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OFFICIAL REPORT
(HANSARD)

Thursday, June 11, 1998

Speaker: The Honourable Gilbert Parent

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HOUSE OF COMMONS

Thursday, June 11, 1998

The House met at 9 a.m.

Prayers

ROUTINE PROCEEDINGS

● (0900)

[*Translation*]

INTERPARLIAMENTARY DELEGATION

Mr. Pierre de Savoye (Portneuf, BQ): Mr. Speaker, pursuant to Standing Order 34, I have the honour to table, in both official languages, two reports of the Canadian section of the International Assembly of French Speaking Parliamentarians, as well as the financial report relating thereto.

The first report relates to the forum on the information highway and the parliamentary francophonie, held on April 20, 1998 at Quebec City. The second relates to the AIPLF commission on education, communication and cultural affairs, which met April 21 and 22, also at Quebec City.

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[*English*]

COMMITTEES OF THE HOUSE

TRANSPORT

Mr. Raymond Bonin (Nickel Belt, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the fourth report of the Standing Committee on Transport with respect to the review of passenger rail services offered by VIA Rail and the means to revitalize this important mode of transportation within the context of the fiscal and environment concerns facing the government entitled ''The Renaissance of Passenger Rail in Canada''.

In so doing I thank committee members for their hard work in the short period of time they were present at meetings. They had many meetings per day and per week. In particular I thank the parliamentary secretary who has a lot of experience and who has assisted me as a new chairman of the committee.

We believe that this document will allow government to insert into the passenger rail system opportunities for everyone to contribute to this great service.

● (0905)

I also thank opposition members of the committee, some of whom are present here. They worked very well with government members. We believe this report is the product of much co-operation.

CITIZENSHIP AND IMMIGRATION

Mr. Stan Dromisky (Thunder Bay—Atikokan, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the first report of the Standing Committee on Citizenship and Immigration entitled ''Immigration, Detention and Removal'', which concerns the important functions of citizenship and immigration.

Officially for the record I acknowledge the dedication, co-operation and harmonious manner in which all members of the committee worked on this awesome task. They were totally dedicated and I appreciated it.

Mr. Peter Adams: Mr. Speaker, I ask for unanimous consent to revert to tabling of documents in order for me to table the responses to a good number of petitions.

The Deputy Speaker: Does the House give its consent to revert to tabling of documents for the purpose indicated?

Some hon. members: Agreed.

* * *

[*Translation*]

GOVERNMENT RESPONSE TO PETITIONS

Mr. Peter Adams (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, pursuant to Standing Order 36(8), I have the honour to table, in both official languages, the government's response to 16 petitions.

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[*English*]

PARLIAMENT OF CANADA ACT

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.) moved for leave to introduce Bill C-47, an act

to amend the Parliament of Canada Act, the Members of Parliament Retiring Allowances Act and the Salaries Act.

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

The Deputy Speaker: When shall the bill be read the second time? Later this day in accordance with special order adopted yesterday.

Some hon. members: Agreed.

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MARINE CONSERVATION AREAS ACT

Hon. Andy Mitchell (for the Minister of Canadian Heritage) moved for leave to introduce Bill C-48, an act respecting marine conservation areas.

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

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FIRST NATIONS LAND MANAGEMENT ACT

Hon. Jane Stewart (for the Minister of National Revenue) moved for leave to introduce Bill C-49, an act providing for the ratification and the bringing into effect of the Framework Agreement on First Nation Land Management.

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

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CANADIAN RADIO-TELEVISION AND TELECOMMUNICATIONS COMMISSION ACT

Mr. Raymond Bonin (Nickel Belt, Lib.) moved for leave to introduce Bill C-422, an act to amend the Canadian Radio-television and Telecommunications Commission Act (annual report).

● (0910)

He said: Mr. Speaker, it is a pleasure to table the bill entitled an act to amend the Radio-television and Telecommunications Commission Act (annual report).

The CRTC exercises incredible influence on what Canadians hear on the radio and watch on television and how much they pay for cable and local telephone services.

This power must be tempered by public accountability. The bill will make the CRTC more accountable to Canada's elected parliamentarians and ensure a stronger voice for Canadians in decisions affecting broadcasting and telecommunications.

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

PARLIAMENT OF CANADA ACT

Mr. John Solomon (Regina—Lumsden—Lake Centre, NDP) moved for leave to introduce Bill C-423, an act to amend the Parliament of Canada Act (meetings of the Board of Internal Economy.

He said: Mr. Speaker, I am pleased to introduce an act to amend the Parliament of Canada Act with respect to the meetings of the Board of Internal Economy.

As parliamentarians know, the Board of Internal Economy is a very secretive operation. Decisions taken there are very important not only to this precinct but to the public as well. The public is not allowed at this point to attend meetings. Nor are members of parliament.

The purpose of the bill is to allow members and others with an interest to attend and observe meetings of the board. The bill makes board meetings public with the exception of those devoted to certain specific topics like management, personnel or matters before the court.

This follows up on many other jurisdictions like Saskatchewan which has public attendance at board of internal economy meetings.

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

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INTERNET CHILD PORNOGRAPHY PREVENTION ACT

Mr. Chris Axworthy (Saskatoon—Rosetown—Biggar, NDP) moved for leave to introduce Bill C-424, an act to prevent the use of the Internet to distribute pornographic material involving children.

He said: Mr. Speaker, the purpose of the bill is to prevent the use of the Internet to unlawfully promote, display, describe or facilitate participation in unlawful sexual activity involving young persons.

We know that the possession of child pornography in most circumstances is a crime in Canada but there are significant difficulties with regard to the Internet.

What the bill would do is require the Internet service providers to be licensed by the CRTC and then to constitute an offence for an Internet service provider to knowingly permit the use of its service for the placing of child pornography on the Internet by anyone who has been convicted of an offence or by somebody who is committing an offence under the act.

It also provides for the Minister of Industry to block access to certain types of materials when he or she becomes aware of them. It provides for the use of search warrants on the Internet on the same grounds that would be available for search warrants under the Criminal Code in general.

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

* * *

CRIMINAL CODE

Mr. Lynn Myers (Waterloo—Wellington, Lib.) moved for leave to introduce Bill C-425, an act to amend the Criminal Code (public disclosure of the names of persons who have served a sentence of imprisonment for an offence of a sexual nature).

He said: Mr. Speaker, I am pleased to table the bill this morning. This enactment amends the Criminal Code to provide a mechanism for public disclosure of the names of certain criminals when they have served their sentence of imprisonment.

Under this enactment a person who believes on reasonable grounds that another person who has been sentenced to a term of imprisonment for an offence of a sexual nature will commit the same offence or another offence of a sexual nature may, before the date fixed for the expiration of that person's sentence with the consent of the attorney general, lay an information before a provincial court judge.

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

* * *

● (0915)

CRIMINAL CODE

Mr. Lynn Myers (Waterloo—Wellington, Lib.) moved for leave to introduce Bill C-426, an act to amend the Criminal Code.

He said: Mr. Speaker, I am pleased to introduce this Private Members' Bill. The purpose of this enactment is to amend the Criminal Code to permit legitimate research into a jury's deliberative process with a view to improving the administration of justice.

This bill is being introduced as a result of the Guy Paul Morin inquiry and the recommendations coming out of that inquiry made by Judge Kaufman pertaining to jury deliberations.

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

* * *

[*Translation*]

NATIONAL DEFENCE ACT

Mr. Richard Marceau (Charlesbourg, BQ) moved for leave to introduce Bill C-427, an act to amend the National Defence Act (Her Majesty's Canadian Ship).

He said: Mr. Speaker, I am pleased to speak in this House, and with you in the Chair, moreover, to introduce this bill which is aimed at continuing the francization that has been begun within the Canadian Armed Forces, and at doing away with the use of HMCS, Her Majesty's Canadian Ship, as the official title of the ships of the Canadian navy.

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

* * *

[*English*]

PETITIONS

KOSOVO

Mr. Bill Graham (Toronto Centre—Rosedale, Lib.): Mr. Speaker, on behalf of some of my constituents I wish to present petitions concerning the Kosovo crisis. The petitioners have specific recommendations for the Canadian government which they believe will encourage a peaceful solution to the problems in that region.

NUCLEAR WEAPONS

Mr. Andrew Telegdi (Kitchener—Waterloo, Lib.): Mr. Speaker, I am pleased that you are able to see all the way back here.

I am presenting two petitions. One petition is regarding the abolition of nuclear weapons. It reads ''Your petitioners pray and request that parliament support immediate initiation and —''

The Deputy Speaker: Order. The hon. member is not permitted to read the petition. I know he will want to summarize it briefly for the House in accordance with the rules.

Mr. Andrew Telegdi: Basically it calls for the abolition of nuclear weapons by the year 2000 and to set forth a binding timetable. In particular seeing what happened in Pakistan and India, this is something that we would all applaud.

AGE OF CONSENT

Mr. Andrew Telegdi (Kitchener—Waterloo, Lib.): Mr. Speaker, the next petition relates to the age of consent for sexual activity. The petitioners ask parliament that the age be raised to 18, with the exception of husband and wife relationships.

GUN CONTROL

Mr. Lee Morrison (Cypress Hills—Grasslands, Ref.): Mr. Speaker, I have 11 petitions. You will be pleased to know that nine of them are identical in form and content. These nine petitions originate from about a dozen small Saskatchewan communities with a few signatures also from northern and eastern Alberta.

The petitioners wish to draw the attention of this House to the uselessness of the proposed new gun regulations of Bill C-68. They draw to our attention the fact that the search and seizure provisions and other infringements on civil liberties included in Bill C-68 are an affront to law-abiding Canadians. They therefore pray and call upon parliament to repeal Bill C-68 and all associated regulations

with respect to firearms or ammunition and to pass new legislation designed to severely penalize the criminal use of any weapon.

● (0920)

On those nine petitions, there are 1,815 signatures which brings the total that I have presented in the last few weeks on that particular subject to more than 3,000.

TRANS-CANADA HIGHWAY

Mr. Lee Morrison (Cypress Hills—Grasslands, Ref.): The next petition is from residents mainly of Gull Lake and Medicine Hat regarding the death strip on the Trans-Canada Highway.

These 244 petitioners are pointing out that the section of highway between Gull Lake, Saskatchewan and the Alberta border is a disgrace to our national highway system and that the Canadian government should immediately enter into negotiations with the Government of Saskatchewan to finance the twinning of that section.

MARRIAGE

Mr. Lee Morrison (Cypress Hills—Grasslands, Ref.): Mr. Speaker, this is the last petition I have. There are 37 signatures on this petition. It is from citizens of Limerick and Assiniboia, Saskatchewan.

The petitioners draw the attention of the House to the fact that most Canadians understand the concept of marriage as a voluntary union of an unmarried male and an unmarried female and that it is the duty of parliament to ensure that marriage as it has always been known and understood in Canada is preserved and protected. The petitioners pray that parliament enact Bill C-225, an act to amend the Marriage Act and the Interpretation Act so as to define in the statute that a marriage can only be entered into between a single male and a single female.

The Deputy Speaker: When the hon. member for Cypress Hills—Grasslands started citing a petition from Limerick, I thought he was going to break into verse.

PUBLIC SAFETY OFFICERS COMPENSATION FUND

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I am pleased to present a petition on behalf of a number of Canadians, including from my own riding of Mississauga South. It concerns our police officers and firefighters.

The petitioners would like to draw to the attention of the House that police officers and firefighters are required to place their lives at risk on a daily basis as they discharge their duties. When one of them loses their life in the line of duty the employee benefits often do not provide adequately for their surviving family members. Further, the public also mourns that loss and wishes to recognize in a tangible way the officers who are killed and to assist their surviving family members.

The petitioners therefore call upon parliament to establish a public safety officers compensation fund for the families of police officers, firefighters and all public safety officers who are killed in the line of duty.

MARRIAGE

Ms. Marlene Catterall (Ottawa West—Nepean, Lib.): Mr. Speaker, I have one petition to present calling upon parliament to enact Bill C-225, an act to amend the Marriage Act.

KOSOVO

Ms. Marlene Catterall (Ottawa West—Nepean, Lib.): I have a second petition following a meeting with representatives of Canadians of Serbian descent calling to parliament's attention that the actions of the Canadian government with regard to Serbia are in their views non-democratic. The petitioners are asking that the House of Commons consider the best interests of all citizens of Serbia for peace and democracy in the Kosovo region.

BIOARTIFICIAL KIDNEY PROJECT

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, I have another petition from the people of Peterborough on behalf of the 18,000 Canadians suffering from end stage kidney disease.

These people recognize that kidney dialysis and kidney transplants are very important lifesaving treatments. They point out that access to dialysis treatment and the rate of organ donations are not sufficient to meet the need.

The petitioners call upon parliament to work and support research toward the development of a bioartificial kidney that will eventually eliminate the need for both dialysis and transplantation for those suffering from kidney disease.

This petition is particularly important to the people of Mount St. Joseph and Milltronics.

* * *

● (0925)

[*Translation*]

QUESTIONS ON THE ORDER PAPER

Mr. Peter Adams (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I would ask that all questions be allowed to stand.

The Deputy Speaker: Is it agreed?

[*English*]

Mr. Mark Muise (West Nova, PC): Mr. Speaker, I rise on a point of order. I respectfully ask the hon. member when we could

expect an answer to Question No. 21 which we asked not so long ago, I believe it was on October 3, 1997. Can we get some kind of commitment as to when that answer could be expected?

Mr. Peter Adams: Mr. Speaker, I know that the member and his colleagues have been particularly interested in Question No. 21. As I pointed out, this has required inquiries of every department in the government. I can assure the member there will be a response before the end of this session.

The Deputy Speaker: Whenever that may be.

Mr. Mark Muise: Mr. Speaker, is the end of the session the end of this parliament or the end of this sitting session?

The Deputy Speaker: That is an academic question. The hon. parliamentary secretary may wish to illumine us on that.

Mr. Peter Adams: It is a very good question and the answer is yes.

The Deputy Speaker: Shall the remaining questions stand?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[*Translation*]

NATIONAL PARKS ACT

The House resumed consideration of Bill C-38, an act to amend the National Parks Act, as reported (without amendment) from the committee.

SPEAKER'S RULING

The Deputy Speaker: There are three motions in amendment standing on the notice paper for the report stage of Bill C-38, an act to amend the National Parks Act.

The motions will be grouped for debate as follows: (a) Motions Nos. 1 and 2 will be voted on separately; (b) Motion No. 3 will be debated and voted on separately.

I shall now put Motions Nos. 1 and 2 to the House.

MOTIONS IN AMENDMENT

Mrs. Suzanne Tremblay (Rimouski—Mitis, BQ) moved:

Motion No. 1

That Bill C-38 be amended by replacing the title on page 1 with the following:

''An Act to amend the National Parks Act (creation of Tuktuk Nogait National Park)''

Motion No. 2

That Bill C-38, in Clause 1, be amendedby replacing line 8 on page 1 with the following:

''luit Settlement Region, recognized by the Western Arctic Claim, Inuvialuit Final Agreement and the Western Arctic (Inuvialuit) Claims Settlement Act;''

She said: Mr. Speaker, first of all, I would like to seek the unanimous consent of the House to make a change to Motion No. 1 because, both in French and in English, the name of the Tuktut Nogait park has been misspelled.

I therefore seek unanimous consent to replace the last ''k'' with a ''t'' so the title of the act reads as follows: An Act to amend the National Parks Act (creation of Tuktut Nogait park).

The Deputy Speaker: The purpose of the motion is just to change one letter in the title.

Does the hon. member have unanimous consent to make this change?

Some hon. members: Agreed.

Mrs. Suzanne Tremblay: Mr. Speaker, I thank you and I also thank the hon. members.

This amendment to the motion is both a minor and a major one, since it merely specifies that Bill C-38 makes direct reference to the park. The amendment only seeks to point out that the legislation refers to this park. I have no other points to make regarding this first motion.

As for the second motion, nowhere in the legislation is reference made to the fact that the creation of this park is the result of a very long process that began a long time ago.

• (0930)

That process began with an agreement signed in 1984 by the Canadian government and the Inuvialuit, the Inuvialuit Final Agreement.

This was followed by the act, which was also passed in 1984. Negotiations lasted a long time. I believe it took seven years to sign an agreement on Tuktut Nogait, in 1996. Finally, in 1998, we will now pass the bill to create this park.

It is important to know that the claims were recognized in the Inuvialuit Final Agreement and in the Western Arctic (Inuvialuit) Claims Settlement Act. This is why we would like to see this amendment included in the bill, whose content is rather limited.

[*English*]

Mr. Paul Bonwick (Simcoe—Grey, Lib.): Mr. Speaker, with regard to Motion No. 1, the government would support that motion with the correction of the spelling error.

Motion No. 2 the government cannot support. It is not because of the intent. The intent is certainly in the right direction. However, a legal opinion has suggested that the recognition does not actually give the Inuvialuit settlement region any further guarantees or claims. There are already provisions in there with respect to the

Western Arctic land claim, the Inuvialuit final agreement and the Western Arctic claims and, therefore, it is not appropriate to have that second reference or change.

Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.): Mr. Speaker, it is a pleasure today to speak at the report stage of Bill C-38.

The Reform Party will support Motion No. 1, which will change the name of the new national park to Tuktut Nogait.

We feel that Motion No. 2 is unnecessary. It is an amendment that is covered already under Bill C-38. The Reform Party will be opposing that motion.

The third motion, which was put forward by the Bloc, changes the boundaries of the park which will allow exploration for minerals in an area that is a calving ground for bluenose caribou, and we will be opposing that motion.

I would be remiss in not using this time as an opportunity to castigate the minister for her short-sighted views on Banff National Park. The government has done some good work with Bill C-38, but it is also missing the boat.

The minister said that one of the greatest goals that exists—

[*Translation*]

Mrs. Suzanne Tremblay: Mr. Speaker, I rise on a point of order. Should the first and second motions not be debated?

The Reform Party member has already discussed the third motion and he is raising an issue which is not even on the agenda, that is Banff national park. I think we should go back to the agenda, that is Motions Nos 1 and 2.

The Deputy Speaker: The hon. member is right. The debate is on Motions Nos. 1 and 2 on the *Order Paper*, which are amendments to Bill C-38.

I hope the hon. member for Esquimalt—Juan de Fuca will direct his comments to these motions and amendments.

[*English*]

Mr. Keith Martin: Mr. Speaker, I thank the hon. member for allowing me the opportunity to speak to Motions Nos. 1 and 2.

Bill C-38 will create a new national park. The creation of national parks is important. The minister has said before that one of the objectives of this government is to expand the habitat of our national parks and we agree with that objective. However, it is important for her to realize that with the expansion of the parks the individuals within those parks will be unable to raise the money to develop them because there will be no new funds.

How will we manage to develop parks such as Tuktut Nogait? How will we manage to buy the land and provide the money for the conservation officers, the habitat protection, the scientific research and the equipment that is required to be able to manage these parks?

• (0935)

The minister should look at some of the good work that is being done by the World Wildlife Fund. The World Wildlife Fund has utilized a basic theory in various parts of the world, including Central America where a number of species, including the golden lion tamarin, were becoming extinct. They asked themselves ''How do we manage to rescue these animals when we do not have very much money''? They utilized the basic theory that parks have to pay for themselves. They utilized the park and were able to generate revenues in an environmentally sound fashion. With those revenues they managed to hire park staff, to do research and to expand the park to the surrounding areas. They also used the revenues for health care, education and many other services.

By doing that they created a buffer zone around the park. The people took ownership of the park themselves because they derived benefits from it and they saw the value of the park in their own lives. Without any new funds they expanded the habitat of the park. They managed to raise funds to research the flora an fauna within the park and saved many useful species that were becoming extinct. This was accomplished without using any new revenue. It was extremely clever. We need to learn from this experience.

There is not any new money, but parks have an unusual ability to raise funds and use the funds for expansion. As Motion No. 1 attests, the development of habitat is exceedingly important in the ability of flora and fauna to exist. The destruction of flora and fauna is intimately entwined with the destruction of habitat. Therefore, the expansion of habitat is exceedingly important in saving flora and fauna.

How do we manage to expand and develop a park such as the one mentioned in Motion No. 1, or Banff, without providing new money? We can do that by generating revenues within the park.

I will use Banff as an example.

Banff has an ability to raise funds. The people within Banff are asking for 850,000 square feet of land to be developed within the boundaries of the city. They do not want to expand Banff into other areas. This is exceedingly important to understand. They will be able to generate funds from that development. Within the boundaries of the park that money could be poured back into Banff National Park for the expansion of the habitat and the development of conservation initiatives. That would give the conservation officers the tools they need to do their job.

One of the biggest problems we have is that our conservation officers do not have the tools. The argument that was put forth by the minister was that conservation officers are spending too much time on developmental work. If we want to give conservation officers the necessary tools, we should use the money generated from the development of the park. That money could easily be put back into the park as designated revenues, rather than general revenues, to be used for something completely different.

Some places in the world charge a 1% or a 2% surcharge on hotel accommodations and other tourist facilities. That money is designated for park services.

This would help our threatened flora and fauna. It would enable the minister to fulfil her objective in expanding habitat and providing funds to preserve our wilderness areas.

The models around the world which are used by the World Wildlife Fund and others can be adopted in Canada. However, we have to have the political will to do that. I hope the minister sees the opportunity to generate revenues within the parks which could be used to preserve them.

• (0940)

Mr. Paul Bonwick: Mr. Speaker, I rise on a point of order. I am looking for a clarification. Are we speaking about the strip mall in Banff National Park or are we speaking to the amendments that the hon. member from the Bloc has put forward?

The Deputy Speaker: I thought the hon. member was discussing national parks in a fairly general way, but he was, in theory, discussing the amendments that were put forward by the hon. member for Rimouski—Mitis on Bill C-38, Motions Nos. 1 and 2.

Mr. Keith Martin: Mr. Speaker, for clarification, this does relate in particular to Motion No. 1. We are talking about the development of a new park. I hope I was presenting some constructive solutions that he might take to the minister that can be applied to the new park.

As I mentioned before, one of the threats to the parks, be it the park mentioned in Motion No. 1 or any other park, is the threat to habitat. The threats to Banff National Park and the threats to Tuktut Nogait are one in the same in many ways.

I would implore the minister, rather than penalizing the parks, to use the model of the World Wildlife Fund. Those funds could be generated by a surcharge of 1% or 2% on hotel accommodations and other tourist facilities and that money could be directed back into the park for the development of habitat. If we do not do that we will be in trouble.

We as a country are one of the leading conduits of endangered and threatened species from around the world. Animal parts from tigers to rhinos to endangered birds are coming into Canada and being distributed around the world. We are a major conduit. Poachers and traffickers of endangered species know this. They are using our country illegally for this illicit trade that is destroying populations of threatened species around the world. Money is required to combat that. This is a way we could generate the money to give our conservation officers the ability to preserve flora and fauna not only in our country but around the world.

Mr. Rick Laliberte (Churchill River, NDP): Mr. Speaker, these two motions deal with the creation of Tuktut Nogait National Park and the effect that will have on our caribou calving grounds.

I would point out that this park is being created specifically in the settlement region of the Inuvialuit.

I agree with Motion No. 2, that the Western Arctic claim and the Inuvialuit final agreement should be recognized. The Tuktut Nogait National Park, also known as the Bluenose National Park, should include the Nunavut settlement region and the Sahtu Dene settlement region, which is another 12,000 square kilometres of park. It should be all encompassing.

This government should not have dragged its heels in the last few years. It should have been finalizing the agreement of the total park boundary and not just dealing with one region, the settlement region of the northern Arctic.

The community has made specific claims. I believe that the next motion will deal with the requests it has made.

With respect to retaining the integrity of our national parks, I am sad to see that the Reform Party has taken a pro-development position within our national parks. The integrity of the ecology of our national parks should be preserved for future generations. There should be sustainable development. The species and the beauty of these parks should be preserved for future generations to enjoy.

Mr. Mark Muise (West Nova, PC): Mr. Speaker, I would like to speak to Motion No. 1, which was put forth by my hon. colleague from Rimouski—Mitis.

On behalf of the Progressive Conservative Party I support this motion. It puts a bit more meat or teeth into the beginning of the bill to say exactly what we are creating. Therefore, I support the motion.

• (0945)

The Deputy Speaker: Is the House ready for the question?

Some hon. members: Question.

The Deputy Speaker: The difficulty the Chair is facing is that we have a House order that requires that all questions are deemed put, divisions demanded and deferred, but I understand there may be agreement to carry one of these motions now.

Is it agreed that we proceed and put the question on Motion No. 1?

Some hon. members: Agreed.

The Deputy Speaker: The question is on Motion No. 1. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

(Motion No. 1 agreed to)

The Deputy Speaker: The next question is on Motion No. 2. In accordance with the order adopted yesterday, this motion is deemed to have been put, a division demanded and deferred until later this day.

[*Translation*]

Mrs. Suzanne Tremblay (Rimouski—Mitis, BQ) moved:

Motion No. 3

That Bill C-38, in Clause 1, be amended

(a) by adding after line 15 on page 2 the following:

''Thence north along longitude 123 degrees 20 minutes west to a point at the intersection with latitude 68 degrees 55 minutes north;

Thence easterly along latitude 68 degrees 55 minutes north to the intersection with longitude 122 degrees 49 minutes west;

Thence northeasterly to the intersection of longitude 123 degrees west and latitude 69 degrees 13 minutes north;

Thence westerly along latitude 69 degrees 13 minutes north to the intersection with the surveyed boundary of Paulatuk lands at longitude 123 degrees 10 minutes west;'' and by''

(b) by deleting lines 26 to 37 on page 2 and lines 1 and 2 on page 3.

She said: Mr. Speaker, so that it can be noted for posterity, I would like to take the time to read this motion, which is a very lengthy one and which would amend the park's boundaries in line with what the Inuvialuit themselves are requesting. I will read the motion, which is also somewhat technical, for the record.

The amendment I am moving would delete lines 26 to 37 on page 2 of Bill C-38. The amendment reads as follows:

''Thence north along longitude 123 degrees 20 minutes west to a point at the intersection with latitude 68 degrees 55 minutes north;

Thence easterly along latitude 68 degrees 55 minutes north to the intersection with longitude 122 degrees 49 minutes west;

Thence northeasterly to the intersection of longitude 123 degrees west and latitude 69 degrees 13 minutes north;

Thence westerly along latitude 69 degrees 13 minutes north to the intersection with the surveyed boundary of Paulatuk lands at longitude 123 degrees 10 minutes west;''

This lengthy amendment gives a very clear idea to inhabitants of this region of exactly where the park's boundaries lie. The average person would need a course in advanced geography to know exactly where the park is located. We have specified the boundaries.

Why am I moving this amendment? I find myself in a rather difficult situation. For the first time since being elected to the House, I really feel that I have not had enough time to do my homework and I am still a little uncomfortable with the situation.

● (0950)

First of all, I wish to thank the secretary of state responsible for parks for agreeing to see me and for providing me with additional explanations. It helped me understand some of the government's arguments.

First, there was the Western Arctic claim, which led, in 1984, as I mentioned earlier, to the Inuvialuit Final Agreement. This agreement states clearly—I will not read the entire agreement, rest assured—in paragraph 16(2) that:

16.(2) Canada and the Inuvialuit agree that the economic measures set out in this section should relate to and support achievement of the following objectives: full Inuvialuit participation in the northern Canadian economy; and Inuvialuit integration into Canadian society through development of an adequate level of economic self-reliance and a solid economic base.

This was the agreement the government concluded with the Inuvialuit in 1984. A lot of water has flowed into the Beaufort Sea since then and government representatives have met with the Inuvialuit to try to reach an agreement on park boundaries.

That agreement was concluded in 1996. I must acknowledge that there were five parties involved in signing with the government. One of those parties now wants to reopen it and ask that 2.5% of the land be removed.

One of the government's arguments is that acceding to this request from the aboriginal people would set a precedent which could led to a whole series of debates to discuss the borders of the parks that have not as yet been developed.

Another of its arguments is that the caribou breeding grounds need protection. However, if that is what the aim is, a still bigger park should have been created in order to protect all of the lands occupied by the caribou.

Caribou do not stay in one place. They move around, and so we should have gone over to the Nunavut side to create a bigger park so as to protect all the herds. One day, perhaps, that will be done, but at that time it will have to be seen as a new park.

This matter of the caribou is an argument raised by the animal protection people and the associations of ecologists who have tried to lobby my office. They could not understand why I did not accept Bill C-38 with my eyes closed. My biggest problem is that I have met people who were used to seeing caribou in their area, but had

had to have food animals brought in specially. Caribou had to be brought in from elsewhere because there was no herd in their area that year, so they would have had trouble finding game for food.

We cannot pretend that the caribou herd is that strong an argument for not taking 2.5% away from the park.

Restricting mining exploration is an excellent thing in itself. However, what I see as important is the arguments of the Inuvaluit themselves, who see the mining potential of the territory as a means of creating more lasting employment, more worthwhile jobs, so they may be more independent economically. I think it is important that subsection 16(2)(b) of the final agreement be a concern of the government.

