the use of text messaging and the Internet type of technologies expanded to their present capacities.

Prior to the last 10 years, this technology was less used in terms of business, commerce and personal use. It often was certain segments of society that used the Internet, email, web visualizations, as well as contact through different types of protocols. Now we have the use of voice-over protocols and a whole series of new technologies that are rolling out.

What we have witnessed is that the number of citizens who were able to use this type of information and technology has expanded significantly. Seniors are now able to use technologies such as never before because they have become a lot more proficient. The technology is much more accessible for individuals who are just

becoming used to the system. People are becoming much more quickly involved in terms of using these technologies than in the past.

With this expansion, not only in the private sector but in the business sector as well, it requires changes in legislation. One of the difficulties we have with Bill C-299, an act to amend the Criminal Code, the Canada Evidence Act and the Competition Act, for personal information obtained by fraud, is what we need from the government at the end of the day, and this is not the responsibility of the member for Edmonton—Leduc because it is private members' business, but we need an omnibus review of the Criminal Code.

There is a series of updating that is required and this bill is a targeted piece of that update. I think it is worthy of support to move the bill to committee for second reading.

I must say that I am filling in for the New Democratic member for Windsor—Tecumseh who sits on the committee. I know the committee has a lot of legislation that is being tabled as private members' business, as well as government business. Hopefully the committee will get a chance to move this bill through the order so it can have a full review. Whether there is enough time to do so is a question in itself.

The issue of personal privacy is not new. The member went through a good examination of the details of the bill. I will touch on a few elements. One element concerned the data brokers. An important point to note is that the bill would bring into line the change in technologies that I noted. It was not unusual in the past to have individuals collect data information from people prior to the Internet and also the expansion of the Internet.

People do accumulate data information for purposes of marketing, although those with criminal intent do it for predatory practices. In my youth I worked for a telephone solicitation company. We made phone calls from a list of names that basically were out of the phone book. However, we eventually transferred that data to purchasing, decision making and tracking, whether there was an actual purchase of a circus ticket. If the person said no, we would track the person's reasons for saying no. Specific information was also used.

I know some of the information was sold or given to other types of companies. This was certainly a practice that was very valuable because the accumulation of that information can be very important, not just in terms of the type of customer we would get, but in terms of the contact. The list was certainly cleaned up in terms of new numbers, availability, a correct contact and was worth quite a bit for those trying to get customers.

● (1920)

I would like to outline a few specifics of the bill because they are important. The bill, as I noted, is an act to amend the Criminal Code to create the following criminal offences:

- (a) obtaining personal information from a third party by a false pretence or by fraud;
- (b) counselling a person to obtain personal information from a third party by a false pretence or by fraud; and
- (c) selling or otherwise disclosing personal information obtained from a third party by a false pretence or by fraud.

Private Members' Business

It also amends the criminal offence of "personation with intent" to include fraudulent personation with intent to obtain any record containing personal information about a third party.

The bill would strengthen the Criminal Code and, as it has been identified, it would fill the hole or the void that is currently in legislation.

I know there was debate earlier about keeping the PIPEDA definition of privacy. What I interpret in terms of that, especially with private members' legislation and in particular this bill, is that to amend PIPEDA's definition of privacy would be a lot more complicated. We would have to amend that act to change the definition and a private members' act would then need to be amended later on to be consistent.

We have control of this right now but until the government actually examines or brings forth PIPEDA we need some type of way to proceed if the member's bill is to go forward. I think it is something that needs to be looked at.

I want to touch on another important point that cross-sections this in terms of privacy in general terms, which I hope members will take to heart. One point that is important to note is the one dealing with the patriot act and privacy. This bill in particular does have some elements related to the penalties of actually having data invasion and fraudulent use from the United States' perspective and having some type of Canadian repercussions so that companies are held more accountable when they do that, and then we have some international obligations.

What is important to note is that we cannot have that behaviour happening. I can understand that we do want to actually clamp down on those types of practices and we have an obligation to the rest of the world to do the same here but we are not addressing the larger picture. We have not and the bill does not address the issue of the patriot act. The patriot act, passed after September 11, 2001, has several clauses dealing with privacy. They basically allow the CIA, the Department of Homeland Security, as well as other U.S. governmental agencies to access Canadian private information.

There have been a number of different subsequent responses to this. They have come from the provinces, in particular British Columbia. Quebec has been the latest and it intends to table legislation to deal with that.

Until the federal government brings forth an international treaty, we are susceptible to this privacy invasion. The privacy invasion is very important too because it also has the problem where our personal information is accumulated and taken by the American government. It is actually against the law for the company to disclose what happens to the information.