● (0955)

Without prejudging the results of the vote, several parties have already made their position known on this motion. I hope the government will make a firm commitment, which will encourage the community to ensure they are given a chance to develop economically and open up alternatives to always relying on welfare.

I seems important to me to give them this economic tool and I very much regret that this bill had to be considered in such haste that we did not have an opportunity to really weigh the pros and cons. There is no environmental study showing there is any risk in changing the park's boundaries and none showing it would be a good thing either. This is very unusual for me since I was elected to this place, but this dilemma I am facing is making me feel uneasy.

I think the government moved too quickly for me to have time to assess the situation properly. The government will probably proceed with the current boundaries. Obviously, it does not need the opposition's support, it has a majority. Still, I really think that the government should commit, in this House, to promoting the economic development of the Inuvialuit outside the park.

[*English*]

Mr. Paul Bonwick (Simcoe—Grey, Lib.): Mr. Speaker, I might start by offering some thoughts from some of the people who were present at the committee. They had the same difficulties as the member had in wrestling with this most difficult question with regard to the boundaries and the requested change for the boundaries.

Basically it boils down to one thing only, a request from a mining company. It is simply that. I put a question to one of the witnesses who came forward in trying to find a solution that might be somewhat flexible and workable. The question I asked was is there any reason other than pure economics or the money generated from this mine in the park to move forward on this or change the boundaries. The answer was no. It was pure and simple mining.

There are three main points why the government cannot support this motion. The first one is the integrity of the park. The integrity of the park or the ecosystem within is extremely delicate and the boundaries of the park, agreed on some years ago, need to be maintained not just for our generation but for future generations. To allow a chunk of land, some hundreds of thousands of acres, to be severed off for purely economic reasons, this government can simply not support that.

The second reason is the animals within, the calving groups of the bluenose caribou. They do shift but, as I mentioned earlier, the ecosystems are extremely delicate and to take up several hundred thousand acres of the mating or calving grounds of these animals is simply not appropriate. These animals play a huge role in the overall diet of the native people within that area.

My third reason is economics. This process has been going on for 20 years. It has involved all parties. The agreement was put in place I believe in 1996 and due to some new ways of testing for mineral resources in the latter part of 1996-97, a mining company found deposits within the national park itself.

This is not contingent on the mining process moving forward. Only 20% of the total find is within the national park. What they are asking for is to mine that 20%, to compromise that very delicate ecosystem and to compromise the bluenose caribou.

● (1000)

It was for no other reason than economics.

This government and certainly all parties were having a difficult job with it because they certainly do not want to appear as if they are not supportive of the economics and the native people moving forward and having job opportunities from mining.

That is why I bring to the House's attention that it is only 20% and it is important to understand that. Based on the testing this is not the number one site for exploration. This was the third site on the priority list for exploration and thereby is not simply the only place they are pursuing.

The government simply cannot support this for the reasons mentioned. It is an extremely difficult thing but when one looks at these three reasons it becomes very simple.

Mr. Mark Muise (West Nova, PC): Mr. Speaker, I begin by speaking on Motion No. 3 put forth by my hon. colleague from Rimouski—Mitis. She is a very diligent, hardworking and conscientious member of our committee and I totally respect the motion she has put forth.

All members of the committee were faced with a very difficult situation because we wanted to do what was right. That was the intent and I sensed that from all members of the committee. It was difficult to deal with this and I had to do quite a bit of soul

searching and reflection on the representations made to the committee.

An agreement is an agreement. There had been an agreement signed by all six parties involved. The agreement stated that if all six signatories were in agreement the agreement could be renegotiated. Not all six signatories wanted it reopened. What happens if, for example, the federal government comes in as one of the signatories and decides it wants to reopen? Other members of the agreement might not be in favour of that. An agreement is an agreement and unfortunately or fortunately we have to stand by that agreement.

As my hon. colleague mentioned, the group that made representations to have this reopened stated this was done purely for economic reasons so that the people of the Inuvialuit region could derive some financial benefits from that. I see absolutely nothing wrong with that. There is 80% to 90% of the anomaly of the potential mineral find that falls outside the boundaries of the park. This in no way will prevent these people from being able to earn income from this mineral find. This is another reason I have trouble in supporting this motion.

There is also the bluenose caribou herd whose main calving ground falls into this area which some people would like to see changed or carved out of the park and I therefore have concerns with this.

If we change the boundaries set forth in this park we are setting a dangerous precedent. There are other parks that fall into this category such as Gros Morne Park as well as other parks and if we change the boundary for this one then we are leaving a lot of other parks open for renegotiation. I think that sets a dangerous precedent.

With all due respect to my colleague for Rimouski—Mitis, on behalf of my party, we cannot support this agreement.

Mr. Rick Laliberte (Churchill River, NDP): Mr. Speaker, I also share the views of the hon. member regarding hearing the community's point of view in making this decision.

● (1005)

As the government speaker said, keeping the integrity of the Tuktut Nogait is of the utmost priority. I also come back to the point that there are two additional proposed areas for this park, the Nunavut area and the Sahtu area.

No discussion or reference has been made to these two regions because the bluenose herd requires the entire region for its protection. The community of Paulatuk and Inuvialuit settlement region are compromising their lands to create this park. There is no assurance that the other lands will be included in future park expansion with the existing bill. There is no reference to this. The speaker did not mention this at all.

I would beg that this government make this clear to the people in Paulatuk who are reconsidering a new economic opportunity by the anomalies that have been discovered, the distance they are from the surface. The anomaly inside the park is of prime mineral extraction.

I also go back to the agreement that says protecting the herd is most important because for generations the people of the north have been provided life and sustenance by this herd. I believe this herd can still sustain life in the northern regions of this country without compromising the ecology, practices and traditional way of life of the people of the north.

This government has made a parks agreement with the people of the Inuvialuit settlement region. The agreement includes job creation, training for the people and human resource development and also the environmental and ecological creation of eco-based tourism that the people of the north could benefit from. This agreement gives them first opportunity to gain access into that sort of industry.

There are also agreements in the park legislation for creation of co-management to include the people in making decision on how the park is developed, land use decision and development within it.

There is the question of adjusting the boundaries to gain access to minerals. Our party has always spoken in favour of creating and keeping the integrity of the parks. We cautioned this government during creation of the Cheviot mine neighbouring the Jasper National Park.

In other regions of the world parks also have a sphere of influence surrounding them for the integrity of the species and the ecology. If this were taken into account in this country the development of Banff, the development of Jasper and also the mineral extraction neighbouring some of these parks would be scrutinized in a different light. I think that should be done. A short term gain of mineral extraction and the impact it leaves in most cases must be taken very seriously.

For the time being I challenge the government to include in the Tuktut Nogait national park all the proposed boundaries and clarify to the people of the north that the entire park and its proposed boundaries will be included. It would be like if we live in an urban centre and the local government decides to put an easement between people's properties it is not fair that the local government make an easement on my property first before it makes a total easement on all the properties affected.

● (1010)

In dealing with the Inuvialuit settlement region let us be fair with them. Let us be up front with them that they are not going to be the only ones comprising their lands to create a national park for this country. We must be up front with them and tell them that the Nunavut settlement region and the Sahtu settlement region will also be contributing to this huge national park which has a better

chance of keeping the integrity of the ecology and also the integrity of the bluenose caribou herd.

Hon. Andy Mitchell (Secretary of State (Parks), Lib.): Mr. Speaker, I would like to take a moment as the Secretary of State for Parks to thank the committee members who on this piece of legislation have done a lot of work, have examined it. We see some of the results of their analysis and soul searching as we hear the debate taking place here at report stage. I would be remiss if I did not take an opportunity to thank the members for their work.

Some of the members have said in debate that part of the overall agreement revolves around helping the people of Paulatuk and the community in terms of pursuing economic development opportunities. There are parts of the agreement that indicate that there is the intention of parks to work with the community on economic development opportunities presented by the park. We will work with the community and with the Government of the Northwest Territories to move forward on these things. That is one of our intentions as a department and as the federal government and we intend to pursue this.

My colleague has talked about the government's position on this amendment. I will not reiterate his position but I did want to take the opportunity to thank the committee and to make the point about moving forward on economic development.

[*Translation*]

The Deputy Speaker: The question on Motion No. 3 is deemed to have been put and a recorded division deemed demanded and deferred until 1 p.m. today.

* * *

[*English*]

JUDGES ACT

Hon. Marcel Massé (for the Minister of Justice and Attorney General of Canada, Lib.) moved that Bill C-37, an act to amend the Judges Act and to make consequential amendments to other acts, be read the third time and passed.

Ms. Eleni Bakopanos (Parliamentary Secretary to Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I am pleased today to speak on Bill C-37, an act to amend the Judges Act.

I begin by putting this bill in its proper context. The judiciary is one of the fundamental institutions of our democracy. Since 1982 Canadian judges have been asked to assume increasingly demanding constitutional functions, determining issues of fundamental importance to all Canadians.

This government recognizes that in doing their job judges in their decisions are not always popular. It seems to me that this is inevitable given that we as legislators have given them the sometimes unenviable task of determining some of the most difficult and divisive legal, social and economic issues of our time. It is for this very reason that we do not want popular judges. Indeed it is and has always been of primary importance to all Canadians that judges are independent and free to make those difficult and sometimes unpopular decisions.

It is the principle of judicial independence that provides the foundation for a strong and courageous judiciary as well as being a cornerstone of our democratic society, a principle clearly reflected in and protected by sections 96 through 100 of the Canadian Constitution.

• (1015)

[*Translation*]

In 1981, in recognition of the importance of judicial independence and the unique constitutional role of the judiciary, Parliament provided for an independent commission to examine the adequacy of judges' salaries and benefits.

In September 1997, the supreme court underscored the importance and necessity of the role played by such independent commissions in ensuring public confidence in the independence and impartiality of the Canadian judiciary. The supreme court gave the example of the federal commission.

In its recent decision, the supreme court stressed the importance and necessity of the role played by such independent commissions in ensuring public confidence in the independence and impartiality of the Canadian judiciary.

A key part of that decision is to require public justification by government for a decision not to implement, or to only partially implement, the recommendation of such a commission.

[*English*]

The most recent triennial commission headed by David Scott heard from a range of organizations and individuals including all the provincial and territorial ministers of justice and attorneys general before putting forward a thoughtful and comprehensive set of recommendations. This government continues to support the principles that led parliament to institute the judicial salary commission process 17 years ago. In light of those principles and of the enhanced constitutional role of independent salary commissions following the supreme court decision, we have given serious consideration to all the recommendations of the Scott commission.

It was not unexpected that the issue which has evoked the greatest interest since the response was released and Bill C-37 was introduced is the proposed judicial salary increases. The Scott commission recommended an appropriately phased upward adjustment of 8.3% on the expiration of the salary freeze on April 1, 1997. We have accepted this recommendation and Bill C-37 will implement the Scott recommendations by providing a phased-in

increase to judicial salaries of 4.1% per year over two years effective April 1, 1997.

The proposal is consistent with the government's view that it would be unreasonable for the judiciary not to share in the necessary economic restraint that was exercised from 1992 until very recently by all Canadians paid by the federal government. I want to express my strong agreement with a statement made by former Chief Justice Dickson of the Supreme Court of Canada in a seminal decision on the issue of financial security for judges in R. v Beauregard.

The chief justice observed ''Canadian judges are Canadian citizens and must bear their fair share of the financial burden of administering the country''. This view is echoed in the recent decision of the Supreme Court of Canada where the Chief Justice of Canada observed ''Nothing would be more damaging to the reputation of the judiciary and the administration of justice than a perception that judges were not shouldering their share of the burden in difficult economic times''.

Canadian judges are entitled to receive fair compensation that reflects both the importance of their role and the personal demands of their office. In deciding what was reasonable, the Scott commission in my view correctly recognized that a whole range of factors must be considered in establishing an appropriate level of remuneration, including the need to ensure levels of compensation that attract and keep the most qualified candidates for judicial office. That is what we are seeking, the most qualified candidates.

Bill C-37 would also implement the Scott commission recommendation for certain pension related amendments to the Judges Act, including the rule of 80 which will permit retirement when the sum of a judge's age and years of service equals at least 80 and the judge has served on the bench for a minimum of 15 years. In our view the proposed rule of 80 responds in an important way to the changing demographic profile of the judiciary. More and more judges are being appointed at a younger age. I would like to add that many of these younger judges are women. The government has made many attempts to assure that there be equality on the bench for the two sexes.

● (1020)

The current provision, although based on the rule of 80, requires a minimum age of 65. A judge who retires before 65 has no right to a pension at all. Therefore, a judge appointed at the age of 50 can retire with a pension at 65 with 15 years of service. However, a judge who is appointed at 40 must serve 25 years to receive any pension at all. This is a situation that is increasingly considered unfair.

This situation is even more unacceptable when we consider that it has a particular impact on women judges who constitute the majority of those appointed at an early age. The rule of 80 would allow older, longer serving judges to retire when they feel they no longer wish to continue in the role. Permitting this will be good for them and for the court itself as an institution.

The Scott commission has proposed a different retirement option for the judges of the Supreme Court of Canada. It recommended eligibility for retirement with a full pension after serving a minimum of 10 years on the bench. The government agrees with the commission that the immense workload and heavy responsibility inherent in membership on the supreme court justifies the proposed retirement provision. However, the government proposes to limit it to those judges who have reached the age of 65 years.

The bill also makes a couple of other changes to judges pensions in the interest of fairness. It will allow common-law spouses to receive surviving spouses' annuities. It will give a judge who marries or commences a common-law relationship after retirement the option of receiving an actuarially reduced pension which continues until the judge and the spouse have both died. These are both common features of other pension plans.

A very important part of Bill C-37 is improvements to the judicial compensation commission process designed to reinforce the independence, objectivity and effectiveness of the process as a means of further enhancing judicial independence. The Supreme Court of Canada in its decision of last September set out guidelines for such process improvements.

In order to be independent, commission members must enjoy security of tenure by being appointed for a fixed term and the judiciary must nominate a member. To be objective, a commission must use objective criteria in coming to its recommendations. And to be effective, governments must deal with the commission's recommendations with due diligence and reasonable dispatch.

[*Translation*]

The supreme court also expressly stated that it was up to the executive and the legislator to define the institutional models, and that the administrations should be free to choose the procedures and provisions best suited to their own reality.

[*English*]

In our proposed design, the length of time between commissions would be extended from the current three to a four year period. The new commission would conduct an inquiry similar to that conducted by previous commissions, including public hearings and inviting submissions from all those interested in judicial compensation, including all Canadians.

While this will be a permanent commission in the sense of having a mandate for a fixed period of time, the members of the commission would be part time only. As a general rule, members will only be active during the first nine months of each four year

period until the report is delivered. Furthermore, the members will only receive per diem fees for the time they are actually performing commission business.

The commission would have nine months to complete its inquiry and submit a report to the Minister of Justice. To provide flexibility, the period to report could be extended on agreement of the minister and the judiciary.

The exception to the general nine month period of activity would be when the minister decides to submit a matter to the commission for its inquiry as permitted under these proposals. This provision would allow for changes to judicial compensation to be made where necessary between the fixed four year timeframe. This is necessary in light of the new constitutional requirement established by the supreme court that future changes to judicial compensation cannot be implemented without prior consideration by a judicial compensation commission. This power to refer matters might also occasionally be used to have more detailed and informed consideration of particularly complex policy issues.

• (1025)

The independence of the commission would be enhanced by our proposal that it would have one member nominated by the judiciary and one nominated by the Minister of Justice. The representatives of each side would in turn nominate a third member who would be the chair. Members would be appointed by the governor in council for a fixed four year term, on good behaviour, removable for cause. Terms would be renewed once on renomination.

The bill also includes a proposal that the Minister of Justice be required to respond to a report of a salary commission. The role of parliament in reviewing the commission recommendations has also been preserved in the continuation of the current requirement that the report of the Judicial Compensation and Benefits Commission be tabled before both houses of parliament.

I am delighted that another key element of Bill C-37 appears to have secured widespread support across party lines. It provides for the largest ever expansion to date of unified family courts in Canada. This broad support is natural and welcomed since unified family courts are widely recognized to be responsive to widespread concerns that the family law system is too slow, confusing and expensive and intensifies and prolongs the degree of family conflict.

Delay, conflict and confusion arise in large part because of jurisdictional overlap and the traditional emphasis on courts and litigation to resolve family issues. Unified family courts reduce these problems by enabling a single judge to hear all family matters under both federal and provincial law. Unified family courts also provide access to an array of services which promote durable, mutually agreeable solutions to family law disputes and improve the long term outcomes for children and their families.

I must say that being a member of the mixed committee of both houses on custody and access, a lot of the witnesses that came before the committee praised this type of move on the part of the government. They encouraged the federal government to work with the provincial governments in ensuring that this type of system is available from coast to coast to coast.

I am therefore very pleased that the level of funding provided in the 1997 budget will permit the appointment of 24 additional judges to unified family courts. The cost will be $4.4 million ongoing to support the salary and benefits of federally appointed judges. Three other positions are currently available under the Judges Act for a total of 27 new unified family court judges.

Unified family courts demonstrate an effective federal-provincial partnership to meet the needs of children and parents when family disputes occur, reflecting the high degree of interdependence in this area of law and social policy. The federal government provides and pays for specialized family law judges with complete jurisdiction. This allows for one-stop shopping, less delay in costs and better understanding and outcomes. The provinces use the resulting savings to provide and pay for an array of social services for families experiencing disputes which will result in reduced levels of conflict, mutually agreeable outcomes and better futures for families and children.

[*Translation*]

In the long term, this bill will benefit children, because the risks of conflict will be lower and these conflicts will be settled more quickly. Children's needs will be better cared for, the results will last longer and, in terms of protection, child support, custody and access, the approach will be based on intensive and integrated services.

Once again, this reflects exactly the views expressed by those who appeared before the joint committee of the House and the Senate to the members representing all political parties, and to the senators.

[*English*]

In conclusion, these amendments will serve to strengthen what is already one of the best judicial systems in the world by enhancing the independence of our courts and improving access to justice. The improvements to the judicial compensation process will ensure continued public confidence in the independence of our judiciary.

Increased judicial resources for unified family courts combined with provincial commitment of support services will improve the way our courts respond to families and children in crisis. That certainly is one of the priorities of the government and I am sure of all members of the House.

● (1030)

I hope we can look forward to the support of all members in moving these important amendments to the Judges Act quickly through parliament to the benefit of all Canadians.

Mr. Jack Ramsay (Crowfoot, Ref.): Mr. Speaker, I extend my appreciation for the clear and forthright manner in which the parliamentary secretary to the justice minister has put forward the program of government in the bill and the rationale that she has presented. We can examine that and we can critique that, and I appreciate that.

I rise today to debate Bill C-37 for the last time. This is the third occasion I have had the opportunity to state Reform's opposition to the bill which grants judges an unprecedented salary increase within the public service of 8.3% over the next two years.

For those who are listening or who may be reading *Hansard* either in paper form or on the Internet, I want to point out that 8.3% over the next two years does not tell the whole story. We have to ask 8.3% of what. It is of the base salary judges are making at this time. The average salary of federal court judges is approximately $140,000 a year.

The question is whether this is the appropriate time to be taking more wealth out of the hands of the people to give our public servants, in this case our federal court judges, a raise at a time when families are struggling to make ends meet and to keep body and soul together.

As I said in earlier debates on this subject I think this is wrong. It is the wrong time. I often wonder about the Scott commission which made this recommendation to parliament and that representation to the justice committee when witnesses were called. Mr. Scott himself appeared. I wonder if members of that commission went to the people of the country, to the families that money will come from to grant federal court judges that kind of a raise. I ask as well if members of the government have considered this not only in view of Bill C-37 but also in view of the report table that will give MPs a 2% raise, which amounts to about a 10% increase over the next four years. Is this the time to be doing this?

I say that it is not. We should be asking the people who will pay more in taxes whether or not this is fair and whether or not judges and members of parliament at our salary levels can suffer a bit longer, perhaps another two or three years. Perhaps we can see our way clear to giving the people of the country an economic benefit either through enhancing the economic climate of the country or reducing taxes to them and allowing them to take home more pay.

Would it not be wonderful if we did that first? The Scott commission and the government are now asking the people of the country to dig deeper into their pockets to give someone making the pay of an MP or the pay of a judge, $140,000 on the average for a federal judge, more pay so that they can take home a greater benefit. There is something wrong with this, and I just want to give some statistics.

Before I go any further I express my gratitude to the House and to the government for accepting my amendment to Bill C-37 that was supported and passed earlier this week. As a result every four years the standing committee on justice will have the opportunity to review the report of a commission on judges' salaries and benefits.

● (1035)

This task will not be left solely to the Minister of Justice. We will be able to call witnesses from the public to see whether any increase recommended by the commission to be established by the bill is fair, to see what are the economic conditions of families and people of Canada at the time, and to see whether there is a proper balance between the need for more take home pay by judges and the plight of Canadian families. We must remember that it is reported that one child in every five is living in poverty.

Did the Scott commission consider that? Did the commissioners realize that by asking for this kind of pay raise for federal court judges they would be taking money from the families of those children who are reported to be living in poverty? They are living in poverty while our judges are taking home a minimum of $140,000 a year on average.

There is something wrong. I understand the need to attract the best in the legal community to the bench. Surely there are top legal minds out there who are prepared to serve their country and its people and to show the leadership we so desperately need in this area.

A poll in July 1997 showed that 52% of Canadians had little faith in their courts, in their judges. Why is that? The people are saying to us, to the courts and to other Canadians that they are dissatisfied with the leadership being shown in some of the decisions being made by judges, which indicates very clearly that some decisions are not being made in the best interest of the majority of the people.

Are they pleased to be taxed more? Are they pleased that the power of the state is being used to take more money from people including families whose children are reported to be living in poverty in order that judges might have more take home pay? This is the wrong time.

I agreed with my Bloc colleague on the committee when he pointed out that it was not the right time. Should we not wait until

we see the heads of families taking home more income than they are now before we begin to give ourselves and judges a raise? There is no question in my mind. If the government would take the proper economic course we would not be far from that.

The government has balanced the budget mainly on the backs of taxpayers. We are now in a position where we might be able to offer tax relief and debt reduction and to give our children and grandchildren hope that one day they will be able to take more of their dollar home. Fifty per cent of every dollar the average Canadian earns is taken by taxes in one form or another, and now the Scott commission and the government are asking that they take less home. Why? It is be cause we must have a pay raise of 10% over the next four years and the judges must have a pay raise of very close to 10% over two years, compounded as it is.

Let me give some statistics. According to an Ottawa *Citizen* article on June 10, family incomes are still dropping. As a result Canadians need to stretch the family budget more to keep a roof over their heads. The reason is that while housing costs eased during the first half of this decade family incomes declined even more. That nudged the proportion of Canadians who spend at least 30% of their income on shelter and thus potentially face problems covering their housing costs to one in four households or almost 2.8 million households. These are the people the government and the Scott commission are asking to pay a little more.

Why? First, the judges want more money. We have to make sure they take home more pay even though the people of Canada will not be able to take home to their families more pay to provide for their children and their needs in the areas of clothing, food and shelter. We spend more on taxes in Canada than we do on those three items. We are the highest taxed country in the G-7. Why? Is it not because of decisions such as this? Is it not because of legislation such as this? Through the force of law we are to take more money from these people. I do not think that is right.

● (1040)

The findings I referred to were released by Statistics Canada and were derived from the 1996 census. An additional *Citizen* article on the same date also revealed that more and more two parent families had two parents in the workforce in 1996 while at the same time the number of children left at home was increasing.

Statistics Canada reported that the overall lower incomes among Canadians in 1996 is the reason both parents were being forced into the labour market. Is that not wonderful, while judges and MPs will be taking home more money? How can we go back to our constituents and argue that? How can we do that? How can we say to those folks that we know they are struggling?

My constituency is facing a drought. I received a call from a rancher out in the Byemoor area of my constituency who said they were finished if it did not rain. They will have to sell off their herds. Their cattle are being moved out to the grasslands now because there is no grass. We are saying to them that is their problem but we need more money from them. Why? It is because we want to have more take home pay and we want the judges to have the same. How can we do that? I cannot do that.

We stand as the opposition to cry out against it. Although there are good things in the bill to which I will come that we could support, we cannot support a bill that will do this to the people of Canada. We just cannot do it. How can we look in the mirror and say this is fair? How can we do that?

As elected representatives of the people we are required to justify this to the source of our authority, the people who elected us, the people we represent. We represent everyone in our constituency, even those who voted against us. We have a duty to stand on guard to protect the economic viability of their farming and ranching operations. Some of them take home meagre pays.

My wife and I raised four children. I have young twin sons who are in the labour force now. The tax return of one son showed that he made $14,000 working at just above minimum wage. He had to pay with taxes and deductions almost $2,000. The bill is saying that Spencer Ramsay will be required to pay more. Why? It is because judges want to take home more pay and members of parliament want to take home more pay. He will have to provide that for us through the force of law and if he does not we will take him to court. We have ways of dealing with him.

There is something wrong with this story. There is something wrong when we do this to our own people and then we cry—

An hon. member: We can sell Stornoway.

Mr. Jack Ramsay: We could deal with that and we could deal with a lot of other things.

We are talking specifically about a bill that is designed on the surface to look good. Judges do a tough job and are required to interpret the law. They have studied long and hard and were found worthy to be appointed to august positions of responsibility. However, when we compare their lifestyle with the lifestyle of one out of every five children reported to be living in poverty surely we can tough it out a bit longer.

● (1045)

Surely the judges can go another year or so. Hopefully the economy will provide an upturn for them so that the wealth we tax from them will not be in as great a proportion as it is today. Surely we can do that. As members of parliament, we should be able to do that as well.

Yes, our judges need decent courts. They need decent facilities to function in, as we do. The people do not begrudge that but we are not talking about that in this case. We are talking about our take home pay. Really we are saying taxpayers are going to have to take home less pay because we want to take home more. How can we say that?

We confuse the issue. We mix it up with legal jargon and we put it in a bill. We have a commission look at it. It makes its recommendations. Then we do not go beneath that to look at what it has been looking at.

We just say this is the recommendation by the commission. Its members have looked at it. We have assigned them and we have appointed them to do the job. That is it. We are going to take their recommendations and go forward. The bottom line always is where does the wealth come from.

Governments do not create wealth. They only take it from people who do. We must do it in a balanced and fair way. I do not think most of our judges are selfish people, not at all.

How many of them are saying a raise would be nice, but let's consider everything, consider the people who are going to have to pay for their raise, how are they doing? I am sure they would say that.

We are not involving them directly. It would be hard, I understand, perhaps to do that. Nevertheless, when we look at a $17,000 pay raise over two years for some of our federal court judges, when my children and the children who are now entering the labour market take home $14,000 after labouring for a year at just above minimum wage and our judges are going to take $17,000 more home in the next two years and we as MPs over the next four are going to take home another $5,000, I can suffer a little longer. I think the judges can as well.

I want to point out what we can support in this bill, the appointment of additional family court judges to the bench.

Although this speaks of certainly a social if not a moral condition existing within our country where we need more judges in family court to deal with the increased workload, the backlog of cases coming forward, we can support that.

We do not think individuals who require the services of a court and the wisdom of a judge to decide the legalities of their precarious situations or any situation that might demand the scrutiny of a court should have to wait and wait. In the criminal court in B.C. I understand there are over 40,000 cases backlogged.

I cannot support this bill because of the financial burden it is going to place on our taxpayers. I think at times when we have to provide greater services in needed areas, we can do that.

If we have to ask the people to sacrifice more, it has to be in those areas and not to provide judges and MPs with more take home pay. We cannot do that. If we can, then I am missing something in this whole debate.

If we can say to my son and all our sons and daughters who are out there entering the labour force and making minimum or just above minimum wage that we are going to take more from them to give someone making $140,000 a year more take home pay, I cannot argue that. I cannot debate that with them because I will be on their side saying it is not fair because it is not fair and it is not right.

● (1050)

The greatest threat to the economic stability of the family and the individual is the unlimited power of the state to take, to tax away their wealth which they create. That is the greatest threat. Since I have been in this House since 1993 we have seen the continued erosion of the take home pay of our families.

Since 1993 the average family's disposable income has dropped by some $2,500. That is probably the minimum. We just go blindly on because the minister has brought in a bill. We are going to pass this and suffer the consequences. Who is going to suffer? Not the judges and not the MPs. We are not going to suffer but our sons and daughters will, our children will and our grandchildren will.

What are we getting to? Are we going to take more and more out of the economy and away from the families? Are we going to see the number of children living in poverty increase because of this? This bill is just a symptom where people are saying they want more and we are going to have to give more. We are saying that to the taxpayer.

I cannot support this bill, although there are parts of it that I can support. Not unlike the report tabled in the House on this benefit package, there are some things there that I can support, others I cannot. I cannot support the bill.

In this area I want to touch on something that is extremely important. It is the motivation for this bill. This bill was motivated as a result of the Supreme Court of Canada's decision on the Alberta case and the P.E.I. case where those governments were attempting to roll back the salaries of judges because of the economic conditions existing in those provinces. They were trying to get their spending under control and so the judges fought that and took it to court.

The Supreme Court of Canada has simply decided that all governments in this land, including the federal government, must set up a commission which will at the federal level at least every four years examine the need for increased benefits to the judges.

The most alarming part of that decision is that it has been inferred that any unwarranted interference by the government, unwarranted in the eyes of the courts, interference in the pay and benefits of the judges, can be considered an interference with the judicial independence of the court. I say that is a grave decision because of what it means.

It means that if in dire circumstances we want to reduce as a government the tax burden on the people of this country and roll back the salaries of the civil servants, including MPs and judges, the courts alone can say we cannot do that because that constitutes in their judgment an interference in the judicial independence of the court.

I support the dissenting opinion of Judge La Forest that the Parliament of Canada and the governments of the provinces do have that right and that it does not constitute an interference in the judicial independence of the courts.

The spinoff effect of that is if this thinking and rationale are to be accepted by this parliament, what it means directly or indirectly is the courts impinging on the power of parliament to tax.

● (1055)

What they are saying is that we cannot reduce taxes to lower pay. We must maintain the taxation rate or increase it. That is an encroachment on the supremacy of this parliament in the area of taxation.

Although I would like to see the people of Canada have the power to encroach on parliament's power to tax, if the courts are going to do that then I think we are moving to the edge of a slippery slope. As this bill goes forward and as this parliament accepts that decision and the consequences of that decision we will see where this eventually leads this country.

It is so important that we maintain the division of powers between the executive and the judiciary. Do we not see the disintegration of the division of powers between our judiciary and the executive or the Parliament of Canada in some of these decisions, particularly this one? Where is it going to stop? How do we stop it?

How do we intervene? This bill does not intervene. This parliament is accepting and embracing it. I hope the upper chamber, the chamber of sombre second thought, will click in and take a look at this because it is obvious we cannot stop it here. We have not even looked at that aspect of it.

We had two hearings before our standing committee with two sets of witnesses where we could not even broach that question because it was outside the realm of this bill. It motivated the bill. It directly related to this bill because this is what spawned the bill. That decision created the need for this bill.

Is the Government of Canada prepared to hold back a minute to question whether it is prepared to accept the consequences of this decision? Are we prepared to accept an encroachment on our right of taxation? Are we prepared to accept that the Supreme Court of Canada appears to have read into the charter of rights of freedoms this whole question of judicial independence being interfered with by the Governments of Canada and the provinces? If they decide they cannot give a raise or they have to roll back pay, if this in a subjective way is not agreed to by the courts of this land, that is what we are looking at.

The gravity of that is yet to come and yet we are seeing that. If we see the collapse of the division of powers in this country what are the consequences of that?

Where did our parliamentary system evolve from? It evolved from the divine rule of kings. When we saw the split and division that occurred between those who create the law and those who interpret and enforce the law, that created the basis for a democracy. When we see the collapse of that then what are we going back to? Are we going back to the divine rule of kings where we are going to exclude the division of powers and the groups that represent the competing responsibilities in this country? Are we going to do that?

I say that this bill is heading us in that direction. In fact, I see the judicial activism in this bill loud and clear. The warnings are there. As the official opposition we are putting that warning on the record and have expressed that concern in committee.

● (1100)

I hope that other members who will be speaking on this bill will express their opinion on that. If I am wrong, then show me where I am wrong and I will accept that. Show me what I have not considered.

As a policeman I always followed the truth: the evidence, the facts. I based my decisions upon them. At the end of a day I might come to a conclusion based upon all the facts gathered, but the next day might bring additional facts which would expand my conclusion or change my opinion.

I invite members who might have an interest in this particular area of the bill to address it, to add their experience, knowledge and wisdom to this particular question.

Are we seeing in this country an erosion of the division of powers between our executive and our judiciary? If we are, what can we do about it?

I have great concerns about the bill. Earlier I spoke about it being the wrong time to give judges and others, including ourselves, a pay raise, when families are struggling to make ends meet. I recognize the need for us to suffer a little longer with them until the

economy turns around and we can grant them greater take home pay through cuts in taxes and so on.

We are supposed to be working for them. If we deserve a pay raise, why do we not ask them? If we have done our job well and they are taking more pay home and doing well, and if there are no longer families and children living in poverty, at that point we could ask, if we are doing a good job and working very long hours, do we deserve a 2% raise? Do the judges deserve a 4.5% or 4.3% raise over each of the next two years? I think questioning that would be fair. Right now it is not fair.

This bill is heading in the wrong direction. The timing is wrong. I hope I hear from some of my colleagues in the House. I respect their opinions and always have in this area. I hope this area might be addressed. Are we witnessing a disintegration of the division of powers between the judiciary and the state? If we are, is it a good thing or a bad thing? Or am I seeing something in this bill that does not exist? I will leave it at that and wait with anticipation to hear from some of my learned colleagues who will be speaking to this bill.

[*Translation*]

Mr. Michel Bellehumeur (Berthier—Montcalm, BQ): Mr. Speaker, this morning we are considering Bill C-37, an act to amend the Judges Act and to make consequential amendments to other Acts.

I think the first question we should ask is why, today, we are at this point. We are at third reading of a bill concerning judges' salaries, Bill C-37. I think I should first provide a bit of background first and take a look at the constitutional context of the whole matter.

On September 18, 1997, the Supreme Court of Canada in a reference on the pay of provincial court judges in Prince Edward Island, determined the constitutional requirements the legislator must abide by in establishing judges' pay. The court stipulated that the independence of the court system, as protected by the Constitution, involved the establishment of an independent and objective commission with sway over decisions on judges' salaries.

The provincial and federal attorneys general asked the supreme court to stay the effects of the decision to enable them to meet the constitutional requirements.

● (1105)

The supreme court acted on this request in its decision. On February 10, the court decided to stay the effect of its decision from September 18, 1997 until September 18, 1998.

The justices of the supreme court sent us, the lawmakers, the following message ''Change the law to comply with our recent decision, and we will give you time to do it, that is, one year, until September 18, 1998''.

Since time flies—here we are at the end of the session—the House must consider this legislation and its amendments and act on them.

The government amendments we have before us, however, are not necessarily what I would have liked to see. As it stands, the supreme court ruling calls for the creation of an independent commission, nothing more.

This is clear from reading the ruling. It calls for the creation of an independent commission, period. The government party is not right in saying that it is merely giving effect to a supreme court ruling with its salary increases. Naturally, I will come back to the government's salary increases for judges during my speech.

The supreme court ruling is not to be interpreted as a requirement to increase judges' salaries. To respect the constitutional imperatives imposed by the court in the reference, parliament is not obliged to go along with the Scott commission recommendation to increase judges' salaries. At the very outside, parliament should undertake to set up an independent commission that can influence, but not dictate, judges' salaries. Here again, it is very important to look at the supreme court ruling, to understand it and to compare it to the bill before us.

The Minister of Justice was not obliged—and I choose my words deliberately—to include an 8.2% salary increase over two years for federal judges in order to meet the constitutional requirements set down by the supreme court. Clause 5 of the bill we are now studying, Bill C-37, which contains the salary increase provision, threatens the whole bill, in my view. This is unfortunate because the bill contains some very good elements, such as the creation of permanent judicial compensation and benefits commissions.

The Bloc Quebecois considers that the government is far exceeding the conditions set by the supreme court in proposing a salary increase of 4.1% per year for two years. The government used a false claim of unconstitutionality to justify a salary increase that was not required by the supreme court in the reference on judges' salaries.

While only one clause in the bill being considered poses a problem, we cannot support the bill. The Bloc Quebecois is entitled to demand rigour from the government in the drafting of its bills and the avoidance of unjustified discrepancies.

It is immediately clear from the bill that the government has gone much farther than the justices of the supreme court asked it to. If we add up all the increases proposed in the Scott report and those authorized by government for the statutory increases provided under the Judges Act, passage of the bill will give the judges an increase of 12.4%.

• (1110)

As it appears that the government has been preparing this one for a long long time, the bill is likely to be passed intact.

While clause 5 of the bill refers to a salary increase of 4.1% a year for two years, the federal judges will be entitled to an increase of over 12% retroactive to April 1, 1997, if the bill is passed by the House of Commons.

If we add indexing of 2.1% on April 1, 1997 and 2.08% on April 1, 1998 to the 8.02% provided by the bill, the total is an increase of exactly 12.38% that will be given the judges. An increase of 12.8% just calculating the increases provided under the law and Bill C-37. It is simple math. Just add 4.1 twice, plus 2.08, plus 2.1%. We must add up all these increases to understand that, retroactively, this makes a total increase of 12.38%.

Any accountant and reasonable person who looks into the matter will tell you that the combined effect of these individual increases is an overall increase of more than 12.38% because increases are all one over another. Factor in retroactivity and we have been told by accountants that it is actually closer to 13%. That does not make sense.

As a the matter of fact, under Bill C-37, if passed, a superior court judge will earn approximately $175,800 a year. The chief justice of the Supreme Court of Canada will see his salary increase from an attractive $208,200 to a lovely $225,700. I do not think these can be considered middle class incomes. Yet, the government is granting judges a salary increase of approximately 13%.

Let me digress for a moment. At present, it is clear that the government across the way is not even able to come to an agreement with his own employees. Our pay clerks at the House of Commons did not get even a small salary increase, only crumbs off the table of the rich. They have to fight with their employer, and the pay office. They have to fight with the government, the Board of Internal Economy, just to get what they are owed, to maintain salaries similar to those paid elsewhere in government. They cannot get a small increase and adequate recognition for the work they do. The government over there will be giving about $25,000 in pay raises to senior justices, and $20,000 to the rest.

These judges perform very useful work, I am sure, but I also believe that certain government employees do extremely necessary work, including the pay clerks, who are currently involved in a dispute with the government.

Returning to the judges' raises in particular in Bill C-37, the Bloc Quebecois cannot honestly understand how the government can commit to a pay raise of 12.4% for federal judges, when we know that the attack on the deficit, and the subsequent budget surplus, are being achieved on the backs of the least well off. The incomes of those most in need are being cut, and those with high incomes are being given increases.

The government is not capable of competing with the lucrative private job market. That is one of the arguments that has been raised. We are told that, if we want to have competent judges, we have to pay them properly. I agree, but I think that, at some point, there has to be a limit.

• (1115)

David Scott, the head of the commission that looked into judges' benefits in 1995, told the justice committee that the government ought to raise the pay of federal judges if it hoped to attract the best candidates from the private sector.

At this time, the lists of candidates for judgeships are full to overflowing. The Judicial Council will attest to the fact that there is no shortage of applicants. Lots of people are queuing up to get judicial appointments.

If, however, the government has set itself the objective of going after the top-flight lawyers in the major law firms, the 4.1% increase yearly for two years will not make any difference to that.

When a lawyer emeritus decides to make the leap to a judgeship, he or she does so for the professional prestige, not just for the money. Despite the salary freeze of recent years, the federal courts have excellent magistrates at this time. Let me take this opportunity to congratulate and thank them for the excellent work they do in all the courts in Canada, particularly the provincial courts in Quebec, the superior court and the court of appeal. I congratulate them on their excellent work.

They do not do that excellent work because of the pay. They do excellent work because they have the qualifications and qualities required, they have good judgment, they are professionals, and I congratulate them. Again, it is not because we are giving them a 4.1% raise over two years that they will do an even greater job. Judges will continue to work the way they have been since they were appointed to the bench.

Are we to understand that the government decided to opt for a strategy similar to that used by major professional sports teams, which are prepared to raise the stakes in order to attract the best athletes? If so, the government should find a new approach, because it is not in a financial position to compete with private law firms. We all know that some brilliant lawyers in some big private firms make a lot more than $200,000 per year.

However, this does not necessarily mean that a lawyer who earns $150,000 in a private firm is not as good as one who makes $250,000 or $300,000. This is not how lawyers are rated. But the government seems to think so. I do not agree.

I know judges who used to work for legal aid, a government service. I know some who used to be crown attorneys and who are now excellent judges. These people did not earn $250,000 or $300,000 per year, yet they are very good judges because they believe in their profession and in the justice system. They are good,

but they were not paid like brilliant lawyers in big law firms around the country, including in Montreal and in other major centres. Yet, they do a great job.

I heard all sorts of things about the review of Bill C-37. At the risk of offending some people, I say that anyone who works for his or her country—for Quebec or for Canada—must be considered a public servant. The salary of that person is paid by Canadians through their taxes. Senior public servants, secretaries of state, ministers, the Prime Minister and others are all paid with taxpayers' money, which means they are at the service of the public and the state. Judges—and this may upset some people—are also at the service of the state, since it is the people who pay the judges' salaries through their taxes.

We must keep that in mind when we give a raise or when we pay a salary to someone who works for the state.

● (1120)

Of all the people working for the government, in Canada, specifically the professionals, including the Prime Minister, the ministers and all the members of this House, the judges are the best paid.

In considering the salary of judges, we have to think what an individual might earn in a liberal profession of similar scope. The Bloc Quebecois agrees with all those who say that judges perform very important functions and should be held in esteem in our society because of their position.

The Bloc Quebecois is not starting a war against the judges. On the contrary, it is simply raising the choice the government has made, which, in our opinion, is not the right one. So the judges are the best paid in the professional category in Canada.

In an article on May 13, the *Toronto Star* informed us that our judges earn an average of $126,000 a year. That is more than medical specialists and lawyers earn. Medical specialists earn about $123,000 and lawyers in private practice, an average of $81,000.

Mr. Speaker, I have a question for you. Should judges earn more than medical specialists? Which is more important in society?

I think the question is an easy one to answer or that, at least, it raises other questions. Is this the way we should look at it? Maybe not. Maybe we should not be comparing the salaries of judges and doctors.

The point I want to make, however, is that a medical specialist is every bit as important to society as a good judge. Why give an astronomical increase to judges and not to medical specialists? At some point, we have to stop and think. Is the increase too high? I think the government did not give it enough thought.

Another thing that bothers me a little bit about this bill is that they are trying to conceal the fact that it is retroactive. It is retroactive to April 1997. Why should there be retroactive compensation for the salary freeze of recent years? That is the reason we are being given. It is not retroactive, but it goes back to April 1, 1997 because judges' salaries have been frozen in recent years. Either it is retroactive, or it is not. If the government wants to compensate them for a freeze, they should be compensated for what they lost, and not more. In response to the minister, therefore, indexing would have been enough. But the government is giving more.

The 1995 Scott commission's report on judges' salaries and benefits proposed an 8% increase as compensation for the ground they lost in recent years. The Minister of Justice probably based the 8.2% increase mentioned in clause 8 of Bill C-37 on this figure.

As even certain Liberals on the Standing Committee on Justice and Human Rights have said during hearings, this catch-up policy is unacceptable. When salaries are frozen, it is because the public purse cannot keep pace with the consumer price index.

A salary freeze does not necessarily go hand-in-hand with a promise of an increase when the situation has improved. We are barely out of a budgetary crisis—a look at Canada's deficit makes it plain we are not yet out of the woods—and one of the ways this was done was by making the most disadvantaged members of society foot the bill, and the government is preparing to spend money retroactively by increasing judges' salaries and indexing them as well.

Public service salaries also dropped during the period when indexing was frozen. Members also had their salaries frozen for five years.

● (1125)

When the freeze was lifted, if one could call it that, the 1% or 2% indexation was restored, but there was never any question of raising salaries to compensate for the money lost because of the freeze. Why should we give judges special treatment? Whey should they be treated differently than other government professionals or salaried workers?

We also know that the least well off are the ones who have had to bear the brunt of the fight against the deficit, as I have already pointed out.

Now. the government is making those same people pay for the judges' salary increases. Those in greatest need get cuts, and those with what I consider respectable salaries are given an increase that works out to around 13%, when all the raises are combined.

Time is flying, but I would like to quickly remind people of the cuts to social transfers. The government over there cut billions in transfer payments. The eligibility criteria for employment insur-

ance, formerly unemployment insurance, have been tightened up. In fact, judging by the effect on the public, it ought to be called poverty insurance. The government will be taking billions from the pockets of workers.

Now that the Minister of Finance has a bit of money to play around with, he wants to give it to the most well-off in salary increases. I think that both an individual and a collective contribution are required here. The Minister of Finance is digging into the employment insurance fund to solve his budget problems, and everybody knows it. I think the Bloc Quebecois has done excellent work on this. It has alerted the public to this extremely important matter.

I have already referred to transfer payments. It must be kept in mind that the amount the federal government transfers for health has been cut back terribly. This week we heard the minister boasting that the cut was only $42 billion, rather than $48 billion. Forty-some billion is a really big amount. I am not saying he was right or wrong. I am simply saying that he made these cuts on the backs of the most disadvantaged and vulnerable in our society, and on the backs of the sick; so he should not turn around and give the money he cut to the wealthiest.

The public remembers that the same people always pay. We have to conclude, in the case of Bill C-37, that the rich are not treated like the poor and disadvantaged.

The government wants us to agree and approve a bill awarding an increase like this. The government is accusing us of failing to honour the Supreme Court decision. That is not true. We want to comply with it. We are simply saying that the government is going well beyond the Supreme Court decision, because there was no mention of what sort of increase we should give the judges in that decision. The Supreme Court said ''Set up an independent commission''. We could simply have limited the scope of the bill to establishing the commission sought by the justices of the Supreme Court of Canada.

In closing, judges too, in my opinion, should make budget sacrifices. Ask the man in the street. I am sure you will find that they agree with the Bloc Quebecois that judges, ministers, Prime Ministers and the like should contribute equally to the effort to eliminate the budget deficit.

Those opposite often criticize what goes on in the Quebec National Assembly.

● (1130)

Mr. Bouchard and his government could probably teach the members across the way something about making budgetary sacrifices, because that is what they have done in Quebec City, the premier included. Judges also did their part. The government reduced its payroll by 6%.

Why would it be any different here? If the federal government is taking in too much in taxes and no longer knows what to do with all the money, it could perhaps turn it over to the provinces so that they could use it as they saw fit, for their own objectives, to reduce their own deficits and ultimately lower taxes.

Since the federal government is providing increasingly fewer services to the public, if it no longer knows what to do with the money, it should get out of a lot of areas and leave the taxes for provincial governments, including the Government of Quebec.

I believe that all members of our society must work collectively to put our fiscal house back in order, and federal judges are no exception. An increase in the salary of federal judges during a period of cutbacks would, in our view, further undermine the public's confidence in the judiciary.

In closing, I wish to cite Mr. Justice Lamer himself, whose opinion can be found in the reference on judges' remuneration. It will help the members opposite in their reflections. In the supreme court ruling, Judge Lamer said the following:

> I want to emphasize that the guarantee of a minimum acceptable level of judicial remuneration is not a device to shield the courts from the effects of deficit reduction. Nothing would be more damaging to the reputation of the judiciary and the administration of justice than a perception that judges were not shouldering their share of the burden in difficult economic times.

It could not be stated more clearly. Even the supreme court judges, in their ruling, told the Parliament of Canada that it should not give them salary increases because it would be prejudicial to the public's perception of them.

I sincerely believe that an increase that is close to 18% and that is retroactive to April 1, 1997 is ill-advised, and that it will not achieve the specific goal of increasing the public's confidence in the judiciary.

[*English*]

Mr. Peter Mancini (Sydney—Victoria, NDP): Mr. Speaker, it gives me pleasure to rise to speak to Bill C-37, an act respecting changes to the Judges Act, changes to salaries with respect to eligibility for annuity, et cetera.

I will begin my comments by indicating, as has been done by some other speakers, particularly my colleague in the Bloc Quebecois, that there are some good things in this bill. I have indicated that in previous addresses to this House.

Clearly the creation of the unified family court in provinces in this country is an important step forward.

Like the Parliamentary Secretary to the Minister of Justice, I am honoured to serve on the Special Joint Committee on Child Custody and Access. I would say that one of the difficulties in

sitting on that committee is that it sits at the same time as the Standing Committee on Justice and Human Rights.

I appreciate the frustrations that both the parliamentary secretary and myself have had in trying to make both meetings. However, at the meetings we have attended, it has been clear that many individuals who have come before that committee have had experiences in provincial courts dealing with the issues of custody and access, and perhaps matrimonial property if the court has the jurisdiction to do that. In some provinces it may and in some provinces it may not. Then they find themselves before a superior court dealing with the federal legislation of divorce and a whole range of matters that have already been dealt with which have to be re-adjudicated.

● (1135)

The movement toward a unified family court is a good move. Were it not for other aspects of this bill, my party would support it.

With regard to the special joint committee on child custody and access, I mentioned the difficulty that the parliamentary secretary and I had in attending those meetings. That has been compounded by the fact that, like her, I have constituency work to do and voters to be answerable to. They are the most important reason we are here today and they are the most important priority for myself and for other elected members of this House. Unlike certain colleagues in the Senate who have a lot more time because they do not have constituents to answer to and they are only on one committee, we have had to divide our time between the many responsibilities that we have as elected representatives.

This bill moves in the direction of providing annuities and benefits to the surviving spouses of the judiciary. It provides a mechanism for the division of property for the judiciary.

An amendment was suggested by a member of my party to change the definition of spouse in the act. I will read the definition: ''A surviving spouse, in relation to a judge, includes a person of the opposite sex who has cohabitated with the judge—''. In recent court rulings of the Supreme Court of Nova Scotia and in other human rights cases there is some question as to whether or not the definition of spouse, which is an older definition in the act, will hold up to judicial scrutiny at some point down the road. It seems that we could have gone further and taken out the heterosexual nature of the definition of spouse in the act and saved it from litigation at some point down the road. However, that amendment was not deemed important enough to be brought forward.

Those are some of the good aspects of this legislation that are worthy of consideration. At the same time there are important areas that could have been addressed by the Minister of Justice in bringing forward amendments to the Judges Act that have not been addressed.

First, I will deal with the formation of the committee that reviews judicial salaries. I have said before and I say again that I think that committee could have been expanded. I appreciate that the Minister of Justice used a model from arbitration, where a member is nominated by the judiciary, a member is nominated by the government and a third party is nominated by both individuals. However, we could have expanded that committee. We could have included a member of the Canadian Bar Association. No one knows better how much work the judiciary does than the lawyers who appear before the courts on a regular basis.

Some of the judiciary in this country are exemplary. Some go beyond the call of duty. They work late nights. They accept responsibilities. When cases fall through, they go looking for other cases to deal with their workload. At the same time, we know there are members of the judiciary who are not as hardworking as others. As parliament continues to play an increasing role in certain areas, some members of the judiciary have simply retreated from making decisions.

For example, consider the results of Bill C-41 which brought into existence the maintenance tables that the judiciary now uses upon divorce. There was a time when the responsibility of the judge upon divorce was to inquire as to what the means and the needs of the parties were, whether the children were provided for, what special circumstances families had to take into account. Today many of the judiciary simply ensure that the guidelines are imposed. They say they have no responsibility to make further inquiries. They have abandoned that work.

● (1140)

I will again refer to the Divorce Act where in many cases the plan is put forward by the children. We heard on the special joint committee on child custody and access repeated calls for parenting plans to be put forward by parents of children upon divorce.

In many cases it is left up to the lawyers to negotiate that and to ensure that there is a checklist for the judiciary. The judiciary simply checks things off in the way a clerk might. They say ''Well, you haven't filled in all the blanks, so take the divorce papers back and when the lawyers do all the work bring it back to me and I'll sign on the dotted line''.

When we hear that type of thing the bill falls short of what might have been done.

First of all, the committee could have been expanded, as I have indicated, to include members of the bar association and to perhaps include a member from the Canadian Union of Public Employees. The Canadian Union of Public Employees represents public servants in this country who are paid by the taxpayer in the same way

that the judiciary is. Why not have someone sitting on that committee on judicial salaries who understands what other public employees across this country are dealing with in terms of their own expenses and costs of living?

It has been mentioned by both my colleague in the Bloc and the member for Crowfoot that the people who work in the court system, the people who work in the protonotary's office, the people who work in the deeds office and the people who sit at the feet of the judges transcribing what goes on in the courtroom have suffered as a result of the government's emphasis on deficit reduction, have suffered roll-backs and freezes at both the provincial and federal levels. It would have been very interesting to have a representative of the Canadian Union of Public Employees sit on the judicial salaries commission.

The failure to expand the committee is a flaw in the bill.

I also think, and this has been the crux of many comments from other individuals, that the size of the increase in pay at this point in time for the judiciary is one that we have to question. The estimates and the figures we have been given range from 8.4%, I believe from the Parliamentary Secretary to the Minister of Justice, to well over 13% from the hon. member in the Bloc Quebecois. Either figure at this point in time we have to question, given the nature of what people in this country have gone through.

Further, given the fact of what we have seen in this country under the current economic policies, the gap between the wealthy and the poor continues to increase. That ought to give us pause for concern as we move to increasing the take home income of some of the wealthiest people in the country by either 8% or 13%.

It is not that I do not think the judiciary ought to be well paid. It is not that I do not think the judiciary has a difficult and important job to do. However, at a time when those who work in the court system and those who appear before the courts are suffering, it is unacceptable that we give such a high increase.

I see my hon. colleague from Pictou—Antigonish—Guysborough in the House today. He and I walked a picket line in Halifax. I must say that it was not a situation he was most comfortable with or used to. I had to give him a few lessons on where to turn and how to hold his sign, but he passed with flying colours. It was a sight to be seen. I think our picture appeared on the front page of the daily news. I am sure that Conservatives across that province will take great comfort in the fact that the Conservatives are now walking the picket lines.

However, on a more serious note, we walked that line with the crown attorneys for the province of Nova Scotia. We walked that line with the crown prosecutors in the province of Nova Scotia who were forced onto the street because they had been struggling with pay reductions and increased workloads and simply could not handle it any more.

● (1145)

The legal aid lawyers appear before the judiciary on the most serious matters every day, the most serious criminal matters, the most serious family issues that come before the courts on the questions of custody and access. They defend people who are charged with the most heinous crimes. The crown prosecutors prosecute those crimes to ensure justice is done. They have not had a pay increase. In fact they have had services and incomes slashed in the last four or five years.

I refer to section 41 in the Judges Act. I find this most interesting especially at this point in time. There is a section which allows and authorizes the court to pay for conference allowances, reasonable travel and other expenses actually incurred by the judiciary in travelling to conferences. As I have said I do not oppose that. I think it is important that judges attend conferences and that they understand and have an opportunity to explore the law.

However in my own province the travel budget for legal aid lawyers, and I am sure it is the same for any crown prosecutor, to travel to a conference to further educate themselves has been cut to the point where they cannot go. It is impossible. They have been told ''We may pay for the registration fee but you pay for the travel allowance. You pay for your accommodations. You clear your schedule and find a lawyer who will cover for you. If you can accomplish all of that, you can go''.

Understanding the importance of continuing legal education, we have made provisions for the judiciary to have their reasonable expenses met. So what are we doing? We are creating a situation where the judiciary sitting on the bench will be even more critical of the lawyers who appear before them because the lawyers cannot afford to go to the same conferences to be as up to date on the law as they should be. How does that advance the interests of justice?

If the money is available for the judiciary, then we have to make it available for other programs. If it is not available for the other programs, then it is the wrong time to advance for the judiciary a pay increase of the magnitude which we have before us.

There are a few other important points to make. My colleague the member for Crowfoot from the Reform Party has raised some interesting issues on the question of the supreme court case which resulted in the creation of this commission and judicial independence. He and I have discussed the issue before.

The member says that we see an increasing role for the judiciary at the expense of the supremacy of parliament. I would point out

that the supremacy of parliament requires checks and balances and always has. The idea that the British parliamentary system is one that has always met the needs of its population is one that is open to historical scrutiny.

It seems to me that on the very issue of universal suffrage, the Parliament of England refused to grant universal suffrage time after time after time up until the turn of the century. It was the charterists in England who I think first brought before the House of Commons in the late 1860s or early 1870s a petition of 1.6 million names of workers who asked for the right to vote and were turned down. They came back a second time with another petition and were turned down. They came back a third time with a petition containing I think five million names and were turned down. Had it not been for the labour movement and the organization of workers in England and in other countries in Europe, the sovereign House of Commons in England would not have granted universal suffrage.

Today the right to vote and the freedom from discrimination can be challenged in the supreme court of this country and other courts at the provincial level.

• (1150)

Had England had that charter of rights and an activist court, then the check on the supremacy of parliament may have provided for universal suffrage much earlier. I say that not to say parliament should not be supreme, but until we have real and radical changes to the way in which we make laws in this country, we have to have a check on this very House. The check has to be more than the opposition of the government.