In the previous circumstance with which I was dealing, the CIBC decided to outsource its credit card data accumulation. It actually cannot tell Canadian customers, including myself, whether or not our information has been accumulated by any department of the U.S. government. Similar to that, there is no record of where the information goes.

The second point is that we do not know how that information is disposed of, treated or developed. What ends up happening is that we have a gaping hole that is not plugged.

I commend the member for bringing forth a private member's bill that does address some of the problems that we have on privacy. However, it opens up a larger issue, and perhaps the government is listening, that the Criminal Code is deficient at this point in time, not only in terms of protecting Canadian privacy from the elements of business and conduct on our side related to companies, but by individuals who use it for fraudulent purposes. The government has an obligation to protect the privacy of Canadians from American legislation.

● (1925)

Mr. Rob Moore (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, I am very pleased to speak to Bill C-299. I would like to say at the outset that the government applauds the member for this very timely bill as well as his hard work in putting the bill together.

This bill would do several things. It would amend the Criminal Code, the Canada Evidence Act and the Competition Act, all with a view to dealing with the obtaining of personal information by deception. More generally, this bill seeks to address the scourge of identity theft.

Identify theft is a term that is frequently used and freely bandied about. For the most part, identity theft refers to the acquisition and improper use of another person's identification information.

This is an activity that is by all accounts rising rapidly in Canadian society. The types of information and information based items which may be obtained and exploited include names, addresses, financial account numbers, credit cards and debit cards and numbers, driver's licences, health insurance cards, passports, and social insurance numbers, to name but a few of the more significant and highly targeted items.

Armed with this information, a criminally minded person may do any number of things, such as obtain direct access to a person's bank accounts or make purchases with a person's credit card. Title fraud, a particularly troublesome form of identity crime, involves fraudulently assuming the identity of a property owner and using that identity to sell or mortgage the property out from under the owner.

In each of these manifestations of identity crime, the criminal is out to obtain money, obtain some form of financial value, or gain access to a service for which he or she would otherwise have to pay. Indeed, most incidents of identity theft are motivated purely by financial gain. Many of us as members of Parliament sometimes have had to deal with the very troubling stories from constituents who have been the victims of identity theft. It is something that leaves people feeling very vulnerable and violated.

Private Members' Business

There is another side to identity theft which is no less dangerous to society. Assuming the identity of another can get a person things, but it can also be used as a shield to blanket the identity thief in a form of anonymity. There is a freedom in having people believe that someone is other than who that individual actually is, a freedom that allows the individual to operate undetected by others from whom the individual wishes to hide.

In this form, identity theft may amount to a person renting an apartment or obtaining services in someone else's name. In many cases the criminal is very diligent about paying bills on time as this avoids raising suspicions. Criminals may also use the identity of another person to obtain employment. Worse still, a person may offer up the identity of another if detained or arrested in the investigation of a crime.

Both objectives of identity crime, financial gain and anonymity, may be closely linked to several very serious issues which this government is dealing with currently, such as drug trafficking, organized crime, and most alarmingly, terrorism. The reasons for this are obvious.

Identity theft is a means of generating revenue. Those involved in these types of activities directly seek this type of revenue. It is essential for them to fund their operations. They are seeking this revenue either as an end in itself or because money furthers their primary criminal intentions.

Drug traffickers, organized criminals and terrorists are certainly interested in staying beneath the radar of law enforcement, out of the eye of border authorities and away from the view of intelligence officials. Unfortunately, one of the best ways to accomplish all of these aims is to exploit and assume the identity of some innocent and law-abiding Canadian.

In many ways identity theft is not new. Human beings have been deceiving each other to obtain advantages for millennia. Identity deception is just one of many ways one person may deceive another in order to obtain something of value. It may be, for example, that one factor contributing to the rise in identity crime is the pace of new technologies. We have seen an explosion in technologies in recent years. While we are all reaping many of the benefits of new technologies, there is also the threat of new harms.

● (1930)

The Internet in particular has allowed computer hackers to get inside private sector and government databases to steal sensitive personal information. Any of us who have read the news are familiar with some of those situations.

Mass e-mailings or spam sometimes contain what is known as a "phishing" attack. This is a link to a deceptive website designed to look like the legitimate website of a known commercial establishment with a request for the recipient to input personal data. Phishing is a prime method of stealing identity information for criminal use.

The impact of identity theft on the victims of this practice can be devastating. There are obviously the financial losses suffered by the victim, including dozens or hundreds of hours and significant costs associated with rectifying frauds, clearing credit card records and squaring things with banks or credit card companies.

There is also the emotional and psychological harm to the victims who frequently report a feeling of being violated or having had their personal lives invaded. The seriousness of identity theft can be seen in the fact that there is a range of activities and initiatives currently under way to better safeguard Canadians from identity theft. The private sector, provincial governments, police, consumer advocacy groups and document issuing authorities to name just a few are tackling identity theft in a variety of ways. Through public education campaigns, consumer advisories, improvements to the security features on credit cards and identity cards, enhanced protection of privacy interests within businesses and government, and improved security of computer networks, the corporate, public and the not for profit sectors are working together to help minimize this behaviour.

In terms of the current criminal law, hon. members should know that where the term identity theft is used to refer to the actual use of another person's identity to commit a crime, our Criminal Code contains some offences that cover this range of behaviour. Where a person pretends to be another person and thereby obtains property or something of value or service, that person may be guilty of fraud or false pretense. Our Criminal Code also has a very broad and flexible offence of impersonation which prohibits pretending to be another person with intent to gain an advantage or cause a disadvantage. This is broader than an economic advantage.

There is also a range of offences related to forgeries, specific credit offences, specific passport offences and mail theft.

It is clear that identity theft at its worst is addressed in some offences in our Criminal Code. However, Bill C-299 accurately highlights the fact that there are limitations to the current reach of the Criminal Code, and as always, there is room for improvement. As I mentioned, the explosion in new technologies and the fact that criminals never rest means that we also as a government can never rest in our defence of Canadians' rights and protection of their property and their freedoms.

In 2004, justice officials consulted with some key stakeholders on basic questions about improving our Criminal Code. Based on this input, officials are refining some key points for improving the criminal law's ability to deal with identity theft. New and more focused consultation is certainly needed with the banking community and other sectors covered by identity theft.

We look forward to the fruits of those consultations. We are committed to ensuring that our criminal laws contain comprehensive and effective tools to combat identity theft.

I also look forward to working with my colleague, the member for Edmonton—Leduc, on protecting Canadians' personal information. I also wish to thank the member for introducing his bill and for giving me the opportunity today to discuss this pressing issue.

● (1935)

[*Translation*]

The Acting Speaker (Mr. Andrew Scheer): The time provided for the consideration of private members' business has now expired and the motion is dropped to the bottom of the order of precedence on the order paper.

*Adjournment Proceedings***ADJOURNMENT PROCEEDINGS**

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

[*English*]

SOFTWOOD LUMBER

Mr. Ken Boshcoff (Thunder Bay—Rainy River, Lib.): Mr. Speaker, what are northern Ontario's concerns about the softwood lumber deal? Why would this deal be called a sellout or a capitulation? There are many concerns, and clearly most have not received satisfactory answers, in spite of repeated reasonable questioning. Lumber groups and associations, private companies, exporters, manufacturers and labour have identified several tragic flaws.

First, the deal allows the Americans to keep 20% of the tariffs that were collected illegally. Recent reports suggest that the White House will receive \$480 million, to be used at the discretion of President Bush. There are no controls on the use of these funds, so the fear is that they will be used in the Republican campaign or as third party funding in the next Canadian election. Five hundred million dollars will go to U.S. lumber interests to pay their legal bills from the past years or for future challenges to Canadian exporters. No interest will be paid for the funds that have been illegally held for such a long period of time.

Second, as for free trade, it eliminates the dispute panel, which means that all of Canada's hard-won victories in proving our case are thrown out. Already other American industries are challenging Canadian products such as corn, knowing that it will not cost them anything to stop us.

Third, this deal was rejected many times previously because it simply gave away too much. However, the dire straits of the industry may make any deal seem attractive in order to at least temporarily stop the bleeding. This situation easily could have been offset by the Liberal forestry plan of \$1.5 billion, which was put in the funding envelope immediately prior to the November 2005 election call. Certain victory in the courts would have compelled the Americans to return all of the money, with interest.

Why have 80 Canadian companies now filed suit against the United States? Why have the major forest companies and many associations filed their protests? Why are both the Canadian and American governments being sued for selling out?

The main reason for all of the above is the special conditions that give free access only if current conditions stay the same. If there are changes, Canadian industries will suffer more penalties. We are still paying \$40 million a month. So much for the good faith.

Just because there is a deal does not mean it is good. Northwestern Ontario will suffer heavily. It is predicted that 20% of Canadian sawmills will close. This is unacceptable.

Provincial and federal governments will not be permitted to change forest policies in any manner that could be interpreted as assisting the forest industries because of the terminology of the anti-circumvention measure, nor can any new assistance be provided.

Should regional energy pricing come to the northwest, the Americans can overrule it.

The deal has been called an outright political surrender, but it is not too late, even now. I stand here today to let the Prime Minister know that northwestern Ontario will not be subjected to President Bush's hidden agenda.

For four years, Canada has been winning this battle. We do not have to give everything away just to end the war. The government must stand up for Canada.