The way the laws are made in this country is clearly available for anyone who wants to read a political science book. The cabinet and 20 people in the front rows of this House determine what the law will be. Let us look at Bill C-37. They determine what the changes are to be in the legislation. It is presented to the House. There is an airing of different views. It is presented to committee and committee at times can make recommendations and amendments. Realistically at the end of the day the majority of the government members because of party discipline will vote in favour of the legislation. The opposition members may vote against it, but the legislation will pass.

We ask ourselves where is the check on the supreme power of parliament? The check is not in the Senate. I found it interesting to hear the hon. member for Crowfoot mention the house of sober second thought where he hopes this bill will be examined. I find it interesting to hear the Reform Party speak in favour of the Senate that way. It will not be realistically challenged because the government also has a majority in the Senate. It will not be checked by the governor general. The only check on the power of this House and on the legislation put forward by the government is the judiciary. The judiciary does play an important role.

Unfortunately, because the bill has not gone as far as I would like it to, we cannot support it. I do not want that to be seen as casting a bad light on the judiciary. Given the economic times, given the fact that the bill did not go as far as we like, and I have not touched on the method of judicial appointment which could have been included in this bill and is an important factor, but given those situations and given the fact that my time is running out, I say to the House that we will not be supporting the legislation because it is a missed opportunity.

Mrs. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, the member says he cannot support this particular bill. I find that quite disappointing given the fact that it goes very far in ensuring that judicial independence and impartiality. They are critical to public confidence in the judiciary and by extension to our justice system and are enhanced by this legislation.

The whole issue of judges pensions is very important. Anyone who has looked into the whole issue of judicial impartiality and independence would know that their financial independence is a very crucial issue to being able to act independently, being able to act with impartiality and not having to worry about financial considerations.

I also find it rather disappointing that the member does not support this bill because of the whole issue of the adjustments of the judges salaries. Those salaries need to be brought in line with today's world. This legislation goes a significant way in doing that.

Notwithstanding the fact that he has debated this issue for quite a few minutes now, I do not understand why he cannot support this bill given the fact that it does go a long way to ensuring public confidence in our justice system by ensuring financial independence of the judges.

I am not going to talk about the issue of the unified family courts which is very important as well. We know that there are barriers to women in the legal profession to gain access to our judiciary precisely because of what I would call our archaic rules and conditions for judges pensions. I do not know if the government would call it that, but I would call it that being someone who is part of the legal profession. Personally I would have a very difficult time if anyone had ever considered me to be qualified to be a judge to accept an appointment because of those archaic rules simply on the issue of the pensions and not even talking about the issue of the salaries.

• (1155)

I would like to hear a little bit more from the member on that. I am trying to understand your opposition to this legislation. The NDP is a party that is known or prides itself, justly or unjustly, on being for social justice, on ensuring that all segments of our society receive adequate justice in all spheres, especially social justice, as

does this government. I would like to hear a little bit more from you on that.

The Acting Speaker (Mr. McClelland): Just before the hon. member for Sydney—Victoria responds, may I remind all hon. members to please address each other through the Chair so as to not allow the Chair to feel left out.

Mrs. Marlene Jennings: Mr. Speaker, I apologize most sincerely and humbly. I would never want you to feel left out. You are an integral part of this entire process and a necessary part of this process. I apologize most humbly.

The Acting Speaker (Mr. McClelland): Actually it is the Chair that is the integral part.

Mr. Rick Borotsik: Mr. Speaker, I rise on a point of order. That is simply one member's opinion. I would like that on the record.

Mr. Peter Mancini: Mr. Speaker, I thank the hon. member for her questions. I think she raises some good points. I want to address as many of them as I can in the time allotted.

The first one I would talk about is salaries and the issue of pensions for women and the lack of women judiciary in the country. This is an important issue. As a practising lawyer married to my spouse who is a practising lawyer at Nova Scotia legal aid, I say to the member that if she thinks that the rules for pensions are arcane for the judiciary, she should see what some of pension plans for the legal aid lawyers or crown prosecutors look like. In some cases they are a substantial bar to appointing women to the bench.

We need to go beyond that and this ties into the next point the member made and that is public confidence in the judiciary. I believe the member would concur with me that the reality is that part of the reason we do not have as many women on the bench or that we do not have as representative a bench as we should have is that the appointment of the judiciary in this country has for a long time been a reward for political favouritism. That is the reality and we may as well say it.

I could go through the annals and point to the members of the judiciary who have been appointed not because they were the best lawyers or because they had the best minds, but because they collected enough money for the right political party at the time. That is a historical reality we have to correct.

When we talk about public opinion and public confidence in the courts it is not enough until we amend the way the judiciary is appointed. I agree with the Minister of Justice in that I am not in favour of an elected judiciary in this country but the kind of method of appointment that there is south of the border.

When I say there was a missed opportunity, at the same time I think we could have looked at ways of improving the methodology of the appointment of the judiciary to take into account the needs of women lawyers and minorities and to ensure that the bench was better represented and that the public had confidence in the method of appointment.

The problem with political appointees is that even if the appointee has been involved in politics and would be a good judge, and there are some of those, they wear the disrespect of those who everybody in small communities particularly know climb their way to the judiciary because of political favouritism.

The hon. member has asked for clarification on the reason I do not support the bill. First of all on just those narrow issues, it does not go far enough to help public confidence in the judiciary. It does not go far enough.

• (1200)

She said that the NDP has always been a party that is proud to ensure that people are properly compensated. That is why I belong to it. At a time when the government has told us all and sent a message across the country that we cannot afford some of the essential things that we as Canadians have always believed were important, to turn around now and say that we have money to increase judiciary salaries by 8% or 13% and not provide money for legal aid and not provide more money for the crown prosecutors is why I cannot support it.

I said at the beginning I do not mind the judges making money so long as every other service is increased proportionately or more so where the need is greatest. That has always been our strength as a party in terms of social justice, in terms of making sure that the resources are fairly distributed. Because they are not we cannot support the bill.

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, I am pleased to rise in the House and speak today on this bill as well. It is always an honour to follow the hon. member for Sydney—Victoria who pointed out that he and I did partake in a protest of sorts in Nova Scotia some time ago. Although I am not prepared to proclaim complete solidarity with the hon. member on political grounds, I guess it is not only politics but professions and personal contacts that sometimes make strange bedfellows as well.

Turning my attention now to the legislation before the House, it is a piece of legislation that we have seen has invoked a great deal of passion and a great deal of provocative commentary within the House of Commons and to some extent a great deal of righteous indignation on the part of some. Much of that I think arises from the issue of the salary increase itself and the fact that judges, as a

result of this legislation, will be receiving a significant increase in remuneration.

I think it is important as well to focus on the role of judges and the important task they are charged to perform. Although Bill C-37 does address a lot of other issues such as the commission of salaries and benefits and unified family courts, I think we have to put the salary question in perspective.

We have had an opportunity throughout today's debate and earlier to talk about the important question of the separation of powers in our society. I indicated in earlier remarks and reiterate that judicial independence is definitely the cornerstone of our democracy. There is no question that we in parliament may not always agree with what the courts decide, and there are numerous examples I can think of. The most recent perhaps is the Feeney decision. Parliament has since come to grips with that issue. The broader issue is that there is another body out there, a check on what takes place in parliament.

This body is armed with the charter. The charter has been the subject of much debate in recent years. Parliament once elected, and the important difference being the election of the members of parliament as opposed to the appointment of judges, can at times be heavy handed. Majority governments in particular have a tendency after several years in power or successive mandates to perhaps embark on heavy handed measures which the judiciary may be called on to check. I think that is a very important balance that has to be struck. It cannot be stated often enough or with enough vehemence the importance of having our judiciary independent of the elected body.

On September 18, 1997 the Supreme Court of Canada released a key decision that related to the constitutional requirements of financial security of judges. That decision reinforced the principle of judicial independence and it outlined broad constitutional requirements for the determination of judicial compensation.

The creation of an independent, objective and effective commission is what makes recommendations on aspects of judicial compensation, salaries and benefits possible. This arm's length body, independent of the judiciary, independent of parliament, I think is an important step that this piece of legislation does bring about.

• (1205)

To be independent, commission members must be appointed for a fixed term and the judiciary must nominate one of the members, and to be objective the commission must also use objective criteria to come to its decisions. To be effective, the government must deal with the recommendations of the commission with due diligence and reasonable dispatch.

Bill C-37 creates a body that will in effect set up a commission for any future changes with respect to remuneration. I will be the first to admit that timing in life seems to be everything and the timing of this bill is something that does lead to questions from the opposition, questions from the governing side as well, as to why this piece of legislation is coming through when it is coming through.

The perception out there among the Canadian population may be is this a priority, is this something that should be happening now. Without casting aspersion on the bill, I do cast aspersion on the decision making and the priority setting of this government in the timing of this piece of legislation.

The proposed amendments brought about by Bill C-37 that will, following the supreme court decision, improve the independence and objectivity and effectiveness of salary and benefit remuneration process must be viewed in a positive light. Bill C-37 will also implement the Scott commission's recommendations. The Scott commission recommended that judges' salaries be gradually increased from 8.3% from the date which the salary freeze was lifted, April 1, 1997, and bring about a gradual process rather than a lump sum process.

In the supreme court decision in Beauregard: ''Canadian judges are Canadian citizens and must bear their fair share of financial burden of administering the country''. Although judges' salaries will be increased as a result of this piece of legislation, they will obviously be in a tax bracket which will see a significant portion of that salary returned to government, as all Canadians in their various tax brackets.

I certainly share the view echoed in the recent supreme court decision that judicial compensation is a necessary thing when it comes to placing the importance and the significance of the role judges play. I quote from that decision again: ''Nothing could be more damaging for the reputation of the judiciary and the administration of justice than a perception that judges are not shouldering their share of the burden in difficult economic times''.

The timing is always questionable. That is perhaps what has led to some of the animosity about when this salary increase is going to be effective. We cannot blind ourselves to the fact that the important role of judges leads to the necessity for making this an attractive job financially.

It has been discussed at the justice committee and it has been raised here in debate that if we are to have individuals willing to give up the practice of law and become appointed and take on that task, there has to be compensation that is at least attractive enough to, in some cases I suggest, result in a pay cut.

I know that what we are talking about here is a salary in excess of $100,000, which is certainly a great deal of money when one considers the average salary of Canadians.

In to Toronto as opposed to New Glasgow, Nova Scotia there is a difference in the salary range. But the suggestion is if we are to have the best and the brightest leave the practice of law and take on the role of a judge, we have to be able to compensate them in a fair

way that is at least going to be on par or perhaps in the ballpark of what they were making in private practice.

In deciding what was reasonable, the Scott commission recognized that a complex range of factors had to be considered in establishing an appropriate level of remuneration and that included the need to ensure that levels of compensation did attract the most qualified candidates.

● (1210)

During the hearings in the standing committee I asked on numerous occasions of different witnesses appearing on this issue if salary was an important factor for lawyers in the decision to accept or refuse a judicial appointment. Each and every time, sometimes reluctantly, the answer was yes. It was an important decision.

We can no longer let qualified and excellent private practitioners refuse judicial appointments due to salary alone. If we need to improve the quality of our tribunals and judicial appointments, and certainly this is something we want and strive to do, I believe we cannot simply ignore that salary and compensation is an important factor.

Salaries may very well be one factor but certainly the quality and the process in making those selections is equally important. Although it is somewhat off the topic of this bill, certainly what we want to do is ensure that we do have a process in place that enables input from the various levels of society that are going to be most affected by judicial appointments.

I keep in mind some of the comments made by previous speakers about judges. I am troubled with the perception the Reform Party would leave with the Canadian public on the issue. I am not here to say that all judges are infallible and that decisions are not sometimes bizarre and difficult to understand and stretch the bounds of comprehension. That is one of the human qualities every judge has. We in this House have bad days too. It happens on occasion that a judge makes a terrible decision and that the following day with some circumspect and perhaps a different outlook he or she may have made a completely different decision.

There is no need to engage in what I saw taking place during the debate on this topic that judges themselves are being personally attacked, much in the same way that we see senators personally attacked. It would seem that judges, when they do not religiously follow the Reform Party line, can be denounced as elites. They are denounced as undemocratic and they are described, quoting the words of the hon. member from Wild Rose on March 30, 1998, as greedy little parasitic fraternities that exist across the land.

In my opinion that goes a long way to further undermine public confidence in the judiciary. It does not add anything to the debate. A basic respect has to exist and this type of personal scathing attack should not occur here or anywhere for that matter. It happens far too often. I think it bears repeating that this is not going to further this debate in any way. There are always those in every profession of whom we will be less than proud but judges, like all professions, are for the majority a number of hardworking professional and committed people who are in the pursuit of justice. That is what is important. They do a very necessary job and at times a very stressful and morally taxing job. We have to try to avoid that type of talk when we can.

There are a number of provincial governments across Canada that have already reacted to the supreme court's decision of increasing judges' salaries. In most cases retroactive adjustments would also have to be made to remedy previous salary cuts and freezes. For the reasons I have outlined, the Conservative Party does not oppose these amendments to the Judges Act to increase the salaries by 4.1% for two years, effective April 1. It is proportionate and we believe it is not a bad thing.

The old expression that you get what you pay for does apply in this instance. The bill also provides for new rules in establishing an independent commission for the responsibility of reviewing salaries and benefits every four years for judges. These rules do not ensure in any certain way that the system will be perfect. However I suggest it goes in the right direction in ensuring that it will be equitable and reflect reality in Canadian society. A four year review seems like a reasonable period of time. The Conservative Party of Canada has concerns that we must always emphasize there will be changes. New proposals may arise. New circumstances may come to light. A four year review process is a necessary step.

● (1215)

As parliamentarians we must also ensure that the commission will be held accountable to parliament and that the process is as transparent as possible. While three members on the commission is a good idea, there will be an appointment by the Minister of Justice, another from the judiciary and the third one by the first two appointees.

One suggestion would be that perhaps the third person should be selected from the bar society. I believe it was the hon. member for Sydney—Victoria that made the suggestion. It is a good suggestion and one that we would support. It would approve accountability and transparency. Another suggestion might be that the Standing Committee on Justice and Human Rights have a hand in making that appointment.

The bill provides for a commission that would report every four years. The report would be presented by the Minister of Justice who in return would bring it to the House and table it here. This improves accountability. It improves input and the process itself is elevated as a result. It is certainly a way of doing what the

government often talks about and that is having more transparency. I question whether that is happening to the extent that it could.

Another suggestion would be that the commission could be held accountable directly to parliament. Like the human rights commission which reports directly to the House of Commons and not through the minister, this commission could report directly to the House and therefore be held more accountable. It would also allow the Standing Committee on Justice and Human Rights to review the report in a more significant way.

In summary, with respect to this element of the bill and these amendments pertaining to salary, we see them as positive improvements that perhaps could have been brought about in a different way. The timing could have been different, but I believe it is the beginning of a recognition that in the justice system there is a need for more resources.

I do not disagree with the suggestion about other segments of the justice system like legal aid and crown prosecutors who are presently toiling in Nova Scotia under less than ideal conditions. There is a need to improve the situation of frontline police officers. There is a need to have more children's aid societies and more programs aimed at preventing crime. However I believe this is a start. Perhaps it is the top end when it comes to judges but it is a start.

There is also a very important segment of Bill C-37 which deals with the unified family court. Bill C-37 supports the creation and expansion of the unified family court across the country. The Conservative Party supports the model of a unified family court in part because it allows one judge to resolve all family court issues: issues relating to separation, divorce and custody access. This reduces complexity and delay when its comes to the court. This is a problem that many encounter in the court system today.

It would create a system which would ensure that matters are presided over by experts in the area, judges who have an expertise particularly in the area of family matters which can become very complex and emotionally driven. I see it as a positive step.

Unified family court offers services which include information on family law, educational programs on the effects of separation on children, home studies, referrals to counselling and other community services, information on alternatives to litigation, and access to services that include mediation and supervised visits to homes.

These are areas that we should be focusing on. The bill is a step toward improving our system in family courts. Because these services would be available under one roof, public access would be improved as a result.

● (1220)

From the perspective of the children involved, better long term plans can be expected from these changes; lower levels of conflict; quicker resolutions; greater focus on the impact on children; and increased durability of outcomes with emphasis on integrated services, an intense approach to child protection, child support, custody and access. All these things are viewed positively by the Conservative Party.

Bill C-37 will also appoint 27 new federal judges for the unified family court in four provinces, eight in the province of Nova Scotia. We welcome these additions. These amendments will permit the governments and the provinces to improve legal services available to families.

Regarding the pension itself, Bill C-37 provides for changes to the criteria of the supreme court that allow retirement with a full pension. Judges will now have to be 65 or older and have to accomplish at least 10 years of service on the bench prior to their retirement. The Conservative Party does not have difficulty with that change.

In conclusion, we are encouraged generally that these amendments have been brought about in good faith although we question the timing. We believe there could be other improvements as they pertain to the accountability and transparency of the salary and benefits commission. As a whole we support the bill. We are ready to support it because we believe it is a good thing. The bill will bring about some of the changes that we have had the opportunity to discuss. We are thankful for the opportunity to do so.

Mr. John Bryden (Wentworth—Burlington, Lib.): Mr. Speaker, I thank the member for his excellent remarks.

When a bill comes before parliament that deals with the remuneration of public figures it serves the very useful purpose of giving us the opportunity to examine the roles of those public figures. It is very much in the public interest that we do so.

The member alluded to some of the earlier debates on the bill and mentioned that the Reform Party had made some disparaging remarks about the behaviour of judges and their quality.

I draw to his attention that this attitude of questioning the discretion of judges is not something that is exclusive to the Reform Party. It is a very worrisome trend that exists generally in society today, on this side of the House and in the justice department.

The issue is how far we go in giving discretion to judges. As the member mentioned, the law and the interpretation of the law and the issues it deals with are very human issues. Traditionally in common law we have relied on the judges to use their good judgment, their experience of life and their compassion to interpret the law.

Unfortunately there seems to have been a very alarming trend over recent years to withdraw some of the discretionary powers of judges. A perfect example is the whole concept of minimum sentences.

This is question and comment period. I was hoping to offer the member some comments which I think are very important and directly arise from his remarks. A number of private members' bills were before the House in the previous sitting that dealt with minimum sentences for drunk driving. We had quite a sharp debate here and I spoke on that occasion.

My concern is that while we want to protect victims rights and that kind of thing we must allow the judges compassion to deal with cases in which perhaps even no sentence at all or no jail term at all is appropriate because sometimes there are rare instances like that.

For the member's benefit I refer to another bill that passed through the House in the last parliament, Bill C-46, the access to records legislation. It is now before the supreme court on a challenge. I do not want to refer to the charter challenge that Bill C-46 is now encountering.

What was relevant in that bill was that it limited the discretion of judges to request the records of therapists in sexual assault cases. Judges already had the power to hear from the accused, to look at the records and to determine whether the records were relevant.

● (1225)

Bill C-46 seriously curtailed the judge's discretion to seek records by citing certain conditions the judge would have to take into account before he could request those records from therapists on behalf of the accused.

This type of restriction on a judge's ability to interpret the law and to act equally on the side of the person making the accusation and more important the defendant causes some concern. We must never hobble a judge's discretion to use his discretion. I feel there is an alarming trend particularly in victims rights cases and cases involving sexual assault, drunk driving and alimony. These are areas in which the opportunities for judges to exercise discretion were limited by bills in the last parliament.

Could the member comment on that? I believe it is a very serious problem to restrict the opportunity of judges to do their job. One reason we want to pay judges well is to get the most talented individuals possible who will exercise the best discretion possible. We must give those judges that discretion.

Mr. Peter MacKay: Mr. Speaker, I thank the hon. member for his commentary. His remarks reflect a great deal of insight into this area.

With respect to the issue of mandatory minimum sentences which he raised, I tend to agree that judges need to exercise discretion. That is what they do. They exercise discretion daily. The scope, breadth and effect of decisions are sometimes staggering. The effect they can have on the everyday lives of Canadians and of those affected can be very far reaching. However there is a time and place for some limitations on that and those would be imposed by mandatory minimum sentences in the Criminal Code.

It is important to note that increasing victims rights does not necessarily mean decreasing the right of the accused to be presumed innocent. I do not think it is necessarily a proportionate counter to say that any increase in victims rights will result in a decrease in the rights of the accused.

I use as an example the discretion of a judge to use conditional sentences in the area of serious sexual assaults or crimes of violence. There is a need for parliament in that instance to place some restrictions on the discretion of a judge to use a conditional sentence for those types of crime. I do not think that was the intent of parliament when conditional sentences were introduced into the Criminal Code. As is the case with the law, a growing tree moves in different directions. I believe that provision of the code has been misinterpreted.

Impaired driving legislation was another example that was cited by the hon. member. Once again I believe there is a need for changes to the provisions of the Criminal Code as they pertain to impaired driving. There is a need to improve the level of accountability that impaired drivers suffer to their peril when they decide to get behind the steering wheel of a car and potentially put people's lives in jeopardy. If that means upping the ante or improving the provisions of the Criminal Code for sentencing I would encourage those changes.

He also spoke of the discretion judges can exercise in ordering therapy or mandatory treatment for offenders. That is something we should be encouraging, not trying to limit by imposing mandatory use of those provisions in the sentencing provisions of the code.

There is certainly a need for more discussion in this area. I look forward, as I am sure the hon. member does, to trying to improve our justice system and working diligently in that direction.

● (1230)

Mr. Derek Lee (Scarborough—Rouge River, Lib.): Mr. Speaker, over the last few weeks it has occurred to me that the record of debate on this bill is less fulsome than perhaps it should be. There are some issues that I think should be outlined for the record for Canadians and for that other class of citizens we do not see too much in the political arena, the judges. Yes, they are all citizens and generally all active civic participants. They care a great deal about what happens in our communities, in our courts, in our parliaments and in our legislatures.

One of their handicaps as a group is precisely that we in our society legally and in many other ways set judges aside because we

want them to be and appear to be impartial. We want them to be wise and experienced and to bring that with them to the bench when they are appointed. But after they get to the bench they are relatively pigeon-holed, set aside, relatively secluded and unable to generally engage in public debate or in community or political discourse which is the source of the problem that originally gave rise to the Supreme Court of Canada decision in the Beauregard case and one other court application.

It was not a decision that changed the course of Canadian history but I believe it could be called a landmark because for the first time the court set down what it believed was the proper constitutional framework for the other parts of government in Canada to deal with the judiciary as an administrative wing.

Canadians all realize our judges are paid from the public purse. Somewhere in the public service in Ottawa and in each of the provincial capitals cheques are cranked out, as they are for all public servants, and judges are paid an amount. However, judges do not have a union or a collective agreement. I think there was some reference earlier today to crown attorneys in the province of Nova Scotia walking a picket line. Judges do not walk picket lines either, at least the last time I looked, and they do not do it for the reasons I outlined earlier, which is that legally and socially our judges are asked to set themselves aside and maintain their impartiality.

That impartiality is a two sided coin. What happened over the last few years were a few occasions of governments, not necessarily legislatures but administrative governments, making changes to the levels of compensation of judges in various provinces. Some of the judges in these provinces took exception to the process that was used. When they did, which they could not do publicly, there was a disagreement over who was in charge.

The judges maintained the position that stated there should be a continuing and ongoing process so that everyone, the judges, the governments and the legislatures, will know what the process is for dealing with matters of compensation, pay and benefits and working conditions of judges.

The Supreme Court of Canada has given guidance to all governments in Canada, including the Government of Canada, and guidance to the parliaments and legislatures in Canada as to what this process should be. I do not see how any Canadian or parliamentarian in the House could object to their being a process that was in place and continued to operate for that purpose.

● (1235)

It was important that the supreme court do that because governments are prone to do from time to time, and we in this House on both sides know about this phenomenon, taking their piece of the power pie and using it the way they feel is best with or without the guidance of legislatures and parliaments, in this case perhaps without the consultation with the judicial constituency.

That process is in place. We have to keep in mind that our judges do not have an outlet, a mechanism, an ombudsman, a method of dealing with the issues that deal with the administration of their pay and benefits. The court has said there must be a process. That process in part involves what previously was a three year commission. Every three years a commission would look at the issues of pay and benefits and report back to the respective government. In this case it is the Government of Canada.

Some provinces did not have this mechanism. Now based on the supreme court decision that process will be required to be in place. We in this House have taken advantage of that decision and have decided to refine or modify the current process. We do have a process for federal judges. The changes are modest. The commission will do its work every four years rather than every three years. There are some fine tuning provisions regarding how the individuals on the commission are selected and how they will be remunerated for the period of time they spend on the issue.

One of the compelling political issues surrounding the existence of a commission and the process has been raised by the member for Crowfoot. He seems to be asking whether parliament must be subservient to whatever is in this commission report, whether parliament must rubber stamp what is in it.

I think it is important to read the supreme court decision which is there for our guidance. It has stated there must be a process and the process should not be interfered with by other forces. When the commission makes its report it should be adopted.

The question is does a government, does a parliament, does a legislature have to adopt comprehensively every element of the report. I do not think that is what the supreme court said. But it certainly did say that if a parliament or a legislature or a government were to proceed in a direction other than that which was provided for in the report, then it must have good reasons that apply to the country as a whole.

I do make reference to the provision of the supreme court decision that says judges cannot shield themselves from the economic circumstances that other Canadians must endure. They have to shoulder their fair share of what the country is or is not into economically. I am quite sure all judges endorse that.

There is a frustration on the part of some parliamentarians and some suggestion perhaps that somehow parliament, because the supreme court says we must proceed this way, has lost control. This

is not the case. When this measure is voted on, not all members of parliament will vote in favour of the bill.

● (1240)

I suggest that manifests very clearly that it is not wrong or improper to not follow what the report says. The courts do say, and I support this, that if the report is not to be followed the reasons should be rational, clear and relate to the circumstances that apply to all Canadians.

One of the other underlying themes of this legislation is the process by which we set judges' salaries. I know there is an underlying principle and I hope Canadians accept it. In selecting compensation levels for judges our goal is to pay amounts that will attract the best and the brightest to the judiciary. I accept that it is not our goal to simply attract judges. We must attract the best available people, the best candidates to be judges. It is difficult to make comparisons with other professions such as a surgeon. We want people who would not simply open the owners manual and go through the manual as to how one does a heart operation. We want people who not only know the manual and the specs but who are extremely capable, intellectually capable, well rounded people who understand all the elements that go into judicial decisions and dispute resolutions in our country.

We have to make sure we have the best. To do anything other than that is penny wise and pound foolish. If we pay low amounts for judges we run the risk that we will not get the best. If we do not have the best making judicial decisions this will, more than anything else, undermine the confidence of Canadians in our Canadian judiciary and our justice system. The judges are the focal point of that system. They are the fulcrum on which the whole system turns. If judges are not good at what they do our judicial system will suffer. We do have a good one in Canada. We have one of the best in the world. People come from all over the world to take a look at how we run things in Canada. We want to keep it that way.

I must address the level of increase for judges. The commission did its very best to isolate what it felt was the appropriate compensation level for judges of the calibre and level that we are dealing with in our courts. Historically, going back 10, 20, 30 years, there was a benchmark established. It was a rough benchmark. Some judges thought it was a good idea. Others did not. We did not have Gallup do a poll with the judges to figure these things out. We have to make these judgments in this House. The benchmark was one that set judges' salaries at a level equivalent to the level of the civil service category called DM-3. I think that means deputy minister three. It would be the third level of deputy minister. That is one of the highest levels of the deputy minister compensation package.

Over the last few years the DM-3 level has gone up. Judges' salaries were frozen back in the early 1990s along with almost all other public servants and members of parliament. There was some drift. Now the DM-3 level of compensation has gone up and the compensation level of the judges has stayed.

● (1245)

The Scott Commission has addressed this and in its own way has pointed out the percentage levels by which we should be increasing the judges' salaries to get back to the benchmark.

Because some judges have rejected the concept of judges being in the same category as public servants, I think the Scott Commission report did not pay a lot of attention to that direct linkage and it looked at other reasons to provide the increase.

Let us put on the record what the increase is. It is the equivalent, over a two year period, of roughly 4%, plus 4%, plus 2% relative to the cost of living, plus 2% relative to the cost of living. If this bill is adopted those increases would be the ones that would be applicable to judges' salaries and they would be retroactive to last year and would move up into 1999.

Originally I had a problem with the way the Scott Commission report was worded. It might have been interpreted by some to suggest that what the judges were doing was simply catching up from where they were before the salary freezes were imposed across the federal public service.

On that basis, as a member of parliament, I would have fully rejected the proposal. I am not accepting that judges or anyone else in the federal public service should have what has become known as ''catch up''. I did not buy it. Because some of the percentage increases I have just referred to were the equivalent of the remuneration lost during the period of the salary freezes, I was very cautious about the recommendations. But at the justice committee hearings it became clear that what the Scott Commission was trying to do was to place judges back in the ballpark of the DM-3 level where they have been for many years. It was not catch up for the salary lost through the freeze period.

I am more comfortable with that now. The only missing item in the circumstances at play now is that we need a better understanding among parliamentarians of the process that is at play so that the next time a commission report comes up it will not be necessary for parliamentarians to stand and say ''How can one court of unelected judges be dictating to Canada's sovereign Parliament what it must legislate?''

That type of suggestion reflects a misunderstanding of the process recommended by the supreme court. I do not quite know how to bring parliamentarians to a better understanding of that. I am sure the supreme court judgement would make boring bedtime reading, but I do commend it to those who have an interest in the issue.

Last but not least, just to put things in perspective a bit, I note that the member for Crowfoot is an active member of the justice

committee. His remarks earlier referred to the dollar amounts of the increases and how there were still pockets of poverty and people in Canada in difficult economic circumstances, all of which is true and all of which this House continues to recognize.

He was indicating that a large dollar amount is involved. I just want to say that if the increases are the equivalent of $10,000 or $15,000, the last time I looked at the tax rates there is a consolation prize for the taxpayers because about half of the increases will come back in income tax deductions from the judges' cheques. That is true for all Canadians, not just judges. I suppose the point I am making is, let us not be too distracted by the numbers and let us make the best decision consistent with the supreme court and the needs of our judicial community.

• (1250)

Mr. John Bryden (Wentworth—Burlington, Lib.): Mr. Speaker, I asked a question of an earlier speaker with respect to the growing trend in legislation to limit the discretion of judges. The member who just spoke was in the Chamber at that time and heard my question. I wonder if he would like to share with us some of his thoughts on this whole question of limiting the discretion of judges.

Mr. Derek Lee: Mr. Speaker, the issue put forward by the hon. member is one that is not amenable to easy debate.

The reason we give discretion to our judges in dispute resolution or resolving issues is because we the lawmakers are unable to organize, set out and nail down with precision how every dispute should be resolved. It is simply impossible for the House to sit in judgment and settle disputes between citizens as the Lord Chancellor of the Exchequer used to do for the king or as the king himself used to do centuries ago.

Judges are sometimes uncomfortable if the laws do not set out a proper framework. I have often read judgments where judges point out that the area they are dealing with is one that should be addressed by legislators and structured a bit better to give better direction to judges and those who are organizing their affairs.

On the one hand we have a group in society which suggests that judges have too much discretion, too much power, which, being unelected, they should not have. There are others, and I think I am in the second group, who say that if there is too much discretion, if we fail to structure it properly in our laws, then it is our job to make sure we do it right. That is an ongoing process in society and I think we are doing reasonably well in this parliament.

Mr. Jason Kenney (Calgary Southeast, Ref.): Mr. Speaker, I appreciate the opportunity to speak briefly to Bill C-37, an act to amend the Judges Act. I know we will be breaking for votes in several minutes and I will therefore summarize my remarks.

I would like, first of all, to commend the hon. member for Scarborough—Rouge River for his thoughtful remarks. He spent a great deal of time and attention on this issue and I share many of his concerns about the question of judicial compensation.

I also wish at the outset to associate myself with the remarks of my hon. colleague from Crowfoot whom I think eloquently expressed the inappropriateness of parliament granting a de facto 10% compensation increase to members of the federal judiciary over the next two years at a time when Canadians have suffered from a reduction in their after tax disposable income over the past two decades.

It occurs to me that parliament's principal obligation is to promote the interests of all Canadians and not small groups of Canadians. It seems to me that until all Canadians have seen some increase in their disposable income and an increased standard of living, we ought not to be using our power to increase the disposable after tax income of a particular discrete elite in our society such as judges.

I would also like to say that we are now debating Bill C-37 and this afternoon we are going to be very briefly debating Bill C-47, which applies to compensation increases for members of this House. One cannot comment on the judges bill without taking note of the fact that we will be voting on our own pay increase this afternoon.

Unfortunately I will not have an opportunity to speak to that bill because of a motion that was granted by unanimous consent of this place to limit debate.

• (1255)

The Scott commission on the increase in federal judges' salaries recommended this 10% increase and the government has taken that recommendation in the sense that it has legislated it in Bill C-37. I find it very interesting that there is a double standard. Bill C-47, concerning MPs' compensation, which we will be debating and voting on this afternoon, has been brought before this place without consideration being given to the report of another independent commission, the Blais commission, which was established following the last general election to review and make recommendations on the compensation paid to parliamentarians.

It occurs to me that we are creating another double standard. Canadians have shrinking disposable incomes because of high taxes and we are proposing an increase in pay for judges. We are also creating a double standard when we accept the binding recommendations of one commission on compensation, the Scott commission, but on the other hand ignore the recommendations of the Blais commission.

I have a very serious problem with this process which I would like to put on the record. I feel that the Blais commission, like the Scott commission, did good work and was sincere in its recommendations, which I thought were very thoughtful and appropriate.

Among other things, the commission recommended full transparency in MP compensation. It recommended scrapping the tax free expense allowance and replacing it with a proportionate amount of taxable income so that MPs alone could no longer exempt themselves from the tax laws that we impose on other Canadians. It recommended no net increase in actual compensation, contrary to the recommendations of the Scott commission for judges, and it recommended reform of the members' pension plan. It also recommended an increase in the housing allowance available to parliamentarians.

On the whole, I thought these were sensible recommendations which respected the need for a single standard of compensation for all Canadians. We ought not to choose one particular group of people, in particular ourselves, to exempt ourselves from the laws that apply to the rest of Canadians, as we do by exempting one-third of our income from the Income Tax Act. We ought to follow the same guideline when it comes to our retirement allowances.

When the Scott commission came down with its report, the government said ''Fine. Everything is well. We will go ahead without even a review of a parliamentary committee and legislate this 10% increase''. When the Blais commission came down with its report, suddenly there was a huge clamour among government MPs who said that they rejected its recommendations. I do not suspect all of them did, but certainly some did.

I quote, for instance, the hon. member for Mississauga Centre who in the February 9 edition of the *The Hill Times* said with respect to the recommendation of the Blais commission that we eliminate the tax free expense allowance and gross up the taxable salaries ''If we are going to get nailed, at least we want to get nailed for a reason and see it in the wallet. Screw the Blais report''.

I find that very difficult to swallow, coming from a member of the government which legislated the Scott commission report. We did not say, in the words of that hon. member, ''Screw the Scott commission report''—excuse me, Mr. Speaker, but I am quoting another member—but we did with respect to the Blais commission report.

I would like to put this on the record and say that I object to the process by which our own compensation has been handled. I think the process that is contemplated in Bill C-37 is far more appropriate, where an independent commission would make the decisions and recommendations. Although I disagree with the recommendations of the Scott commission and will vote against the bill because of them, I do think that we need to take these decisions out of our own hands, particularly where there is a conflict of interest.

I hope that we will at some point in this place revise the manner in which we change our own compensation so that it is an arm's length process which will not be compromised by an inherent conflict of interest.

The Speaker: Pursuant to order made on Wednesday, June 10, 1998, all questions necessary to dispose of the third reading stage of the bill now before the House are deemed put and the recorded divisions are deemed requested and deferred until immediately after completion of the divisions on Bill C-38.

* * *

● (1300)

NATIONAL PARKS ACT

The House resumed consideration of Bill C-38, an act to amend the National Parks Act, as reported (without amendment) from the committee.

The Speaker: The House will now proceed to the taking of the deferred recorded divisions at the report stage of Bill C-38. The question is on Motion No. 2.

Call in the members.

● (1325)

(The House divided on Motion No. 2, which was negatived on the following division:)

(*Division No. 216*)

YEAS

Members

Alarie
Bachand (Saint-Jean)
Bergeron
Îles-de-la-Madeleine—Pabok)
Blaikie
Canuel
Davies
Debien
Dubé (Lévis)
Dumas
Fournier
Gauthier
Godin (Acadie—Bathurst)
Guay
Laliberte
Laurin
Lefebvre
Mancini
Marchand
Ménard
Perron
Plamondon
Robinson
Solomon
Stoffer
Tremblay (Rimouski—Mitis)
Vautour

Axworthy (Saskatoon—Rosetown—Biggar)
Bellehumeur
Bernier (Bonaventure—Gaspé—
Bigras
Brien
Dalphond-Guiral
de Savoye
Desrochers
Duceppe
Earle
Gagnon
Girard-Bujold
Godin (Châteauguay)
Guimond
Lalonde
Lebel
Loubier
Marceau
McDonough
Nystrom
Picard (Drummond)
Proctor
Sauvageau
St-Hilaire
Tremblay (Lac-Saint-Jean)
Turp
Wasylycia-Leis—53

NAYS

Members

Abbott
Adams
Anders
Assad
Augustine
Baker
Barnes
Bélair
Bellemare
Benoit
Bertrand
Blondin-Andrew
Bonwick
Boudria
Breitkreuz (Yellowhead)
Brown
Bulte
Caccia
Cannis
Carroll
Cauchon
Chan
Chatters
Clouthier
Cohen
Comuzzi
Cullen
DeVillers
Dion
Doyle
Drouin
Duhamel
Easter
Epp
Folco
Fry
Gallaway
Godfrey
Goodale
Graham
Grose
Hanger
Harris
Harvard
Herron
Hill (Prince George—Peace River)
Hoeppner
Ianno
Jackson
Jennings
Jones
Karetak-Lindell
Keyes
Knutson
Kraft Sloan
Lavigne
Leung
Longfield
Lunn
Mahoney
Maloney
Manning
Martin (LaSalle—Émard)
Matthews
McCormick
McKay (Scarborough East)
McNally
McWhinney
Mills (Broadview—Greenwood)
Minna
Muise
Myers
Normand
O'Brien (London—Fanshawe)
Pagtakhan
Parrish
Penson
Peterson
Phinney
Pillitteri
Price
Provenzano
Redman
Richardson
Robillard
Saada
Ablonczy
Alcock
Anderson
Assadourian
Bailey
Bakopanos
Beaumier
Bélanger
Bennett
Bernier (Tobique—Mactaquac)
Bevilacqua
Bonin
Borotsik
Bradshaw
Brison
Bryden
Byrne
Calder
Caplan
Catterall
Chamberlain
Charbonneau
Chrétien (Saint-Maurice)
Coderre
Collenette
Copps
Cummins
Dhaliwal
Discepola
Dromisky
Dubé (Madawaska—Restigouche)
Duncan
Elley
Finestone
Fontana
Gagliano
Gilmour
Goldring
Gouk
Grey (Edmonton North)
Guarnieri
Harb
Hart
Harvey
Hill (Macleod)
Hilstrom
Hubbard
Iftody
Jaffer
Johnston
Jordan
Kenney (Calgary-Sud-Est)
Kilgour (Edmonton Southeast)
Konrad
Lastewka
Lee
Lincoln
Lowther
MacKay (Pictou—Antigonish—Guysborough)
Malhi
Manley
Marchi
Massé
Mayfield
McGuire
McLellan (Edmonton West)
McTeague
Mifflin
Mills (Red Deer)
Mitchell
Murray
Nault
Obhrai
O'Reilly
Paradis
Patry
Peric
Pettigrew
Pickard (Kent—Essex)
Pratt
Proud
Ramsay
Reed
Ritz
Rock
Scott (Fredericton)
Sekora
Shepherd
Speller
Steckle
Stewart (Northumberland)
St-Jacques
Strahl
Telegdi
Thompson (Charlotte)
Ur
Vanclief
Wappel
White (Langley—Abbotsford)
Wilfert
Wood—201
Serré
Solberg
St. Denis
Stewart (Brant)
Stinson
St-Julien
Szabo
Thibeault
Torsney
Valeri
Volpe
Whelan
White (North Vancouver)
Williams

PAIRED MEMBERS

Asselin
Chrétien (Frontenac—Mégantic)
Eggleton
MacAulay
Mercier
Rocheleau
Axworthy (Winnipeg South Centre)
Crête
Kilger (Stormont—Dundas)
Marleau
O'Brien (Labrador)
Venne

The Speaker: I declare Motion No. 2 defeated. The next question is on Motion No. 3.

Ms. Marlene Catterall: Mr. Speaker, I would propose that you seek the unanimous consent of the House that the members who voted on the previous motion be recorded as having voted on the motion now before the House, with Liberal members voting no.

• (1330)

The Speaker: Is there agreement to proceed in such a fashion?

Some hon. members: Agreed.

Mr. Chuck Strahl: Mr. Speaker, the official opposition will vote no to this as well. I would ask that you include in this vote the member for Crowfoot, the member for Cypress Hills—Grasslands and the member for West Vancouver—Sunshine Coast who are with us for this vote.

[*Translation*]

Mr. Stéphane Bergeron: Mr. Speaker, members of the Bloc Quebecois will be voting in favour of the motion. The hon. member for Manicouagan, who had to leave, should however be excluded from this vote.

[*English*]

Mr. John Solomon: Mr. Speaker, the New Democratic Party members present vote no on this motion except for the member from Saskatoon—Rosetown—Biggar who stepped out to hold a press conference on his Internet child pornography prevention act.

[*Translation*]

Mr. André Harvey: Mr. Speaker, the members of our party who are present vote nay on this motion.

[*English*]

Mr. Mike Scott: Mr. Speaker, on the first vote I abstained from voting and I would like to be recorded as voting in favour of this motion.

The Speaker: The abstention will not be recorded but you will be recorded on this vote.

Mr. Gerald Keddy: Mr. Speaker, I would like to be recorded as voting no on this motion as well.

Mr. Rob Anders: Mr. Speaker, I voted against the first motion but I am voting in favour of the second.

The Speaker: Colleagues, we can do this quite expeditiously. Those who want to vote differently from their party on this vote, I invite you to stand and I will call you by name.

The hon. member for Cypress Hills—Grasslands, the hon. member for Skeena, the hon. member for Cariboo—Chilcotin, the hon. member for Saanich—Gulf Islands, the hon. member for Calgary West, the hon. member for South Shore.

(The House divided on Motion No. 3, which was negatived on the following division:)

(*Division No. 217*)

YEAS

Members

Alarie
Bachand (Saint-Jean)
Bergeron
Îles-de-la-Madeleine—Pabok)
Brien
Dalphond-Guiral
Debien
Dubé (Lévis)
Dumas
Gauthier
Godin (Châteauguay)
Guimond
Lalonde
Lebel
Loubier
Marceau
Mayfield
Morrison
Picard (Drummond)
Ramsay
Sauvageau
Tremblay (Lac-Saint-Jean)
Turp—44

Anders
Bellehumeur
Bernier (Bonaventure—Gaspé—
Bigras
Canuel
de Savoye
Desrochers
Duceppe
Gagnon
Girard-Bujold
Guay
Keddy (South Shore)
Laurin
Lefebvre
Lunn
Marchand
Ménard
Perron
Plamondon
Reynolds
St-Hilaire
Tremblay (Rimouski—Mitis)

NAYS

Members

Abbott
Adams
Anders
Assad
Augustine
Baker
Barnes
Bélair
Bellemare
Benoit
Bertrand
Blaikie
Bonin
Borotsik

Ablonczy
Alcock
Anderson
Assadourian
Bailey
Bakopanos
Beaumier
Bélanger
Bennett
Bernier (Tobique—Mactaquac)
Bevilacqua
Blondin-Andrew
Bonwick
Boudria

Bradshaw
Brison
Bryden
Byrne
Calder
Caplan
Catterall
Chamberlain
Charbonneau
Chrétien (Saint-Maurice)
Coderre
Collenette
Copps
Cummins
DeVillers
Dion
Doyle
Drouin
Duhamel
Earle
Elley
Finestone
Fontana
Gagliano
Gilmour
Godin (Acadie—Bathurst)
Goodale
Graham
Grose
Hanger
Harris
Harvard
Herron
Hill (Prince George—Peace River)
Hoeppner
Ianno
Jackson
Jennings
Jones
Karetak-Lindell
Keyes
Knutson
Kraft Sloan
Lastewka
Lee
Lincoln
Lowther
MacKay (Pictou—Antigonish—Guysborough)
Malhi
Mancini
Manning
Martin (LaSalle—Émard)
Matthews
McCormick
McGuire
McLellan (Edmonton West)
McTeague
Mifflin
Mills (Red Deer)
Mitchell
Murray
Nault
Nystrom
O'Brien (London—Fanshawe)
Pagtakhan
Parrish
Penson
Peterson
Phinney
Pillitteri
Price
Proud
Ramsay
Reed
Ritz
Robinson
Saada
Scott (Skeena)
Serré
Solberg
Speller
Steckle

Breitkreuz (Yellowhead)
Brown
Bulte
Caccia
Cannis
Carroll
Cauchon
Chan
Chatters
Clouthier
Cohen
Comuzzi
Cullen
Davies
Dhaliwal
Discepola
Dromisky
Dubé (Madawaska—Restigouche)
Duncan
Easter
Epp
Folco
Fry
Gallaway
Godfrey
Goldring
Gouk
Grey (Edmonton North)
Guarnieri
Harb
Hart
Harvey
Hill (Macleod)
Hilstrom
Hubbard
Iftody
Jaffer
Johnston
Jordan
Kenney (Calgary-Sud-Est)
Kilgour (Edmonton Southeast)
Konrad
Laliberte
Lavigne
Leung
Longfield
Lunn
Mahoney
Maloney
Manley
Marchi
Massé
Mayfield
McDonough
McKay (Scarborough East)
McNally
McWhinney
Mills (Broadview—Greenwood)
Minna
Muise
Myers
Normand
Obhrai
O'Reilly
Paradis
Patry
Peric
Pettigrew
Pickard (Kent—Essex)
Pratt
Proctor
Provenzano
Redman
Richardson
Robillard
Rock
Scott (Fredericton)
Sekora
Shepherd
Solomon
St. Denis
Stewart (Brant)

Stewart (Northumberland)	Stinson
St-Jacques	St-Julien
Stoffer	Strahl
Szabo	Telegdi
Thibeault	Thompson (Charlotte)
Torsney	Ur
Valeri	Vanclief
Vautour	Volpe
Wappel	Wasylycia-Leis
Whelan	White (Langley—Abbotsford)
White (North Vancouver)	Wilfert
Williams	Wood—216

PAIRED MEMBERS

Asselin	Axworthy (Winnipeg South Centre)
Chrétien (Frontenac—Mégantic)	Crête
Eggleton	Kilger (Stormont—Dundas)
MacAulay	Marleau
Mercier	O'Brien (Labrador)
Rocheleau	Venne

The Speaker: I declare Motion No. 3 defeated.

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.) moved that the bill be concurred in.

Ms. Marlene Catterall: Mr. Speaker, I believe you would find consent in the House that the vote taken on the previous motion be applied to the vote on concurrence in reverse.

● (1335)

Mr. Chuck Strahl: Mr. Speaker, at concurrence stage on Bill C-38 the Reform Party will vote yes.

[*Translation*]

Mr. Stéphane Bergeron: Mr. Speaker, members of the Bloc Quebecois are against this motion.

[*English*]

Mr. John Solomon: Mr. Speaker, members of the NDP will vote yes with the inclusion of the member for Bras D'or who has just arrived.

[*Translation*]

Mr. André Harvey: Mr. Speaker, members of our party vote yea on this motion.

[*English*]

The Speaker: I invite members who are voting opposite to what their party has said to please stand and be recorded.

Mr. Mike Scott: Mr. Speaker, I would like to have my vote as abstaining on this motion.

The Speaker: Colleagues, as you know, we do not have abstaining votes in the House.

Mr. Chuck Strahl: Mr. Speaker, we are getting close to the end. We must have a provision if we are going to apply votes for those who do not wish to stand. We either have to go through the whole process here and allow people to remain seated or we have to strike the member for Skeena from either yes or no, just not recorded.

The Speaker: That is what we are going to do.

(The House divided on the motion, which was agreed to on the following division:)

(*Division No. 218*)

YEAS

Members

Abbott	Ablonczy
Adams	Alcock
Anderson	Assad
Assadourian	Augustine
Bailey	Baker
Bakopanos	Barnes
Beaumier	Bélair
Bélanger	Bellemare
Bennett	Benoit
Bernier (Tobique—Mactaquac)	Bertrand
Bevilacqua	Blaikie
Blondin-Andrew	Bonin
Bonwick	Borotsik
Boudria	Bradshaw
Breitkreuz (Yellowhead)	Brison
Brown	Bryden
Bulte	Byrne
Caccia	Calder
Cannis	Caplan
Carroll	Catterall
Cauchon	Chamberlain
Chan	Charbonneau
Chatters	Chrétien (Saint-Maurice)
Clouthier	Coderre
Cohen	Collenette
Comuzzi	Copps
Cullen	Cummins
Davies	DeVillers
Dhaliwal	Dion
Discepola	Dockrill
Doyle	Dromisky
Drouin	Dubé (Madawaska—Restigouche)
Duhamel	Duncan
Earle	Easter
Elley	Epp
Finestone	Folco
Fontana	Fry
Gagliano	Gallaway Gilmour
Godfrey	Godin (Acadie—Bathurst)
Goldring	Goodale
Gouk	Graham
Grey (Edmonton North)	Grose
Guarnieri	Hanger
Harb	Harris
Hart	Harvard
Harvey	Herron
Hill (Macleod)	Hill (Prince George—Peace River)
Hilstrom	Hoeppner
Hubbard	Ianno
Iftody	Jackson
Jaffer	Jennings
Johnston	Jones
Jordan	Karetak-Lindell
Kenney (Calgary-Sud-Est)	Keyes
Kilgour (Edmonton Southeast)	Knutson
Konrad	Kraft Sloan
Laliberte	Lastewka
Lavigne	Lee
Leung	Lincoln
Longfield	Lowther
MacKay (Pictou—Antigonish—Guysborough)	Mahoney

Malhi
Mancini
Manning
Martin (LaSalle—Émard)
Matthews
McDonough
McKay (Scarborough East)
McNally
McWhinney
Mills (Broadview—Greenwood)
Minna
Muise
Myers
Normand
Obhrai
O'Reilly
Paradis
Patry
Peric
Pettigrew
Pickard (Kent—Essex)
Pratt
Proctor
Provenzano
Reed
Ritz
Robinson
Saada
Sekora
Shepherd
Solomon
St. Denis
Stewart (Brant)
Stinson
St-Julien
Strahl
Telegdi
Thompson (Charlotte)
Ur
Vanclief
Volpe
Wasylycia-Leis
White (Langley—Abbotsford)
Wilfert
Wood—212

Maloney
Manley
Marchi
Massé
McCormick
McGuire
McLellan (Edmonton West)
McTeague
Mifflin
Mills (Red Deer)
Mitchell
Murray
Nault
Nystrom
O'Brien (London—Fanshawe)
Pagtakhan
Parrish
Penson
Peterson
Phinney
Pillitteri
Price
Proud
Redman
Richardson
Robillard
Rock
Scott (Fredericton)
Serré
Solberg
Speller
Steckle
Stewart (Northumberland)
St-Jacques
Stoffer
Szabo
Thibeault
Torsney
Valeri
Vautour
Wappel
Whelan
White (North Vancouver)
Williams

NAYS

Members

Alarie
Bachand (Saint-Jean)
Bergeron
Îles-de-la-Madeleine—Pabok)
Brien
Dalphond-Guiral
Debien
Dubé (Lévis)
Dumas
Gauthier
Godin (Châteauguay)
Guimond
Lalonde
Lebel
Loubier
Marceau
Mayfield
Morrison
Picard (Drummond)
Ramsay
Sauvageau
Tremblay (Lac-Saint-Jean)
Turp—44

Anders
Bellehumeur
Bernier (Bonaventure—Gaspé—
Bigras
Canuel
de Savoye
Desrochers
Duceppe
Gagnon
Girard-Bujold
Guay
Keddy (South Shore)
Laurin
Lefebvre
Lunn
Marchand
Ménard
Perron
Plamondon
Reynolds
St-Hilaire
Tremblay (Rimouski—Mitis)

PAIRED MEMBERS

Asselin
Chrétien (Frontenac—Mégantic)
Eggleton

Axworthy (Winnipeg South Centre)
Crête
Kilger (Stormont—Dundas)

MacAulay
Mercier
Rocheleau

Marleau
O'Brien (Labrador)
Venne

The Speaker: I declare the motion agreed to.

* * *

JUDGES ACT

The House resumed consideration of the motion that Bill C-37, an act to amend the Judges Act and to make consequential amendments to other acts, be read the third time and passed.

The Speaker: Pursuant to order made on Wednesday, June 10, 1998, the next recorded division is on the motion at the third reading stage of Bill C-37.

[*Translation*]

Ms. Marlene Catterall: Mr. Speaker, you would find there is unanimous consent that the hon. members who voted on the previous motion be recorded as having voted on the motion now before the House, with Liberal members voting nay.

[*English*]

The Speaker: Is there agreement to proceed in such a fashion?

Some hon. members: Agreed.

Mr. Chuck Strahl: Mr. Speaker, Reform Party members present vote no to this motion.

[*Translation*]

Mr. Stéphane Bergeron: Mr. Speaker, members of the Bloc Quebecois vote nay on this motion.

[*English*]

Mr. John Solomon: Mr. Speaker, members of the NDP present vote no on this motion.

[*Translation*]

Mr. André Harvey: Mr. Speaker, the members of our party who are present vote yea on this motion.

[*English*]

The Speaker: I invite members who are not voting with their party to stand and be recognized.

Mr. Gary Lunn: Mr. Speaker, I wish to be recorded as voting in favour of this motion.

The Speaker: You will be recorded.

● (1340)

(The House divided on the motion, which was agreed to on the following division:)

Government Orders

(*Division No. 219*)

YEAS

Members

Adams
Alcock
Anderson
Assad
Assadourian
Augustine
Baker
Bakopanos
Barnes
Beaumier
Bélair
Bélanger
Bellemare
Bennett
Bernier (Tobique—Mactaquac)
Bertrand
Bevilacqua
Blondin-Andrew
Bonin
Bonwick
Borotsik
Boudria
Bradshaw
Brison
Brown
Bryden
Bulte
Byrne
Caccia
Calder
Cannis
Caplan
Carroll
Catterall
Cauchon
Chamberlain
Chan
Charbonneau
Chrétien (Saint-Maurice)
Clouthier
Coderre
Cohen
Collenette
Comuzzi
Copps
Cullen
DeVillers
Dhaliwal
Dion
Discepola
Doyle
Dromisky
Drouin
Dubé (Madawaska—Restigouche)
Duhamel
Easter
Finestone
Folco
Fontana
Fry
Gagliano
Gallaway
Godfrey
Goodale
Graham
Grose
Guarnieri
Harb
Harvard
Harvey
Herron
Hubbard
Ianno
Iftody
Jackson
Jennings
Jones
Jordan
Karetak-Lindell
Keddy (South Shore)
Keyes
Kilgour (Edmonton Southeast)
Knutson
Kraft Sloan
Lastewka
Lavigne
Lee
Leung
Lincoln
Longfield
Lunn
MacKay (Pictou—Antigonish—Guysborough)
Mahoney
Malhi
Maloney
Manley
Marchi
Martin (LaSalle—Émard)
Massé
Matthews
McCormick
McGuire
McKay (Scarborough East)
McLellan (Edmonton West)
McTeague
McWhinney
Mifflin
Mills (Broadview—Greenwood)
Minna
Mitchell
Muise
Murray
Myers
Nault
Normand
O'Brien (London—Fanshawe)
O'Reilly
Pagtakhan
Paradis
Parrish
Patry
Peric
Peterson
Pettigrew
Phinney
Pickard (Kent—Essex)
Pillitteri
Pratt
Price
Proud
Provenzano
Redman
Reed
Richardson
Robillard
Rock
Saada
Scott (Fredericton)
Sekora
Serré
Shepherd
Speller
St. Denis
Steckle
Stewart (Brant)
Stewart (Northumberland)
St-Jacques
St-Julien
Szabo
Telegdi
Thibeault
Thompson (Charlotte)
Torsney
Ur
Valeri
Vanclief
Volpe
Wappel
Whelan
Wilfert
Wood—161

NAYS

Members

Abbott
Ablonczy
Alarie
Anders
Bachand (Saint-Jean)
Bailey
Bellehumeur
Benoit
Bergeron
Bernier (Bonaventure—Gaspé—Îles-de-la-Madeleine—Pabok)
Bigras
Blaikie
Breitkreuz (Yellowhead)
Brien
Canuel
Chatters
Cummins
Dalphond-Guiral
Davies
de Savoye
Debien
Desrochers
Dockrill
Dubé (Lévis)
Duceppe
Dumas
Duncan
Earle
Elley
Epp
Gagnon
Gauthier
Gilmour
Girard-Bujold
Godin (Acadie—Bathurst)
Godin (Châteauguay)
Goldring
Gouk
Grey (Edmonton North)
Guay
Guimond
Hanger
Harris
Hart
Hill (Macleod)
Hill (Prince George—Peace River)
Hilstrom
Hoeppner
Jaffer
Johnston
Kenney (Calgary-Sud-Est)
Konrad
Laliberte
Lalonde
Laurin
Lebel
Lefebvre
Loubier
Lowther
Mancini
Manning
Marceau
Marchand
Mayfield
McDonough
McNally
Ménard
Mills (Red Deer)
Morrison
Nystrom
Obhrai
Penson
Perron
Picard (Drummond)
Plamondon
Proctor
Ramsay
Reynolds
Ritz
Robinson
Sauvageau
Scott (Skeena)
Solberg
Solomon
St-Hilaire
Stinson
Stoffer
Strahl
Tremblay (Lac-Saint-Jean)
Tremblay (Rimouski—Mitis)
Turp
Vautour
Wasylycia-Leis
White (Langley—Abbotsford)
White (North Vancouver)
Williams—96

PAIRED MEMBERS

Asselin
Axworthy (Winnipeg South Centre)
Chrétien (Frontenac—Mégantic)
Crête
Eggleton
Kilger (Stormont—Dundas)
MacAulay
Marleau
Mercier
O'Brien (Labrador)
Rocheleau
Venne

The Speaker: I declare the motion carried.