Ms. Helena Guergis (Parliamentary Secretary to the Minister of International Trade, CPC): Mr. Speaker, I am pleased to have the opportunity to respond to the question asked by the hon. member.

As the hon. member knows, on April 27 the Prime Minister addressed the House to announce that Canada and the United States had reached an agreement in principle that provides a basis for ending the longstanding softwood lumber dispute. This agreement in principle meets all of Canada's objectives and will provide Canadian companies with a stable and predictable market environment.

The government is aware of the difficulties and challenges facing our forest industry and has made resolving the softwood lumber dispute a priority. A resolution to this dispute is required to provide our lumber industry, workers and communities with the certainty and stability they need.

When the government first turned its attention to resolving the longstanding dispute, it quickly realized that Canada's approach needed to be reinvented.

The government recognized that litigation is a lengthy process, the results of which cannot be guaranteed. In the absence of a negotiated settlement, litigation could have continued well into 2008 and beyond, and even if Canada were ultimately successful, nothing would have prevented the U.S. industry from launching yet another round of lumber litigation against Canada.

A final agreement will put a stop to the endless court battles and costly legal bills.

The government views this agreement to be in the best interests of Canada. That includes the lumber industry, communities, lumber workers and their families, who have been hit hard by the punitive duties at the border.

The provincial governments have come out in support of the framework agreement, as has the majority of the softwood lumber industry. A final agreement will provide a seven year framework agreement designed to ensure U.S. market access to Canadian softwood lumber. It will protect Canadian market share, eliminate U.S. duties and the relentless trade actions brought on by the U.S. industry, and return to Canadian exporters some \$4 billion U.S. Our obligation was to conclude a deal that is in Canada's best interest. We have done that.

Adjournment Proceedings

This agreement provides predictable market access for Canadian exporters. When the price of lumber is above \$355 U.S. per thousand board feet, as has generally been the case the last two years, no restrictions will apply on Canadian softwood lumber entering into the United States.

The agreement establishes a dynamic framework. It takes into account the different operating conditions in Canada from coast to coast. It provides provinces and industry with flexibility to respond to their specific circumstances as well as exempting certain regions and products.

Canada and the United States, with the full participation of the provinces, will discuss provincial exits based on policy reforms under the terms of the agreement.

The agreement also includes an innovative measure that will respond to Canadian industry concerns about the possibility of other lumber producing countries increasing their exports to the United States at the expense of Canada.

As the hon. member can see, this is an agreement that addresses the interests and concerns of Canadian stakeholders and one which meets the needs of the country as a whole. That is why Canada is working to finalize this important agreement with the United States, which will pave the way to a long term resolution on softwood lumber.

Canada and the United States are engaged in a dynamic process. Negotiations between Canadian and U.S. officials are ongoing. Canada has consulted closely with the provinces and industry and will continue to do so.

In conclusion, the Conservative government has delivered to Canadians what could not be delivered before. We were asked to secure a better deal for Canadians than what was on the table in previous rounds of talks. That is exactly what we have delivered.

● (1940)

Mr. Ken Boshcoff: Mr. Speaker, for months reasonable people have been urging the government to listen and to represent Canadians in regard to what is a long list of shortcomings.

In summary, anti-circumvention will kill new companies and stop innovative government programs. There will be no money for Canadian lumber companies for the next 10 months. We are still paying \$40 million a month in illegal tariffs as we speak. The gutting of the dispute mechanism for NAFTA will end the free trade agreement, and we have seen enough examples of new products coming on. There is no interest on the \$4 billion that we are expecting to be returned and no one knows when that will come. One billion dollars will be given to the Americans to work against us, to pay their legal bills and for President Bush to use to campaign.

And this just in: the Ontario government now objects to the deal because of the illegality—

The Acting Speaker (Mr. Andrew Scheer): The hon. Parliamentary Secretary to the Minister of International Trade.

Ms. Helena Guergis: Mr. Speaker, let me say to the hon. member that I did have the pleasure today of actually meeting with one of the stakeholders that I believe is in his riding. It is Bowater. We had a lengthy discussion today. By the end of that conversation, it was concluded that overall Bowater actually supports the resolution and the deal.

The Bowater stakeholders do have a couple of concerns, but they have also said to me that they had a lengthy conversation with the minister. They also had a lengthy conversation with the provincial minister responsible. They feel their concerns have been heard and they are quite confident that they will be accounted for when the deal is actually presented in its final draft form.

I would urge the hon. member to have another meeting with the stakeholders that are directly in his riding, because his information is incorrect.

● (1945)

The Acting Speaker (Mr. Andrew Scheer): The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 2 p.m., pursuant to Standing Order 24.

(The House adjourned at 7:46 p.m.)

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