(Bill read the third time and passed)

* * *

NATIONAL DEFENCE ACT

The House resumed from June 10 consideration of the motion that Bill C-25, an act to amend the National Defence Act and to make consequential amendments to other acts, be read the third time and passed.

The Speaker: Pursuant to order made on Wednesday, June 10, 1998, the House will now proceed to the taking of the deferred recorded division on the motion at the third reading stage of Bill C-25.

Ms. Marlene Catterall: Mr. Speaker, I propose that you seek unanimous consent from the House that the members who voted on the previous motion be recorded as having voted on the motion now before the House, with the Liberal members voting yes.

The Speaker: Is there agreement to proceed in such a fashion?

Some hon. members: Agreed.

Mr. Chuck Strahl: Mr. Speaker, Reform Party members present vote no to this motion.

[*Translation*]

Mr. Stéphane Bergeron: Mr. Speaker, members of the Bloc Quebecois oppose this motion.

[*English*]

Mr. John Solomon: Mr. Speaker, members of the NDP present vote no on this motion.

[*Translation*]

Mr. André Harvey: Mr. Speaker, members of our party vote nay on this motion.

[*English*]

(The House divided on the motion, which was agreed to on the following division:)

(*Division No. 220*)

YEAS

Members

Adams
Alcock
Anderson
Assad
Assadourian
Augustine
Baker
Bakopanos
Barnes
Beaumier
Bélair
Bélanger
Bellemare
Bennett
Bertrand
Bevilacqua
Blondin-Andrew
Bonin
Bonwick
Boudria
Bradshaw
Brown
Bryden
Bulte
Byrne
Caccia
Calder
Cannis
Caplan
Carroll
Catterall
Cauchon
Chamberlain
Chan
Charbonneau
Chrétien (Saint-Maurice)
Clouthier
Coderre
Cohen
Collenette
Comuzzi
Copps
Cullen
DeVillers
Dhaliwal
Dion
Discepola
Dromisky
Drouin
Duhamel
Easter
Finestone
Folco
Fontana
Fry
Gagliano
Gallaway
Godfrey
Goodale
Graham
Grose
Guarnieri
Harb
Harvard
Hubbard
Ianno
Iftody
Jackson
Jennings
Jordan
Karetak-Lindell
Keyes
Kilgour (Edmonton Southeast)
Knutson
Kraft Sloan
Lastewka
Lavigne
Lee
Leung
Lincoln
Longfield
Mahoney
Malhi
Maloney
Manley
Marchi
Martin (LaSalle—Émard)
Massé
McCormick
McGuire
McKay (Scarborough East)
McLellan (Edmonton West)
McTeague
McWhinney
Mifflin
Mills (Broadview—Greenwood)
Minna
Mitchell
Murray
Myers
Nault
Normand
O'Brien (London—Fanshawe)
O'Reilly
Pagtakhan
Paradis
Parrish
Patry
Peric
Peterson
Pettigrew
Phinney
Pickard (Kent—Essex)
Pillitteri
Pratt
Proud
Provenzano
Redman
Reed
Richardson
Robillard
Rock
Saada
Scott (Fredericton)
Sekora
Serré
Shepherd
Speller
St. Denis
Steckle
Stewart (Brant)
Stewart (Northumberland)
St-Julien
Szabo
Telegdi
Thibeault
Torsney
Ur
Valeri
Vanclief
Volpe
Wappel
Whelan
Wilfert
Wood—145

NAYS

Members

Abbott
Ablonczy
Alarie
Anders
Bachand (Saint-Jean)
Bailey
Bellehumeur
Benoit
Bergeron
Bernier (Bonaventure—Gaspé—Îles-de-la-Madeleine—Pabok)
Bernier (Tobique—Mactaquac)
Bigras
Blaikie
Borotsik
Breitkreuz (Yellowhead)
Brien
Brison
Canuel
Chatters
Cummins
Dalphond-Guiral
Davies
de Savoye
Debien
Desrochers
Dockrill
Doyle
Dubé (Lévis)
Dubé (Madawaska—Restigouche)
Duceppe
Dumas
Duncan
Earle
Elley
Epp
Gagnon
Gauthier
Gilmour
Girard-Bujold
Godin (Acadie—Bathurst)
Godin (Châteauguay)
Goldring
Gouk
Grey (Edmonton North)
Guay
Guimond
Hanger
Harris
Hart
Harvey
Herron
Hill (Macleod)
Hill (Prince George—Peace River)
Hilstrom
Hoeppner
Jaffer
Johnston
Jones
Keddy (South Shore)
Kenney (Calgary-Sud-Est)
Konrad
Laliberte
Lalonde

Laurin
Lefebvre
Lowther
MacKay (Pictou—Antigonish—Guysborough)
Manning
Marchand
Mayfield
McNally
Mills (Red Deer)
Muise
Obhrai
Perron
Plamondon
Proctor
Reynolds
Robinson
Scott (Skeena)
Solomon
Stinson
Stoffer
Thompson (Charlotte)
Tremblay (Rimouski—Mitis)
Vautour
White (Langley—Abbotsford)
Williams—112

Lebel
Loubier
Lunn
Mancini
Marceau
Matthews
McDonough
Ménard
Morrison
Nystrom
Penson
Picard (Drummond)
Price
Ramsay
Ritz
Sauvageau
Solberg
St-Hilaire
St-Jacques
Strahl
Tremblay (Lac-Saint-Jean)
Turp
Wasylycia-Leis
White (North Vancouver)

PAIRED MEMBERS

Asselin
Chrétien (Frontenac—Mégantic)
Eggleton
MacAulay
Mercier
Rocheleau

Axworthy (Winnipeg South Centre)
Crête
Kilger (Stormont—Dundas)
Marleau
O'Brien (Labrador)
Venne

The Speaker: I declare the motion carried.

(Bill read the third time and passed)

* * *

MI'KMAQ EDUCATION ACT

The House resumed from June 10 consideration of the motion that Bill C-30, an act respecting the powers of the Mi'kmaq of Nova Scotia in relation to education, be read the third time and passed.

The Speaker: The next recorded division is on the motion at the third reading stage of Bill C-30.

Ms. Marlene Catterall: Mr. Speaker, I think you would find unanimous consent that the members who voted on the previous motion be record as having voted on the motion now before the House, with Liberal members voting yes.

The Speaker: Is there agreement to proceed in such a fashion?

Some hon. members: Agreed.

Mr. Chuck Strahl: Mr. Speaker, Reform Party members present vote no to this motion.

[*Translation*]

Mr. Stéphane Bergeron: Mr. Speaker, members of the Bloc Quebecois will be voting in favour of the motion.

[*English*]

Mr. John Solomon: Mr. Speaker, members of the NDP present will vote yes on this motion.

[*Translation*]

Mr. André Harvey: Mr. Speaker, members of our party vote yea on this motion.

[*English*]

(The House divided on the motion, which was agreed to on the following division:)

(*Division No. 221*)

YEAS

Members

Adams
Alcock
Assad
Augustine
Baker
Barnes
Bélair
Bellehumeur
Bennett
Bernier (Bonaventure—Gaspé—Îles-de-la-Madeleine—Pabok)
Bernier (Tobique—Mactaquac)
Bevilacqua
Blaikie
Bonin
Borotsik
Bradshaw
Brison
Bryden
Byrne
Calder
Canuel
Carroll
Cauchon
Chan
Chrétien (Saint-Maurice)
Coderre
Collenette
Copps
Dalphond-Guiral
de Savoye
Desrochers
Dhaliwal
Discepola
Doyle
Drouin
Dubé (Madawaska—Restigouche)
Duhamel
Earle
Finestone
Fontana
Gagliano
Gallaway
Girard-Bujold
Godin (Acadie—Bathurst)
Goodale
Grose
Guay
Harb
Harvey
Hubbard
Iftody
Jennings

Alarie
Anderson
Assadourian
Bachand (Saint-Jean)
Bakopanos
Beaumier
Bélanger
Bellemare
Bergeron
Bertrand
Bigras
Blondin-Andrew
Bonwick
Boudria
Brien
Brown
Bulte
Caccia
Cannis
Caplan
Catterall
Chamberlain
Charbonneau
Clouthier
Cohen
Comuzzi
Cullen
Davies
Debien
DeVillers
Dion
Dockrill
Dromisky
Dubé (Lévis)
Duceppe
Dumas
Easter
Folco
Fry
Gagnon
Gauthier
Godfrey
Godin (Châteauguay)
Graham
Guarnieri
Guimond
Harvard
Herron
Ianno
Jackson
Jones

Jordan
Keddy (South Shore)
Kilgour (Edmonton Southeast)
Kraft Sloan
Lalonde
Laurin
Lebel
Lefebvre
Lincoln
Loubier
Mahoney
Maloney
Manley
Marchand
Martin (LaSalle—Émard)
Matthews
McDonough
McKay (Scarborough East)
McTeague
Ménard
Mills (Broadview—Greenwood)
Mitchell
Murray
Nault
Nystrom
O'Reilly
Paradis
Patry
Perron
Pettigrew
Picard (Drummond)
Pillitteri
Pratt
Proctor
Provenzano
Reed
Robillard
Rock
Sauvageau
Sekora
Shepherd
Speller
Steckle
Stewart (Northumberland)
St-Jacques
Stoffer
Telegdi
Thompson (Charlotte)
Tremblay (Lac-Saint-Jean)
Turp
Valeri
Vautour
Wappel
Whelan
Wood —212

Karetak-Lindell
Keyes
Knutson
Laliberte
Lastewka
Lavigne
Lee
Leung
Longfield
MacKay (Pictou—Antigonish—Guysborough)
Malhi
Mancini
Marceau
Marchi
Massé
McCormick
McGuire
McLellan (Edmonton West)
McWhinney
Mifflin
Minna
Muise
Myers
Normand
O'Brien (London—Fanshawe)
Pagtakhan
Parrish
Peric
Peterson
Phinney
Pickard (Kent—Essex)
Plamondon
Price
Proud
Redman
Richardson
Robinson
Saada
Scott (Fredericton)
Serré
Solomon
St. Denis
Stewart (Brant)
St-Hilaire
St-Julien
Szabo
Thibeault
Torsney
Tremblay (Rimouski—Mitis)
Ur
Vanclief
Volpe
Wasylycia-Leis
Wilfert

NAYS

Members

Abbott
Anders
Benoit
Chatters
Duncan
Epp
Goldring
Grey (Edmonton North)
Harris
Hill (Macleod)
Hilstrom
Jaffer
Kenney (Calgary-Sud-Est)
Lowther
Manning
McNally
Morrison
Penson
Reynolds
Scott (Skeena)
Stinson
White (Langley—Abbotsford)
Williams—45

Ablonczy
Bailey
Breitkreuz (Yellowhead)
Cummins
Elley
Gilmour
Gouk
Hanger
Hart
Hill (Prince George—Peace River)
Hoeppner
Johnston
Konrad
Lunn
Mayfield
Mills (Red Deer)
Obhrai
Ramsay
Ritz
Solberg
Strahl
White (North Vancouver)

PAIRED MEMBERS

Asselin
Chrétien (Frontenac—Mégantic)
Eggleton
MacAulay
Mercier
Rocheleau

Axworthy (Winnipeg South Centre)
Crête
Kilger (Stormont—Dundas)
Marleau
O'Brien (Labrador)
Venne

The Speaker: I declare the motion carried.

(Bill read the third time and passed)

* * *

CANADIAN WHEAT BOARD

The House resumed from June 10 consideration of the motion in relation to the amendments made by the Senate to Bill C-4, an act to amend the Canadian Wheat Board Act and to make consequential amendments to other acts; and of the amendment.

The Speaker: The House will now proceed to the taking of the deferred recorded division on the amendment to the motion to concur in the Senate amendments to Bill C-4.

[*Translation*]

Ms. Marlene Catterall: Mr. Speaker, you would find there is unanimous consent that the hon. members who voted on the previous motion be recorded as having voted on the motion now before the House, with Liberal members voting nay.

[*English*]

The Speaker: Is there agreement to proceed in such a fashion?

Some hon. members: Agreed.

Mr. Chuck Strahl: Mr. Speaker, the Reformers are proud to vote yes to this motion.

[*Translation*]

Mr. Stéphane Bergeron: Mr. Speaker, members of the Bloc Quebecois oppose this motion.

[*English*]

Mr. John Solomon: Mr. Speaker, NDP members present vote no on this motion.

[*Translation*]

Mr. André Harvey: Mr. Speaker, the members of our party who are present vote yea on this motion.

• (1345)

[*English*]

(The House divided on the amendment, which was negatived on the following division:)

(*Division No. 222*)

YEAS

Members

Abbott
Anders
Benoit
Borotsik
Brison
Cummins
Dubé (Madawaska—Restigouche)
Elley
Gilmour
Gouk
Hanger
Hart
Herron
Hill (Prince George—Peace River)
Hoeppner
Johnston
Keddy (South Shore)
Konrad
Lunn
Manning
Mayfield
Mills (Red Deer)
Muise
Penson
Ramsay
Ritz
Solberg
St-Jacques
Thompson (Charlotte)
White (North Vancouver)

Ablonczy
Bailey
Bernier (Tobique—Mactaquac)
Breitkreuz (Yellowhead)
Chatters
Doyle
Duncan
Epp
Goldring
Grey (Edmonton North)
Harris
Harvey
Hill (Macleod)
Hilstrom
Jaffer
Jones
Kenney (Calgary-Sud-Est)
Lowther
MacKay (Pictou—Antigonish—Guysborough)
Matthews
McNally
Morrison
Obhrai
Price
Reynolds
Scott (Skeena)
Stinson
Strahl
White (Langley—Abbotsford)
Williams—60

NAYS

Members

Adams
Alcock
Assad Assadourian
Bachand (Saint-Jean)
Bakopanos
Beaumier
Bélanger
Bellemare
Bergeron
Îles-de-la-Madeleine—Pabok)
Bevilacqua
Blaikie
Bonin
Boudria
Brien
Bryden
Byrne
Calder
Canuel
Carroll
Cauchon
Chan
Chrétien (Saint-Maurice)
Coderre
Collenette
Copps
Dalphond-Guiral
de Savoye
Desrochers
Dhaliwal
Discepola
Dromisky
Dubé (Lévis)
Duhamel
Earle
Finestone
Fontana
Gagliano
Gallaway
Girard-Bujold
Godin (Acadie—Bathurst)
Goodale
Grose

Alarie
Anderson
Augustine
Baker
Barnes
Bélair
Bellehumeur
Bennett
Bernier (Bonaventure—Gaspé—
Bertrand
Bigras
Blondin-Andrew
Bonwick
Bradshaw
Brown
Bulte
Caccia
Cannis
Caplan
Catterall
Chamberlain
Charbonneau
Clouthier
Cohen
Comuzzi
Cullen
Davies
Debien
DeVillers
Dion
Dockrill
Drouin
Duceppe
Dumas
Easter
Folco
Fry
Gagnon
Gauthier
Godfrey
Godin (Châteauguay)
Graham
Guarnieri

Guay
Harb
Hubbard
Iftody
Jennings
Karetak-Lindell
Kilgour (Edmonton Southeast)
Kraft Sloan
Lalonde
Laurin
Lebel
Lefebvre
Lincoln
Loubier
Malhi
Mancini
Marceau
Marchi
Massé
McDonough
McKay (Scarborough East)
McTeague
Ménard
Mills (Broadview—Greenwood)
Mitchell
Myers
Normand
O'Brien (London—Fanshawe)
Pagtakhan
Parrish
Peric
Peterson
Phinney
Pickard (Kent—Essex)
Plamondon
Proctor
Provenzano
Reed
Robillard
Rock
Sauvageau
Sekora
Shepherd
Speller
Steckle
Stewart (Northumberland)
St-Julien
Szabo
Thibeault
Tremblay (Lac-Saint-Jean)
Turp
Valeri
Vautour
Wappel
Whelan
Wood —197

Guimond
Harvard
Ianno
Jackson
Jordan
Keyes
Knutson
Laliberte
Lastewka
Lavigne
Lee
Leung
Longfield
Mahoney
Maloney
Manley
Marchand
Martin (LaSalle—Émard)
McCormick
McGuire
McLellan (Edmonton West)
McWhinney
Mifflin
Minna
Murray
Nault
Nystrom
O'Reilly
Paradis
Patry
Perron
Pettigrew
Picard (Drummond)
Pillitteri
Pratt
Proud
Redman
Richardson
Robinson
Saada
Scott (Fredericton)
Serré
Solomon
St. Denis
Stewart (Brant)
St-Hilaire
Stoffer
Telegdi
Torsney
Tremblay (Rimouski—Mitis)
Ur
Vanclief
Volpe
Wasylycia-Leis
Wilfert

PAIRED MEMBERS

Asselin
Chrétien (Frontenac—Mégantic)
Eggleton
MacAulay
Mercier
Rocheleau

Axworthy (Winnipeg South Centre)
Crête
Kilger (Stormont—Dundas)
Marleau
O'Brien (Labrador)
Venne

The Speaker: So that there is no confusion, we were voting on the amendment and I declare the amendment defeated.

Ms. Marlene Catterall: Mr. Speaker, I think you would find consent that members who voted on the previous motion be recorded as voting on the motion now before the House, with Liberal members voting yes.

The Speaker: Is there agreement to proceed in such a fashion?

Some hon. members: Agreed.

Mr. Chuck Strahl: Mr. Speaker, Reformers present will vote no to this motion.

[*Translation*]

Mr. Stéphane Bergeron: Mr. Speaker, members of the Bloc Quebecois will be voting in favour of the motion.

[*English*]

Mr. John Solomon: Mr. Speaker, members of the New Democratic Party will vote no to this motion.

[*Translation*]

Mr. André Harvey: Mr. Speaker, the members of our party who are present vote yea on this motion.

[*English*]

(The House divided on the motion, which was agreed to on the following division:)

(*Division No. 223*)

YEAS

Members

Adams
Alarie
Alcock
Anderson
Assad
Assadourian
Augustine
Bachand (Saint-Jean)
Baker
Bakopanos
Barnes
Beaumier
Bélair
Bélanger
Bellehumeur
Bellemare
Bennett
Bergeron
Bernier (Bonaventure—Gaspé—Îles-de-la-Madeleine—Pabok)
Bernier (Tobique—Mactaquac)
Bertrand
Bevilacqua
Bigras
Blondin-Andrew
Bonin
Bonwick
Borotsik
Boudria
Bradshaw
Brien
Brison
Brown
Bryden
Bulte
Byrne
Caccia
Calder
Cannis
Canuel
Caplan
Carroll
Catterall
Cauchon
Chamberlain
Chan
Charbonneau
Chrétien (Saint-Maurice)
Clouthier
Coderre
Cohen
Collenette
Comuzzi
Copps
Cullen
Dalphond-Guiral
de Savoye
Debien
Desrochers
DeVillers
Dhaliwal
Dion
Discepola
Doyle
Dromisky
Drouin
Dubé (Lévis)
Dubé (Madawaska—Restigouche)
Duceppe
Duhamel
Dumas
Easter
Finestone
Folco
Fontana
Fry
Gagliano
Gagnon
Gallaway
Gauthier
Girard-Bujold
Godfrey
Godin (Châteauguay)
Goodale
Graham
Grose
Guarnieri
Guay
Guimond
Harb
Harvard
Harvey
Herron
Hubbard
Ianno
Iftody
Jackson
Jennings
Jones
Jordan
Karetak-Lindell
Keddy (South Shore)
Keyes
Kilgour (Edmonton Southeast)
Knutson
Kraft Sloan
Lalonde
Lastewka
Laurin
Lavigne
Lebel
Lee
Lefebvre
Leung
Lincoln
Longfield
Loubier
MacKay (Pictou—Antigonish—Guysborough)
Mahoney
Malhi
Maloney
Manley
Marceau
Marchand
Marchi
Martin (LaSalle—Émard)
Massé
Matthews
McCormick
McGuire
McKay (Scarborough East)
McLellan (Edmonton West)
McTeague
McWhinney
Ménard
Mifflin
Mills (Broadview—Greenwood)
Minna
Mitchell
Muise
Murray
Myers
Nault
Normand
O'Brien (London—Fanshawe)
O'Reilly
Pagtakhan
Paradis
Parrish
Patry
Peric
Perron
Peterson
Pettigrew
Phinney
Picard (Drummond)
Pickard (Kent—Essex)
Pillitteri
Plamondon
Pratt
Price
Proud
Provenzano
Redman
Reed
Richardson
Robillard
Rock
Saada
Sauvageau
Scott (Fredericton)
Sekora
Serré
Shepherd
Speller
St. Denis
Steckle
Stewart (Brant)
Stewart (Northumberland)
St-Hilaire
St-Jacques
St-Julien
Szabo
Telegdi
Thibeault
Thompson (Charlotte)
Torsney
Tremblay (Lac-Saint-Jean)
Tremblay (Rimouski—Mitis)
Turp
Ur
Valeri
Vanclief
Volpe
Wappel
Whelan
Wilfert
Wood—197

NAYS

Members

Abbott
Ablonczy
Anders
Bailey
Benoit
Blaikie
Breitkreuz (Yellowhead)
Chatters
Cummins
Davies
Dockrill
Duncan

S. O. 31

Earle	Elley
Epp	Gilmour
Godin (Acadie—Bathurst)	Goldring
Gouk	Grey (Edmonton North)
Hanger	Harris
Hart	Hill (Macleod)
Hill (Prince George—Peace River)	Hilstrom
Hoeppner	Jaffer
Johnston	Kenney (Calgary-Sud-Est)
Konrad	Laliberte
Lowther	Lunn
Mancini	Manning
Mayfield	McDonough
McNally	Mills (Red Deer)
Morrison	Nystrom
Obhrai	Penson
Proctor	Ramsay
Reynolds	Ritz
Robinson	Scott (Skeena)
Solberg	Solomon
Stinson	Stoffer
Strahl	Vautour
Wasylycia-Leis	White (Langley—Abbotsford)
White (North Vancouver)	Williams—60

PAIRED MEMBERS

Asselin	Axworthy (Winnipeg South Centre)
Chrétien (Frontenac—Mégantic)	Crête
Eggleton	Kilger (Stormont—Dundas)
MacAulay	Marleau
Mercier	O'Brien (Labrador)
Rocheleau	Venne

The Speaker: I declare the motion carried.

(Amendments read the second time and concurred in)

SUSPENSION OF SITTING

Ms. Marlene Catterall (Ottawa West—Nepean, Lib.): Mr. Speaker, I think you might find consent that the House suspend until the beginning of question period.

The Speaker: Is there agreement to proceed in such a fashion?

Some hon. members: Agreed.

(The sitting of the House was suspended at 1:48 p.m.)

• (1355)

SITTING RESUMED

The House resumed at 1.56 p.m.

The Speaker: In the hopes of getting as many people in as we possibly can for Statements by Members, we will begin now.

STATEMENTS BY MEMBERS

[*English*]

PUBLIC SERVICE OF CANADA

Mr. Gurbax Singh Malhi (Bramalea—Gore—Malton, Lib.): Mr. Speaker, next week Canadians pay tribute to the tremendous contribution of the federal Public Service of Canada.

With all the pain associated with downsizing in recent years, it is important during Canada's post-deficit period that we openly express the tremendous pride we feel for our public service.

We are at a crossroads in our history as the role and direction of governments around the world are being re-evaluated. Our public service is known as one of the best in the world. All Canadians benefit from the many services it delivers, which makes Canada the number one country in which to live.

Today I wish to thank our public servants for their dedicated quality service and their commitment to finding better ways to improve Canada.

* * *

PROSTATE CANCER RESEARCH

Mr. Ted White (North Vancouver, Ref.): Mr. Speaker, Sunday, June 21, is Father's Day. It is also the day for Canada's first ever run for prostate cancer research in Victoria, B.C.

Volunteers have been working for months to organize and promote this event and have even managed to attract the sponsorship of major corporations like CIBC, a company which also supports breast cancer research.

Until recently very few people were talking about prostate cancer even though one man in eight will be struck with the disease during his lifetime. As a result prostate cancer research has struggled to attract research funding, just one-twentieth of the money going to breast cancer research and less than one-hundredth of the money going to AIDS research.

It is time for governments to begin distributing their research funding in a more equitable manner and to catch up with public awareness about prostate cancer.

Congratulations to the Victoria, B.C., organizers of Canada's first ever run for prostate cancer research. They have overcome enormous obstacles to help raise awareness of a very serious disease.

MICHAEL STARR

Mr. Ivan Grose (Oshawa, Lib.): Mr. Speaker, it was my privilege on Wednesday, June 3, to attend a dinner in Oshawa to recognize the honourable Michael Starr.

Mike Starr was born in northern Ontario in 1910. He served as mayor of Oshawa and his other public activities covered three pages in his bio.

He became minister of labour in 1957 in the Diefenbaker government, but, as a I say at home, even the most illustrious among us sometimes has a shortcoming.

● (1400)

Mike Starr served in a Tory government but his work in anti-discrimination and fair labour laws would have qualified him to be a Liberal, maybe even NDP. Now he is an ardent supporter of the Reform Party which of course assures that his candidate in Oshawa will continue to lose.

After the foregoing unpaid ads, I will expect applause from all sides of the House.

* * *

SAEED BAGHBANI

Mr. John Cannis (Scarborough Centre, Lib.): Mr. Speaker, I rise today to congratulate a young constituent in my riding of Scarborough Centre.

Saeed Baghbani is just 14 years old but he has already reached the pinnacle in the Canadian karate world. In 1997 Saeed became the Ontario karate champion and on May 6, 1998 Saeed went on to win the gold medal in the Canadian national karate competition. Saeed will now go on to represent Canada at the Pan American Games which will be held in September 1998 in Argentina.

In addition to these impressive accomplishments, Saeed has been selected as the best athlete for 1997-98 at Wexford Collegiate Institute in Scarborough.

I want to congratulate Saeed on his terrific accomplishments and wish him well with the upcoming games in September. This young man represents the great things that our youth can achieve with the proper support and encouragement. It is exactly the environment that our government is striving to create for young Canadians now and in the next millennium.

Congratulations, Saeed.

* * *

ICELAND

Mr. John Harvard (Charleswood—Assiniboine, Lib.): Mr. Speaker, on the occasion of Canada receiving a new ambassador from Iceland, I want to share with members the strong ties that exist between Canada and Iceland.

My Icelandic ancestors first came to the shores of what is now Canada almost 1,000 years ago. Icelandic settlers immigrated to Manitoba as early as 1875 and established the republic of new Iceland on the shores of Lake Winnipeg. Their descendants have made contributions in a wide range of fields, including agriculture, medicine, literature, business and government. They have helped build a better Canada.

Each year in August the Icelandic festival Islundingadaggurin is held at Gimli, Manitoba. I invite all Canadians to Gimli to share the experience.

We of Icelandic ancestry are proud Canadians who have not forgotten our heritage.

I offer my best wishes and full support as our two countries work together toward a closer and stronger relationship based on a longstanding friendship and mutual respect.

The Speaker: Like the hon. member, we are all very happy that the ambassador was able to be with us today.

* * *

BUSINESSLINC PROJECT

Ms. Aileen Carroll (Barrie—Simcoe—Bradford, Lib.): Mr. Speaker, in the United States the unemployment rate is the lowest in 28 years. However the White House recognizes that there are marginalized constituencies and urban areas left behind in the rush to meet the challenges of global competitiveness.

Last Friday, Vice-President Gore announced several new private sector commitments to invest in low income communities. He launched an administration initiative to encourage large businesses to work with local small businesses in distressed areas. The BusinessLINC project includes such high profile partners as Bank-Boston, Prudential Insurance and Pfizer Corp.

As we in Canada struggle with similar realities of global competitiveness, I ask if there are aspects of this community reinvestment model which our large businesses such as bank merger hopefuls might consider as part of their contract with the people of Canada.

* * *

THE SENATE

Mr. Howard Hilstrom (Selkirk—Interlake, Ref.): Mr. Speaker, the Reform Party has long campaigned for a Senate that is equal in representation for all provinces, elected by the people and effective in operations. Our appeals for Senate reform seem to fall on deaf ears as the Liberals ignore the obvious problems in the Senate and continue to make patronage appointments.

Even the Prime Minister has begun to recognize the need for change. On June 3 the Prime Minister said ''When there will be an elected Senate there will be an elected Senate for all Canadians at the same time. If we want reform of the Senate we need a complete one with equality and effectiveness''.

The Prime Minister has not yet seen the light. Canada deserves an equal, elected and effective Senate. The Prime Minister knows this but is unwilling to make that necessary first step of recognizing the democratic will of the people who want to elect their next senator.

* * *

SKYLINK AVIATION INC.

Ms. Shaughnessy Cohen (Windsor—St. Clair, Lib.): Mr. Speaker, I want to pay tribute today to a Canadian company that is playing a leadership role internationally through the provision of rapid deployment evacuation air services.

● (1405)

Skylink Aviation, based in Toronto with operations throughout the world including a freight service in Windsor, has demonstrated incredible courage moving people out of dangerous circumstances.

It provided evacuation services on behalf of UNICEF and the world food program in flood ravaged Somalia. On May 16 and 17, Skylink flew into Jakarta, Indonesia and evacuated 420 Canadian nationals. Skylink was the only cargo carrier to provide food and medical supplies to Afghanistan while evacuating seriously ill people and UN personnel.

Last Friday, Skylink undertook a most dangerous mission in Eritrea on behalf of the United States state department. During bombing and air fire resulting in the downing of an Ethiopian plane, Skylink landed and safely evacuated 220 people out of Eritrea to Frankfurt.

It is most gratifying to see a Canadian company demonstrating leadership and courage in the protection of human lives throughout the world.

* * *

[*Translation*]

S. MATTE HARDWARE STORE IN SAINT-TITE

Mr. Réjean Lefebvre (Champlain, BQ): Mr. Speaker, a page of history will soon be turned in Saint-Tite, in the riding of Champlain, when André Matte and his sister Odette will, for the last time, close the door of the family hardware store that has been part of that small community for 116 years.

The Mattes still have the basket and the snow-pusher that are associated with their business in Saint-Tite. One can still find many other items on the shelves of the family business that was started by Siméon Matte, in 1882.

André and Odette loved their work and did not count their hours. The S. Matte hardware store is closing not because of financial problems, but because there is no one to take over the business. André et Odette Matte, both in their 60s, will enjoy a well-deserved retirement.

On behalf of all the residents of the Mékinac region and the municipality of Saint-Tite, I thank them both. You will be sorely missed.

* * *

[*English*]

THE JUDICIARY

Mr. Reed Elley (Nanaimo—Cowichan, Ref.): Mr. Speaker, political correctness and social engineering. These are just two of the loathsome byproducts perpetuated by judicial activism. Courts are no longer interpreting laws made by parliament but are instead making them on behalf of governments, derelict in their duty and void of responsibility.

The situation has resulted in the removal of parliament as the supreme law making body and given us court rulings that reflect the political agenda of precious few in this country.

This collective assault by the judiciary has meant an erosion of the traditional values held by Canadians. It has also trampled individual rights and freedoms while advancing collective rights to the detriment—

The Speaker: My colleague, your statements are coming very close to criticizing the judiciary as an institution. I would cut it right there.

* * *

[*Translation*]

JUSTICE LOUIS-PHILIPPE PIGEON

Mr. Claude Drouin (Beauce, Lib.): Mr. Speaker, a rare event is taking place this afternoon in Sainte-Foy, Quebec. The Quebec Minister of Justice will unveil a commemorative plaque to honour a former judge from the Supreme Court of Canada, Louis-Philippe Pigeon.

You will remember that Justice Louis-Philippe Pigeon was a brilliant lawyer and an eminent adviser to Premier Jean Lesage, before being appointed to the Supreme Court of Canada and eventually becoming chief justice.

The building that houses the Quebec Department of Justice will now be called Louis-Philippe Pigeon. Let us hope that this will be a source of inspiration for the current minister and his successors in making decisions.

This is yet more proof that Quebec has a real and full place in Canada.

[*English*]

DAVIS DAY

Mrs. Michelle Dockrill (Bras d'Or, NDP): Mr. Speaker, in coal mining communities across Cape Breton Island today, schools and businesses are closed and the streets are quiet.

Today is Davis Day commemorating the miner shot by coal company police during the strike in 1925.

Today Cape Bretoners remember when their island was the engine for the Dominion, when their blood and sweat fed the war machine of the British Empire. Today working people remember how they fought and died for things we now take for granted. Living wages, pensions, protection from bosses who would rather shoot to kill than bargain in good faith.

On Davis Day we remember our history. Cape Bretoners have reason to be proud and Canadians have reason to be thankful.

* * *

[*Translation*]

SAGUENAY-LAC-SAINT-JEAN

Ms. Jocelyne Girard-Bujold (Jonquière, BQ): Mr. Speaker, today I invite my colleagues to join me in celebrating this day of festivities for all the people of the Saguenay-Lac-Saint-Jean region.

As a start to regional pride week, the people of our fine corner of the country want to share with you this moment of pleasure, which bears witness to the vitality of our community. Our people proudly raise the regional flag and with one voice sing the song of the Saguenay-Lac-Saint-Jean region.

• (1410)

I will share one of the verses with you:

Once long ago a country wild,
Oppressed by a conqueror
Of courage far beyond the strength
Of your unflinching majesty.
Th'emboldened hand of ancestors
Made you into their dwelling place
And did create with strokes so sure
Your vistas all magnificent.

Happy celebrations to all the people of the Saguenay-Lac-Saint-Jean region.

* * *

INDIAN AFFAIRS

Mr. Bernard Patry (Pierrefonds—Dollard, Lib.): Mr. Speaker, the Canadian government is actively involved in an important project for aboriginal people, namely self-government.

I find it unfortunate, however, that the opposition parties are calling on the government to rush such a complex issue through.

That is exactly what we do not want to do, for rushed solutions to aboriginal issues might well compromise all the groundwork that has been done so far.

[*English*]

We are trying to work together to find solutions that are appropriate and in accordance with the wishes of those who will have to live with the new reality.

[*Translation*]

To put it succinctly, respect for culture and ancestral conditions involve, first and foremost, dialogue and concerted efforts.

* * *

SENIOR CITIZENS MONTH

Mr. Jean Dubé (Madawaska—Restigouche, PC): Mr. Speaker, the month of June has been designated Senior Citizens Month.

Seniors have contributed, and continue to contribute, to our communities and our country. They deserve our admiration and respect.

Yet the present government persists in launching an unprecedented assault on our older citizens. Its Canada Pension Plan reforms will reduce what Canadians will receive, while increasing their contributions.

Recently, Bill C-36 would have meant lower Guaranteed Income Supplement payments for needy seniors. We are still waiting to see the strategy this same minister will come up with in his reworking of the senior benefit project.

As we begin Senior Citizens Month, I wish to assure the senior citizens of Canada that we will be proud to be their staunch defenders. We in the Progressive Conservative Party will look after their interests.

* * *

[*English*]

FIRST NATIONS LAND MANAGEMENT ACT

Mrs. Karen Kraft Sloan (York North, Lib.): Mr. Speaker, the First Nations land management act which received first reading today will allow 14 communities to opt out of the land sections of the Indian Act.

I am honoured to represent the Chippewas of Georgina Island, one of the 14 communities. Georgina Island voted overwhelmingly to adopt their own land code. The speedy passage of this legislation is crucial for First Nations to respond to economic opportunities and create jobs. All members, men, women and children of these First Nations communities will benefit.

I congratulate Chief McCue, the council and the community for their vision and determination. I call on all members of both houses to support Chief Bill McCue, Georgina Island and the other 13 First Nations communities.

* * *

[*Translation*]

GREAT BRITAIN

Mr. Daniel Turp (Beauharnois—Salaberry, BQ): Mr. Speaker, the Bloc Quebecois wishes to acknowledge the open mind of the British minister responsible for relations between Canada and Great Britain regarding Quebec's sovereignty.

Yesterday, in the *Vancouver Sun*, Ms. Liz Symons was reported as saying that, if Quebec says yes to sovereignty, it will be very important that a good relationship be maintained with Quebec.

Such an open-minded attitude on the part of a foreign government on a political issue as sensitive as the future of Quebec is in sharp contrast with the Canadian government ministers' pattern of behaviour with their Plan B. Clearly, this kind of open-mindedness was not brought back home at the same time as the Canadian Constitution.

Liberal ministers must now understand that more and more states will no doubt be as realistic and open-minded when Quebec achieves full sovereignty.

* * *

[*English*]

NATIONAL CAPITAL COMMISSION

Mr. Jim Abbott (Kootenay—Columbia, Ref.): Mr. Speaker the National Capital Commission is an unelected, unaccountable body which administers properties and events in the nation's capital. It has just announced a humdinger of a 50-year plan for Canada's capital. The idea came from none other than the Prime Minister himself.

The 50-year plan would involve demolishing at least two churches, five heritage buildings and Ottawa's main public library. Great vision. Some legacy. That amount of demolition is like clear-cutting buildings.

Speaking of vision, the same people at the NCC who intend to implement this plan have had to sell greenbelt area around Ottawa to raise cash to pay for their daily operations. Instead of such a controversial and big budget vision for our nation's capital we need democracy in the National Capital Commission.

• (1415)

I call on the heritage minister to dismantle the current unelected, unaccountable NCC board and replace it with elected representatives, a commission accountable to the people who have to live with their decisions. The beleaguered Canadian taxpayers always has to foot the bill.

ORAL QUESTION PERIOD

[*English*]

HEALTH

Mr. Preston Manning (Leader of the Opposition, Ref.): Mr. Speaker, this week as parliament comes to a close the government may be thinking that it can finally close the file on hepatitis C victims, but the hands of the Prime Minister like those of Lady MacBeth are stained with his treatment of tainted blood victims.

''Out, damned spot'' is what she said. ''This file is closed'' is what he said. But the victims will not be so easily silenced.

Does the government really believe that it can get away with its shameless treatment of the victims of tainted blood?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, it is important for the Leader of the Opposition to remember that until the government came along, until the leadership of the Prime Minister was in place, those who sought recompense for tainted blood were turned away.

The one single answer from all governments was no. As a result of the leadership of the Prime Minister's government some 22,000 who contracted hepatitis C through the blood system have now been offered a reasonable recompense.

A process is now under way with other governments to determine whether a consensus can be reached for dealing with all victims.

Mr. Preston Manning (Leader of the Opposition, Ref.): Mr. Speaker, the government may think that the questioning of its conduct on this issue will stop when question period stops, but this summer these questions will grow louder and even more insistent.

For each Liberal MP out there trying to wash the stains of the government's record on this issue from the Prime Minister's hands, there will be hundreds of victims telling the truth.

What are Liberal MPs supposed to say at the barbeques and the town hall meetings when these victims ask ''Why did you betray our interests?''

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, I should think that the leader of the Reform Party had trouble enough on his own hands telling his own members what they will be saying all summer when all of them refuse to support the Reform Party.

We shall have enough to say. We shall point to the leadership we have taken. We shall point to the steps that we have undertaken to offer recompense to those who were injured as a result of the fault of those responsible.

Over the coming weeks I assure the Leader of the Opposition that governments will continue to work together to find a new consensus to deal with the interest of all those who contracted hepatitis C.

Mr. Preston Manning (Leader of the Opposition, Ref.): Mr. Speaker, the government thinks it has a dozen ways to wash these stains from its hands. The Prime Minister blames the provinces. The Prime Minister compares the victims to cigarette addicts and junkies using dirty needles. The Prime Minister uses party discipline to force his own Liberal MPs to vote against the victims.

However, there is only one way for the government to wash this stain from its record and this is its last chance before parliament rises. Will the government agree to compensate all victims of hepatitis C just as Justice Krever recommended?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, the government is very proud of the steps it has already taken to deal with those who were injured through the fault of those who were responsible from 1986 to 1990. The government's efforts continue.

• (1420)

As I have said to the hon. member, officials will continue to meet and governments will work away to find a new consensus. Let us let that process continue. Let us let it complete a new consensus to deal with the interests of all those who contracted hepatitis C through the blood system.

Mr. Grant Hill (Macleod, Ref.): Mr. Speaker, on the issue of hepatitis C assistance the excuses have failed. The public says that it should look after every victim. Finally the victims are mounting this campaign for the long, hot summer.

Could someone on the government side stand to explain why the Prime Minister on the issue of hepatitis C is as stubborn as a mule?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, the member should know that it is not just the federal government that is at the table. There are other governments that have their own positions.

Reform Party members are great champions of constituents. They used to say let us stand and ask a question that was inspired by a constituent.

Some hon. members: Hear, hear.

The Speaker: The hon. Minister of Health has the floor.

Hon. Allan Rock: I understand that Ralph Klein is a constituent of the Leader of the Opposition. Why will the Leader of the Opposition not do what Ralph Klein says? He is content with the process in place at the moment. Why will he not support his constituent on this?

* * *

THE ECONOMY

Mr. Monte Solberg (Medicine Hat, Ref.): Mr. Speaker, the Canadian dollar is trading at historic lows today. Instead of propping up the dollar with higher interest rates, why will the government not take some steps to strengthen the fundamentals of the economy?

Why is the finance minister refusing to bring in a package that will pay down debt over a period of time and give Canadians the lower taxes they need and deserve? Why will he not do it?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, the hon. member knows that the Minister of Finance will not comment on the value of currency.

However, if one wants to talk about the fundamentals of the Canadian economy, we have the strongest growth we have had in decades, in fact the strongest growth of any of the G-7 countries. Over the course of the last four years the country has created over 1,200,000 jobs. At the present time our unemployment rate is down to 8.4% from 11.5%. Our inflation is low. Our productivity is up. The country is leading the G-7. Those are our fundamentals.

* * *

[*Translation*]

ATLANTIC GROUNDFISH STRATEGY

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, tension is running very high in the maritimes, the Magdalen Islands and the Gaspé.

Again today, people are vocalizing their dissatisfaction as the Atlantic groundfish strategy comes to an end.

Since we have been telling the Minister of Human Resources Development for months now that things are going badly and that a tragedy is in the offing, how is it that we are now one day from the end of the session and are still being told that officials are working hard, that the matter is being looked at closely, when nothing concrete has yet been done for the victims of these federal government decisions?

Hon. Pierre S. Pettigrew (Minister of Human Resources Development, Lib.): Mr. Speaker, as I have said on several occasions in the House, this is an issue that concerns us enormously.

We have met with people from the communities and we know that many of them are finding the situation extremely difficult. Some people are living with terrible uncertainty. That is why the issue must be handled very carefully.

I have spoken, through my officials, with representatives from each of the provinces. We will, I hope, be in a position to make an announcement shortly.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, rather than speaking through his officials, as the member puts it, he should be going to see the people on the Magdalen Islands. Perhaps they will teach him something.

Will the minister at least give us an undertaking by tomorrow, when the session is expected to end, that he will either put in place a substantial program to replace TAGS, or extend the program for as long as it takes to get a new program up and running?

Hon. Pierre S. Pettigrew (Minister of Human Resources Development, Lib.): Mr. Speaker, I see that once again the Bloc Quebecois is calling for passive measures, income support, and still wants to keep people in a state of dependency. Two or three years down the road, it will be the same impossible situation all over again.

We are looking to the future, and what we are interested in is a genuine restructuring, if that is what is required.

• (1425)

We may want to pursue the idea of licence buybacks. We want to introduce measures to help people re-enter the labour market. We want economic development. We are interested in active measures, not in keeping people dependent, which is what the members opposite always seem to want.

Mr. Yvan Bernier (Bonaventure—Gaspé—Îles-de-la-Madeleine—Pabok, BQ): Mr. Speaker, the anger and impatience of the victims in the fishery crisis mount daily in Newfoundland, the Magdalen Islands, the Gaspé, all over.

All of this is happening because this government, which is responsible for the mess in the fisheries, has yet to announce substantial and fair measures to follow the TAGS program.

Does the minister, who is trying to cover his inaction with a flood of fine words, realize the explosiveness of the social situation in the maritimes and eastern Quebec, because the people—

The Speaker: The hon. the Minister of Human Resources Development.

Hon. Pierre S. Pettigrew (Minister of Human Resources Development, Lib.): Mr. Speaker, as I said to his leader and to the entire House a few minutes ago, the situation of the people in Atlantic Canada at the moment concerns us enormously. We are very much aware of the fact that these people are facing considerable uncertainty.

Our government acted responsibly in setting up the TAGS program at the time, and we have consulted widely. We have met with people from the fishing industry, with fisher and community representatives, and I hope we will soon be able to announce the programs we will implement.

Mr. Yvan Bernier (Bonaventure—Gaspé—Îles-de-la-Madeleine—Pabok, BQ): Mr. Speaker, ordinary measures and ordinary insensitivity as well.

Does the minister realize that at stake here is not just families' survival, but the preservation of the future of these maritime communities and their way of life? Does he realize that, if he does not help these people, they will have no choice but to leave?

Some hon. members: Hear, hear.

Hon. Pierre S. Pettigrew (Minister of Human Resources Development, Lib.): Mr. Speaker, I can assure you that what we want to do in partnership with the provinces—which I hope will work with us on this—is to create jobs in these communities so that people will have something to do other than wait for the fish to return.

These Atlantic communities must learn to live with a much reduced fishing industry, a situation which unfortunately is unlikely to change any time soon. This is why we have to make structural changes to the economy.

* * *

HEALTH

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, as children do, the Minister of Health is going through the no stage.

According to him, there is no problem at health protection, no problems with toxic toys and no problems with blood products and prescription drugs. An independent report, however, points to an organization in crisis.

When will the minister act like an adult, stop playing with the health of Canadians and acknowledge that not everything is rosy at the health protection branch?

[*English*]

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, perhaps when the New Democratic Party grows up it will learn to read. When it does learn to read it will take into account the things that have been published which demonstrate that the health protection branch is doing its job and doing it well.

The leader of the New Democratic Party should know that the science advisory board which I appointed some months ago, chaired by the distinguished Dr. Roberta Bondar and including 15 or 20 outstanding Canadian scientists, is now doing an audit of the science capacity of Health Canada. We do our job well. We will soon have independent—

The Speaker: The hon. leader of the New Democratic Party.

● (1430)

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, no wonder there is no strategy or deadline to deal with the crisis. The minister continues to refuse to recognize that there is a crisis. Sleepwalking through the problem is what one Health Canada official called it today.

Scientists in the minister's own department today revealed that drug companies are influencing approvals of questionable safety. What will it take for the minister to admit that there is a crisis in his own department?

Hon. Allan Rock (Minister of Health, Lib.): Mr. Speaker, the NDP is a little unpredictable. One day the drug approval process takes too long and today it is going too quickly.

The only crisis in this House is the crisis over in that corner. They cannot seem to attract attention to themselves with facts, so they make them up.

One week they tell us that children will die because of phthalates in toys and then they are proven wrong. The next week they tell us that there is a crisis with albumin and they are proven wrong. The next week it is breast implants and they are proven wrong. They ought to do their homework before they come to this House.

* * *

ROYAL CANADIAN MOUNTED POLICE

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, today we obtained further proof that the RCMP does not have the resources it needs to fight organized crime. Despite existing problems, the solicitor general plans to cut $74.1 million from the RCMP federal policing services, whose main objective is to fight organized crime.

The U.S. state department has already said it considers Canada to be one of the best places in the world for criminals to launder money.

How can the solicitor general justify cutting the RCMP organized crime budget by 13% when Canada is already a haven for money laundering?

Hon. Andy Scott (Solicitor General of Canada, Lib.): Mr. Speaker, the hon. member has his numbers wrong and, as far as money laundering is concerned, we are circulating a discussion paper right now with the intention of bringing in legislation this fall to do just that.

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, here is a number. Three times in the past 20 months solicitors general of this government have promised tough legislation for money laundering but none have been delivered.

The solicitor general knows full well that Bill C-95 in the last parliament did not include mandatory reporting requirements for cross-country currency movement or suspicious financial transactions.

How long do we have to wait before the government puts some teeth into the laws? Will the solicitor general stop the rhetoric and the heel dragging and introduce legislation to give police officers the tools they need to fight organized crime and money laundering?

Hon. Andy Scott (Solicitor General of Canada, Lib.): Mr. Speaker, when we took office in 1993 there were a lot of outstanding issues that were being asked of us by the police. We have delivered on most of them. We still have a few left and we are delivering on them now.

* * *

CANADIAN ARMED FORCES

Mr. Art Hanger (Calgary Northeast, Ref.): Mr. Speaker, yesterday Ann Margaret Dickey told her story for all to hear and said that she wanted her complaint to be investigated.

In January the NIS told Ann Margaret Dickey that the investigation was suspended. Yesterday in the House the Prime Minister said that the investigation was ongoing. In Halifax yesterday the National Investigation Service confirmed that the investigation is finished. However, the NIS in Ottawa said it is ongoing.

Who is telling the truth?

Mr. John Richardson (Parliamentary Secretary to Minister of National Defence, Lib.): Mr. Speaker, the National Investigation Service, which was established in September 1997, has been working on Mrs. Dickey's case since September 17, 1997.

We will not know the facts, nor will we ask questions about the investigation, until the Canadian forces provost marshal says that the investigation is complete.

Mr. Art Hanger (Calgary Northeast, Ref.): Mr. Speaker, I happened to view a videotape of the NIS informing Ms. Dickey that the investigation was suspended. In that particular tape the military investigators told her that the case would be suspended unless she provided or came up with supportive evidence of her allegations. They asked her to do it.

What kind of investigative unit would ask the victim or the complainant to go out and gather her own evidence in order to bring her attacker to trial?

Mr. John Richardson (Parliamentary Secretary to Minister of National Defence, Lib.): Mr. Speaker, the individual in question has made some very serious and complicated allegations. Serious and complicated allegations must be investigated seriously and thoroughly.

● (1435)

All of the facts, which neither the member opposite nor the media nor I have, must be gathered and investigated. The Canadian forces have an excellent impartial mechanism in place to do just that.

* * *

[*Translation*]

ATLANTIC GROUNDFISH STRATEGY

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, regarding the issue of fisheries and the Atlantic groundfish strategy, the Minister of Human Resources Development accused us earlier of wanting to keep fishers in a state of dependency because we are asking the government to help them.

Such comments from the minister are worrisome, because the last time he discussed the issue, he decided to exclude 60% of all unemployed people from the program.

Are we to expect that, under the pretext of implementing active measures, the minister will deny 60% of workers in the fishing industry any government assistance, as he did with the unemployed?

Hon. Pierre S. Pettigrew (Minister of Human Resources Development, Lib.): Absolutely not, Mr. Speaker. As I said repeatedly, I hope to soon be in a position to make an announcement.

Consultations with the five provincial governments were successful. Yesterday, the Bloc Quebecois—which was misinformed about the situation in Quebec City—said that the Quebec government was not even in a position to know what was going on. This is not true.

Perhaps there is a problem in Quebec City between the Department of Intergovernmental Affairs, which centralizes everything, and the Department of Fisheries, but meetings were also held at that level. I hope to soon be in a position to make an announcement.

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, while we are imploring the minister to help fishers in eastern Canada, who have been adversely affected by the decisions of Liberal governments in Ottawa in the fishery sector, how can the Minister of Human Resources Development provide a meaningless reply when, in fact, the Atlantic region is on the verge of a crisis?

The minister must go there, listen to fishers and find solutions himself, instead of relying on his public servants in Ottawa. That is the reality.

Hon. Pierre S. Pettigrew (Minister of Human Resources Development, Lib.): Mr. Speaker, the situation is extremely serious. We know these communities, and we are aware of the situation with the fisheries.

The problem is that fish stocks are diminishing in the Atlantic because of overfishing by previous generations.

Some hon. members: Oh, oh.

Hon. Pierre S. Pettigrew: I can tell you one thing: we will set up the necessary programs to help our fellow citizens in these communities make a decent living—

Some hon. members: Oh, oh.

The Speaker: Dear colleagues, I would ask you to please listen to the replies.

* * *

[*English*]

CANADIAN ARMED FORCES

Mr. Leon E. Benoit (Lakeland, Ref.): Mr. Speaker, it has been nearly three years since the investigation into Ms. Dickey's complaint started. It has been almost three years since the complaint was filed and her superiors have brushed it off again and again.

After three years, finally a statement was taken. Then they told her ''But you have to come up with the evidence to have the investigation carry on''. They told her to get her own evidence.

I would ask the parliamentary secretary, why did it take so long to start the investigation and—

The Speaker: The hon. parliamentary secretary.

Mr. John Richardson (Parliamentary Secretary to Minister of National Defence, Lib.): Mr. Speaker, I appreciate that hon. members opposite want to discuss this case. However, we are doing the responsible thing and respecting the integrity of the investigation. I would urge the member to do likewise.

Mr. Leon E. Benoit (Lakeland, Ref.): Mr. Speaker, it is clear that the parliamentary secretary is not going to talk about this case. We do not know whether the investigation actually is going on or not. We have conflicting evidence.

A couple of days ago an ombudsman was appointed, who supposedly would be able to deal with this situation, but the ombudsman himself said that he relies on the minister to gain access to information through the ranks.

If this is the way the ranks deal with information, I wonder how this ombudsman appointment is going to help fix things up in any way.

● (1440)

Mr. John Richardson (Parliamentary Secretary to Minister of National Defence, Lib.): Mr. Speaker, the National Investigation Service is an independent organization. It was established in response to the review done by Chief Justice Dickson of the military justice system. It was recommended by the Somalia inquiry as well.

The head of the NIS, the Canadian forces provost marshal, does not answer to anybody in the chain of command. In addition to a large staff of its own, she has unfettered access to civilian police services if she requires their assistance.

* * *

[*Translation*]

AIR TRANSPORTATION

Mr. Michel Guimond (Beauport—Montmorency—Orléans, BQ): Mr. Speaker, claiming a strategy of two national carriers in Canada and rejecting Air Canada's bid for several new international air routes, the federal government is jeopardizing the development of the Montreal airport.

My question is for the Minister of Transport. Could the minister explain how he reached the conclusion that Montreal's development had to be reined in to promote that of Canadian?

[*English*]

Hon. David M. Collenette (Minister of Transport, Lib.): Mr. Speaker, the hon. member should really take a look at the press release I issued last week. He will clearly see that Air Canada received permission to operate a daily service from Toronto to Hong Kong. It received authority to have five code-sharing arrangements of its choice to anywhere within the Star Alliance. It also got assurance that we would look at the specific question of T'aipei later this year and that we would review the entire file within 12 months.

Now, tell me that Air Canada did not get anything out of it.

[*Translation*]

Mr. Michel Guimond (Beauport—Montmorency—Orléans, BQ): Mr. Speaker, what will it take for the Minister of Transport to stop limiting the development of new air routes out of Montreal in order to ensure the development of Canadian?

Does the government have to hear from the entire Montreal business community before the federal ministers from Quebec get moving?

[*English*]

Hon. David M. Collenette (Minister of Transport, Lib.): Mr. Speaker, the hon. member is from the province of Quebec. I would invite him to go to Dorval airport to see the level of increase in traffic; not just domestic traffic, but international traffic. Open Skies, which Air Canada did not want, was brought in by this government and it has benefited Montreal as well as all the other cities.

CANDU REACTORS

Mr. Charlie Penson (Peace River, Ref.): Mr. Speaker, on Monday of this week the Minister of International Trade told this House that his government had little to do with the $1.5 billion contract of Candu reactors and the loan guarantee.

Now we learn that there has been a letter released that quotes David Dodge, the former deputy minister of finance, as saying that there were negotiations between finance and EDC for months to put this deal together.

Will the minister now admit that the cabinet knew full well the extent of this deal and ultimately had to sign it before it could be approved?

Hon. Sergio Marchi (Minister for International Trade, Lib.): Mr. Speaker, the only contradiction is in the member's mind.

Earlier this week the allegation made by the NDP was that there was no financial due diligence done by the department. I responded by saying that was false because the financial specific due diligence was done on the contract by AECL and on the financing by EDC. At no time did I ever mention that the Government of Canada ultimately did not make the decision.

After that process by those two crown corporations, and based on their recommendations, of course the Government of Canada ultimately made the decision.

Mr. Charlie Penson (Peace River, Ref.): Mr. Speaker, that is not what the House understood on Monday. It understood that this government did not have much involvement with this deal, that it was basically EDC that put this deal together.

EDC official Rod Giles said that the loan had to be approved by cabinet before it could go through because it was a Canada account loan.

Will this minister now admit that cabinet had full knowledge of this deal before it went through?

Hon. Sergio Marchi (Minister for International Trade, Lib.): Mr. Speaker, I am surprised that our trade critic does not understand the process. The fact is that no one on this side has ever said that the Government of Canada was not involved.

What we said to the allegations was that financial due diligence was done. It was done by EDC on financing and the contract specifics were done by AECL. Then, after their work, of course the cabinet made the final determination, as it did in terms of giving a broad spectrum.

I do not know why the members are surprised. That is the way things have always been done.

• (1445)

[*Translation*]

AUTOMOTIVE INDUSTRY

Mrs. Francine Lalonde (Mercier, BQ): Mr. Speaker, my question is for the Minister of Industry.

The GM plant in Boisbriand is in trouble. It is the only car manufacturing plant in Quebec. The jobs of thousands of workers are at stake. Yesterday, the Minister of Industry said he was prepared to work with GM to save the Boisbriand plant.

In order to reassure plant workers, is the minister prepared to tell us what specific action he plans to take to help save the Boisbriand plant?

Hon. John Manley (Minister of Industry, Lib.): Mr. Speaker, I thank the member for her question, because it is a very important one.

The report on the competitiveness of the automotive industry released yesterday indicates that this sector is very competitive here in Canada. We have made the necessary investments. We have taken economic decisions to ensure that our sector is competitive. GM has the capacity to do very well—

The Speaker: The hon. member for Durham.

* * *

[*English*]

YEAR 2000

Mr. Alex Shepherd (Durham, Lib.): Mr. Speaker, my question is for the Minister of Finance. The millennium bug is threatening to bring havoc to our small and medium size business communities with the result of job losses.

What is the minister prepared to do to come to the assistance of our small and medium size businesses to ensure that they and the jobs they create will be there in the year 2000?

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, we are prepared to take immediate action. On behalf of the Minister of Industry and the President of the Treasury Board I am pleased to announce that retroactive to last January 1 and until June 30, 1999 all small and medium size businesses in Canada will be entitled to take a 100% capital cost allowance on all purchases up to $50,000 in hardware, software and information technology.

[*Translation*]

Retroactive to January 1, SMBs gearing up for the millennium bug will be allowed to deduct 100% of their purchases in this area in the first year.

[*English*]

I would like to thank the industry community, the members of this House—

The Speaker: The hon. member for Skeena.

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ABORIGINAL AFFAIRS

Mr. Mike Scott (Skeena, Ref.): Mr. Speaker, we thought softball was played only in baseball diamonds.

Yesterday we made the tiniest bit of progress with the minister of Indian affairs when she finally admitted that British Columbia belongs to all the people of British Columbia. The native summit in British Columbia representing 3.5% of the population is claiming the entire province.

How does the minister reconcile these two completely opposite points of view so fundamental to B.C.'s future?

Hon. Jane Stewart (Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, there are so many points I would like to make. In the context of the question, it sounds like the member is assuming it applies only to some people, that British Columbia applies only to some of its residents. It is so obvious it applies to all. The member is so wrong when he says and tries to assume that first nations feel they are laying claim to all of British Columbia.

Chief Victor Jim from Wet'suwet'en said: ''I think this is going to be good for the territory. It is going to be good for the economy and in the long run I think it will bring the aboriginal and non-aboriginal people together''. He says—

The Speaker: The hon. member for Skeena.

Mr. Mike Scott (Skeena, Ref.): Mr. Speaker, just because people say it is so does not make it so. The native summit claims all of British Columbia. The minister knows this position cannot possibly prevail. She knows this is impossible.

When will this minister and this government admit their irresponsible actions and words over the last few years have raised expectations to impossible levels? When will they admit publicly that these demands cannot be met?

Hon. Jane Stewart (Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, I absolutely deny what the hon. member is saying. They just do not get it.

• (1450)

The chief also said: ''We were here before the white man came. The sharing is going to have to continue, but we are going to have a more focused working relationship''.

The people of British Columbia know that this can work. Nine out of ten support settling land claims with compensation. Seventy-two per cent say it will not harm the economy, in fact it will improve it.

The people of British Columbia appreciate the approach we are taking. They know this is the right track and it has been proven in other parts of the country—

The Speaker: The hon. member for Qu'Appelle.

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BANKS

Hon. Lorne Nystrom (Qu'Appelle, NDP): Mr. Speaker, my question is for the Minister of Finance.

The TD bank and the CIBC wish to merge. Yet despite that, yesterday Charles Baillie, CEO and chairman of the TD bank, said he did not think that the proposed mergers are ''necessarily good public policy or good for Canadians''.

I wonder whether the Minister of Finance agrees with the president of the TD bank.

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, it is our intention to monitor all the mergers, Bank of Montreal, Royal, TD, CIBC, the Bloc and the Reform Party, all summer. We will check them all out.

Hon. Lorne Nystrom (Qu'Appelle, NDP): Mr. Speaker, if the minister can monitor the merger of the Reform and the Bloc Quebecois, that is okay, but what I want is a decision on the other mergers.

I have been travelling the country extensively in the last couple of months. An increasing number of Canadians are in opposition to the mergers.

There is growing opposition in his Liberal government backbench committee against the mergers as well. I wonder whether the minister might consider over the summer the idea of having a vote in parliament in the fall at the appropriate time, better yet a free vote, so we can express the will of our constituents on the wisdom or lack thereof of these proposed mergers.

Hon. Paul Martin (Minister of Finance, Lib.): Mr. Speaker, I can assure the member there will be full public hearings and plenty of opportunity for debate. I do intend to concentrate and think about it this summer.

Hull, a small restaurant, the moon in the sky, the member from Rimouski, the member for Wild Rose, a tourtiere, a bottle of wine, she talks about flags, he talks about prisons—it's going to be wonderful.

* * *

NATURAL RESOURCES

Mr. Gerald Keddy (South Shore, PC): Mr. Speaker, the Minister of Natural Resources knows that the B.C. forest industry suffered losses of $192 million in 1997. This was due in large part to strikes, market shutdowns and the impact of the Canada-U.S. softwood lumber agreement.

Recent U.S. customs rulings have restricted imports of Canadian lumber even further. What actions have the Minister of Natural Resources and the government taken to resolve the impact of these restrictions on Canadian lumber and the impact on the B.C. economy?

Hon. Ralph E. Goodale (Wascana, Lib.): Mr. Speaker, the hon. gentleman knows that the major portion of forest management is within the jurisdiction of the province of British Columbia.

But within federal jurisdiction we have been taking a number of initiatives. For example, the Minister for International Trade continues to work on the issue of Canadian access into the U.S. market four our softwood lumber, including the most recent customs ruling by the United States.

We have also met with the Government of British Columbia to organize an effort to ensure that Canadian access to European markets for our lumber supplies will not be impaired by certain consumer action—

The Speaker: The hon. member for Fundy—Royal.

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ABORIGINAL AFFAIRS

Mr. John Herron (Fundy—Royal, PC): Mr. Speaker, the government owned Port Radium mine employed native Deline workers, over half of whom died from work related cancer, carrying uranium ore like sacks of flour.

In order to enhance the trust the minister tried to build yesterday, will she ensure that no government communications in the future ever question the effect of uranium mining on the health of the Dene people?

Hon. Jane Stewart (Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, I am glad to report to the House that yesterday I, along with my colleagues the Secretary of State for Children and Youth, the Minister of Natural Resources and the Minister of Health, met with a delegation of the Dene from Deline. We talked about the historical impacts of uranium from the Port Radium mine.

• (1455)

One of the things we identified as being important was to get the facts straight, to share together and find a means to ensure that the issues we are dealing with are common and well understood. That would be part of the go forward strategy that we talked about yesterday.

[*Translation*]

CALGARY DECLARATION

Ms. Raymonde Folco (Laval West, Lib.): Mr. Speaker, yesterday Nova Scotia became the last province, with the exception of Quebec, to adopt the Calgary declaration.

Can the Minister of Intergovernmental Affairs tells us what the level of support of the Calgary declaration was across Canada, and what the message is that this sends to all Quebeckers?

Hon. Stéphane Dion (President of the Queen's Privy Council for Canada and Minister of Intergovernmental Affairs, Lib.): Mr. Speaker, with the exception of one Bloc Quebecois-commissioned survey in which it directed the questions, all opinion polls held and compiled in Quebec, and all consultations and votes held in the nine provinces and two territories, show a very strong support for the principles of the Calgary declaration.

Behind that very firm support lies a profound desire to live together, eyes resolutely fixed on the future, and Quebeckers and other Canadians are reaching out their hands to each other and saying no to division, no to separation.

* * *

[*English*]

VETERANS

Mr. Peter Goldring (Edmonton East, Ref.): Mr. Speaker, over one week has gone by since I revealed the 43 year government cover-up of Hong Kong veteran claim rights against Japan.

The Minister of Foreign Affairs also knows these veterans were forced into slave labour camps. This morning for the second time in this session of parliament, the foreign affairs committee voted unanimously and recommended slave labour recompense for Canada's Hong Kong veterans.

With proof of a cover-up and a second unanimous recommendation from his own committee, will the minister commit to settle these affairs and these claims—

The Speaker: The hon. Parliamentary Secretary to the Minister of Foreign Affairs.

Mr. Ted McWhinney (Parliamentary Secretary to Minister of Foreign Affairs, Lib.): Mr. Speaker, the minister has asked for the full facts on events that occurred 40 years ago. When we get the facts, we will draw the legal consequences.

We have not got access to all the legal documents. The relations with Switzerland involve a country not at war with Japan. We are dealing with a peace treaty. The minister has been in touch with the chair of the veterans organizations and he has undertaken that we will look for a solution. I can assure the House of this.

* * *

FISHERIES

Mr. John Cummins (Delta—South Richmond, Ref.): Mr. Speaker, a company owned by friends of the minister of fisheries was charged with failing to provide critical catch information.

Those charges were dropped days after the minister went fishing with the company's vice-president. The minister says the charges were dropped because the department had an agreement to get the data through a third party. His department now says no such agreement exists.

How does the minister explain this contradiction?

Hon. David Anderson (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, the company in question the hon. member has been pursuing so vigorously for such a long time is a company that employed last year I believe 1,200 British Columbians in the fishing industry.

It is impossible for the minister of fisheries to avoid the personnel of companies that employ fishermen and others. That is my job.

With respect to the question of charges on the issue of information, that should be addressed to the Minister of Justice, whose department oversees the crown prosecutors. They press or do not press charges.

It has nothing to do with me. The hon. member should know this—

The Speaker: The hon. member for Portneuf.

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[*Translation*]

BC MINE IN BLACK LAKE

Mr. Pierre de Savoye (Portneuf, BQ): Mr. Speaker, my question is for the Minister of Human Resources Development.

In order to help finance a pre-retirement program for the former BC mine workers of Black Lake, Minister Louise Harel is prepared to do her part and the mine is prepared to do the same. The only contribution lacking is one from the federal government.

Does the minister commit to also doing his part, to joining with the Government of Quebec and the mine management in drawing up an agreement for these former workers?

Hon. Pierre S. Pettigrew (Minister of Human Resources Development, Lib.): I see that the Government of Quebec's local branch plant here in the House is doing a good job of passing its commitments on to us.

I have had the opportunity on several occasions to discuss this matter with Mrs. Harel, and I can state that we were the first government to act in this matter, which we have been following very closely, by making close to $3 million available to the former BC mine workers, specifically in order to provide them with as much assistance as possible in terms of training and active measures.

● (1500)

I am totally confident that we shall still be able to do more for the BC mine workers, in order to help them back into the work force and to improve their situation.

* * *

[*English*]

FOREIGN AFFAIRS

Mr. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Speaker, my question is for the Minister for International Trade.

In responding to a question earlier about his answer to me on Monday, he claimed that he had never denied that the Government of Canada had any responsibility in the signing of the financial arrangements for the sale of the Candu reactor to China, yet he did exactly that. If we check the record, he said that it only had to do with the Export Development Corporation and AECL.

If he is changing his mind now and saying that the Government of Canada is actually responsible, then why was there not the environmental review that should have been in place? The minister cannot have it both ways. Either you were responsible and there is a review, or you were not responsible and you are telling us something different here today.

Hon. Sergio Marchi (Minister for International Trade, Lib.): Mr. Speaker, the only member who is changing his mind is the hon. member for Winnipeg—Transcona. The fact of the matter is that on Monday he alleged that there was no financial review, that there was no process. We said then and we repeat again that that is wrong.

He said it should have been the Department of Foreign Affairs and International Trade or the Department of Finance. They do not do that particular specific due diligence. That is the job of the two crown corporations. No one had ever alleged that the Government of Canada at the end of the day did not go forward with that project. So the hon. member cannot have it both ways.

* * *

FISHERIES

Mr. Bill Matthews (Burin—St. George's, PC): Mr. Speaker, the Minister of Fisheries and Oceans has closed the last remaining Atlantic salmon fishery on the Labrador coast. The closure of this fishery is the result of a serious decline in Atlantic salmon returning to our rivers to spawn.

While our own salmon fishery is shut down, just nine miles off our coast the French islands of St. Pierre et Miquelon are still carrying on a commercial salmon fishery. Yet these French islands have no salmon rivers. They are not contributing to the resource.

Why are our own fishermen forced to welfare while the French fishermen harvest Atlantic salmon? And while he is on his feet—

The Speaker: The hon. minister of fisheries.

Hon. David Anderson (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, the hon. member is correct that the last commercial salmon fishery has been closed down. The recreational fishery is still continuing in Atlantic Canada and there are many excellent opportunities for people who wish to take advantage of that.

With reference to the French islands of St. Pierre et Miquelon, there is approximately 500 fish taken there. It is approximately 3% of the take in the northern area of Labrador which was closed.

We will now be discussing with the French. Now that we have closed our commercial fishery we will be discussing with the French, and also with the Danes with respect to Greenland because we want to make sure that high seas—

The Speaker: My colleagues, I do not know when parliament is going to rise, but today is a special day for us and it is a very special day for our pages. I often use the words ''call in the members''. Now I would like to call in the pages.

* * *

● (1505)

[*Translation*]

HOUSE OF COMMONS PAGES

The Speaker: Dear pages, to follow parliamentary proceedings from the floor of the House of Commons is an honour bestowed to very few. However, this opportunity was provided to you in this busy year during which another chapter of our country's history was written.

Your time with us is coming to an end, but I am sure you will bring wonderful memories back with you, as one cannot be unaffected by all the rich history, beauty and traditions of our Parliament.

Whether we are pages, clerks or members of Parliament, it is a real privilege to serve our democratic institutions, and you have lived up to the challenge.

[*English*]

There is no doubt that you will leave the House more knowledgeable about our parliamentary way of life, but I hope that you have also gained a sense of pride in our democratic institutions and all the men and women who serve them.

Through one another you have probably learned a great deal about Canada, our Canada, and all its wonderful diversity and promise that pages have come to represent.

May you take what you have learned and combine it with all of your talent, spirit and yes, dedication to help us all to build an even better Canada in the next century.

On behalf of all of my colleagues here, thank you for your excellent work and for the loyalty and professionalism that you have shown in the past year. I and my colleagues offer you our very best wishes for great success in the future.

Thank you for serving us so well.

Some hon. members: Hear, hear.

* * *

BUSINESS OF THE HOUSE

Mr. Randy White (Langley—Abbotsford, Ref.): Mr. Speaker, I understand you indicated that the House may not be sitting. I expect as House leader that I will be here next week and that is the good news. The bad news is that it will be all by myself.

I would like the government House leader to tell us which day will be the last day and will they be presenting any more legislation that we can bicker about.

The Speaker: Before I give the floor to my esteemed colleagues on both sides, I just forgot for a second. If this is our last day and I do not know that it is, but if it is, in any case there will be a reception in my chambers at about four o'clock. I invite all hon. members to please join me and the pages so that we can take some refreshment together.

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I am pleased to respond to the question of the hon. opposition House leader. The good news is that regardless of whether we sit or not, I will be here next week and will gladly keep company with the hon. member, if that is his wish.

• (1510)

This afternoon, as already announced yesterday, the House will consider the Parliament of Canada Act amendments. I believe that is Bill C-47.

Tomorrow we hope to complete Bill S-2, the transportation safety bill at all stages including committee of the whole and subsequently third reading. Then we will proceed to Bill C-38 respecting the Tuktut park. I understand one other bill is under discussion between hon. members. If there is consent we could add it tomorrow but I will not add anything else at the present time unless there is that consent.

If everything that we can expect to happen has happened, I would then call a motion which is now standing on notice in my name which would make some minor adjustments to House procedure, some adjustments that would not be necessary had last Monday night not occurred. That motion when adopted would bring to a conclusion the spring portion of this session.

Mr. Peter MacKay: Mr. Speaker, I rise on a point of order arising out of question period. There was some discrepancy about the figures I put before the House and they were questioned by the solicitor general. I would like to table the main estimates so the solicitor general might have an opportunity—

The Speaker: I believe they are already there, but does the member have the consent of the House?

Some hon. members: No.

GOVERNMENT ORDERS

[*English*]

PARLIAMENT OF CANADA ACT

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.) moved that Bill C-47, an act to amend the Parliament of Canada Act, the Members of Parliament Retiring Allowances Act and the Salaries Act, be read the second time and referred to committee of the whole.

He said: Mr. Speaker, before I begin my comments I would like to ask the Chair to notify me after 10 minutes of speaking because I want to share my time with colleagues on all sides of the House.

I am pleased to rise today to speak to Bill C-47, an act to amend the Parliament of Canada Act, which I had the honour of introducing earlier. The bill responds to recommendations of the Standing Committee on Procedure and House Affairs which was tabled on Wednesday, June 3 in response to the Blais commission report on MPs compensation.

[*Translation*]

As the commission so aptly put it:

> An MP is someone who serves the public, and therefore must not expect their pay to be a windfall. In fact, no one expects that. By the same token, no one should be forced to experience financial hardship after winning an election.

This means that compensation and benefits must be reasonable, realistic given what is expected from MPs in practical terms, and in line with general trends in society—or at least not lag too far behind. However, we are seriously lagging in this respect.

• (1515)

[*English*]

I would like to commend the chair of the committee, the hon. member for Peterborough, and the members of that committee for their report. The report is a reasonable response to a complex and even more sensitive issue. Interestingly, it seems like everyone in the media finds this issue to be more important than many other areas of government policy.

Mr. Rob Anders: Mr. Speaker, I rise on a point of order to seek the unanimous consent of the House for the second reading to be discharged and this bill, an act to amend the Parliament of Canada Act, the Members of Parliament Retiring Allowances Act and the Salaries Act, to be withdrawn as it does not reflect the priorities of Canadians.

The Speaker: That is not a point of order, but does the hon. member have unanimous consent?

Some hon. members: No.

Hon. Don Boudria: Mr. Speaker, it had been up to now a non-partisan response that addresses concern expressed by all parties. This bill is an example of parliament coming together to act on what is a sensitive issue.

Here are some of the key provisions of the bill. It is straightforward. It simply implements the committee's report which was adopted by the House.

[*Translation*]

There are two key elements to the bill. First, an increase of 2% to the salaries of MPs and senators will come into effect on January 1, 1998 and will be payable annually on January 1 for the duration of this parliament.

This increase would apply to the sessional allowance and to all other allowances. It would replace the cost of living adjustment, which would have been approximately 1% this year. In other words, this amount is not in addition to it, but replaces it.

[*English*]

A 2% increase is modest and it is also reasonable in the context of increases in the private sector, parliamentarians in other countries and the public service. I would like to speak to that in committee of the whole if some members intend to raise it later.

Private sector wage settlements were 2.2% in February 1998 and recent public service settlements have averaged over 2%. MPs have not had a remuneration increase other than a partial cost of living adjustment since 1980, and since 1991 nothing at all.

In 1980 the sessional indemnity of a member of the House was 120% of the average salary of a high school principal. In 1996 it was 75% of the salary of a high school principal. I see some former educators who are members of the House and I am sure they know all about it.

In 1997 a Canadian MP ranked 9th in a survey of remuneration, below Japan, the United States, France, Germany, the U.K., Australia, Norway, New Zealand and several other countries. The Blais commission report noted that a Canadian parliamentarian's salary in October 1997 was 37% that of a U.S. congressman. If we include the tax free provision it is in the order of 58%. Everyone knows that American legislators get a whole number of things in addition.

[*Translation*]

The second element of this bill provides that members who chose to not participate in the pension plan in the last parliament may join within the next 90 days.

[*English*]

For those members who choose not to opt back in there would be a supplementary severance allowance and I believe that this is fair.

Members of the House who retire at 55 years of age or over and who are not entitled to a pension would receive an additional one month of remuneration for every year of service up to a maximum of 12 months.

Members who are under 55 and retire would receive the supplementary severance when they turn 55, just like MPs who participate in the pension would receive it at age 55. I also believe that this is fair. This provision is also very similar to the severance package that exists in the Ontario Legislature.

• (1520)

The bill also provides for a small increase allowance for the Speaker of the other place and the Speaker pro tempore in the other place. This was recommendation by the Blais commission report.

[*Translation*]

We should not always be guided solely by what the media have to say. However, you will permit me to read a few quotes.

La Presse said ''The average income of MPs is an income many professions, middle managers in the private sector, senior public officials and unionized employees in certain specialized jobs would find ridiculous''.

I will read other quotes.

[*English*]

From the Toronto *Star*: ''It is the right time for a modest increase in parliamentary salaries. A 2% a year increase over four years is reasonable''.

[*Translation*]

Finally, from *La Presse* again, and I quote ''In the interest of democracy, MPs' salaries must be increased''.

[*English*]

Last July the Blais commission was appointed. It made its report which was tabled last January and which was referred to a committee. The committee reported on June 3. The House voted on the report earlier and now the bill is before us. I commend it to all members.

Mr. Rob Anders: Mr. Speaker, I rise on a point of order. I seek the unanimous consent of the House to have a recorded division.

The Speaker: Is there unanimous consent?

Some hon. members: No.

Mr. Randy White (Langley—Abbotsford, Ref.): Mr. Speaker, I do apologize to some extent for some of the things being said here.

This is one of the few times in the House that members will find me dedicating a speech. I have done so on a number of occasions where I thought that an individual or individuals have deserved such a speech to be dedicated to them. I therefore dedicate this speech to my colleagues in the Reform Party who have had the intestinal fortitude to stand up for what they believe in.

It is those principled individuals who took it on themselves to opt out of the gold plated MP pension plan who got the alternative pension placed before the House today. Tomorrow who knows, perhaps we will have convinced all members of the House that this alternative, which could be turned into an RRSP type plan, will be the only plan in the House.

To be sure that we have a clear position on the issue of pay and pensions, I want to go through this and make it absolutely clear where we are coming from.

One of the great difficulties we have with the legislation placed before us is the omnibus characteristics of the bill. Having read this final version before me for the first time last night, I expressed great concern for the complexities that exist within it. Let me give some examples.

Within the bill are issues such as numerous adjustments for the Senate which are not part of the MP pay and benefits issues. This bill contains issues about tax free allowances, about issues of pay increases to MPs and a substantial issue to some of us here on this side of the House of an alternative pension plan in terms of RRSP to the three parties that have opted out of the gold plated pension plan. All these issues are contained in this omnibus bill. It is quite inappropriate that we deal with it all in one.

All these and more in one bill cover three other acts. It makes it extremely difficult for Canadians to determine what MPs are for and what they are against. To make it very clear I am going to do the best I can to express our position on each and every issue, while at the same time knowing full well that the Reform Party may be outvoted on those issues we are against in any event.

I want to talk for a moment about the incidental expense allowance. It is necessary to give Canadians the confidence that all pay and allowances paid to members of parliament are up front and clearly visible at all times.

● (1525)

All Canadian payroll income is taxable. Reform Party MPs feel no exception should be made for federal members of parliament. We do not support any proposal that will continue to hide taxable income. MPs currently receive a non-taxable allowance of $21,400. There is not reason whatsoever that this should not be grossed up and included in the annual salary of $64,800 and taxed. There is no problem at all. It amounts to the same amount of money but then it becomes clearly visible for all to see.

I want to talk a bit about MP salaries. The Blais commission report recommended no increase at this time or at least until such time as RCMP, military and civil service receive increases. Although MPs have not received a pay raise since 1991, we feel there is still no great rush for this. We agreed with the Blais commission report that raises are not necessary now and we have no particular desire to change our minds.

Higher priorities, such as an alternative MP pension plan, have more merit and would positively affect all Canadians through lower taxpayer paid pension costs. Therefore we cannot support a proposal with a pay increase; $64,800 plus a non-taxable incidental expense allowance of $21,400 is not considered a low income.

I will spend a bit of time on this because, as most people know in Canada, it is a very near and dear issue to us. It must be crystal clear that Reform MPs did not ask to have this option put into this bill. We do not support the inclusion of this clause. It is ironic that such a clause ends up in legislation. We know there are three parties in this House that did opt out of the plan. It is also ironic that no reporters have been after the other parties to find out who is opting in. It seems they have been asking us. I will address that in a few minutes. I am not aware of any Reformers in this caucus to date who have indicated precisely to me that they are in. They have time to think about that.

It has been reported that Reform is opting in. Such comments have been made by groups like the national citizens coalition. I wonder about things like bias, prejudice, poor reporting or other political machines trying to take the heat off themselves.

I hope to influence all my colleagues about the current MP pension plan. I have had a fair bit of experience in designing pension plans. This is truly the most convoluted, inequitable, unreasonable plan of its kind in North America. Within the plan exists separate benefits and rules for 263 of 301 MPs elected prior to 1993. It also includes rules for MPs elected after 1993. There are rules for people who have opted out, for members who leave the

House of Commons after six years who are younger than 55, and members who have been elected twice but who have broken service periods. The plan for 263 people is so convoluted it escapes any rational actuarial assessment.

This year alone $584,000 had to go into this plan to keep it viable. The contributions MPs make, excluding those who have opted out, amounts to 9% of payroll. Yet the government contributes a whopping 37.5%. Meanwhile those 38 remaining Reform MPs who have opted out receive no pension whatsoever and to date have saved the Canadian taxpayers $3.5 million, for which I applaud my colleagues. All these situations clearly reflect that government is continuing to allow such convoluted conditions to exist. Any actuary in this country would agree that it cannot continue.

We constantly ask ourselves why the media and a few other Canadians out there want Reformers to expose some form of weakness and not back in rather than go to those who are already in asking why they will not opt out. Reform MPs have been negotiating for an alternative pension plan for a long time. This has been a long term plan and is in line with our party's longstanding policy.

● (1530)

I am going to quote that policy to the House:

> The Reform Party supports the provision of pensions for MPs only if those pensions are no more generous than private sector norms and meet all requirements for a registered plan under the Income Tax Act.

That is a longstanding policy, but it is so rational that most private sector employers say ''What else is there?''

It is now apparent that perhaps other MPs in this House reject the position of not abandoning the rich MP pension plan for an alternative RRSP type payout. I do not think that is because they think it is right, but because an alternative pension plan would establish a reasonable, responsible precedent for all MPs. The Canadian public would expect MPs then to enroll in the new, more reasonable, alternative plan.

Let us just see for a moment what Reformers established in this omnibus bill as far as an alternative pension. It may be called a severance pay, but in effect it amounts to approximately $6,067 per year given to a member to purchase an RRSP. This is well within the tax limits of the Income Tax Act and is fairly common in private industry.

If my colleagues and I had not opted out of the MP pension plan there would have been no changes in 1994 which resulted in a 20% decrease in contributions. If we do not establish this beachhead for an alternative, then there will be no goal posts established so that we can encourage those in the old plan to feel comfortable with an eventual RRSP alternative.

Let me compare this alternative plan to a similar plan recently designed for members of the legislature in British Columbia. In the plan which is before us today is a deferred payment amount approximately equal to $6,067 per year, which is the employer's share of an RRSP in effect, which our members would have to purchase. I provided a calculation in my notes, but I will not go through it here.

Some of this could be taxable to members of this House. The employee, or the member in this case, would match this if they wanted the maximum allowable limit in an RRSP. So we would have an employer's portion and an employee's portion.

This may be called a severance, but it is clearly the alternative pension plan we have insisted upon since 1989.

I congratulate my colleagues in obtaining what they were looking for in the first place. I also congratulate them for having the stamina to stay with it.

All of this is within the Income Tax Act.

Let us look for a moment at what B.C. MLAs receive. The B.C. MLAs adopted a citizens panel report in 1997. That report eliminated the gold plated legislative pension plan for MLAs. The employer, the B.C. government, matches 9% of the MLA's salary, which equates to approximately $7,300 per annum. This is based on a salary of $69,900. That is approximately $1,000 per year more than the alternative plan in Bill C-47.

Is it any wonder why we are committed to retroactively changing the MP pension plan when we become government? I do not think so. In the meantime, 38 Reform MPs have a difficult option.

When all is considered, this bill will likely pass because we 59 members in opposition cannot carry the day. We hope this alternative pension plan will encourage all members of this House to seriously look at eliminating such flawed legislation as the MP pension and rejuvenate the confidence of the Canadian people by providing a simple payment for RRSPs which will ultimately provide a monthly income upon retirement of approximately $500 after serving two terms versus $2,200 indexed.

That is all I have to say regarding the pension. I think I speak for my colleagues when I say that our commitment, our resolution to try to change the system does not stop here today, it continues.

I would like to talk a bit about Senate remuneration. The Blais commission report recommended changes to Senate salaries. The Reform Party will have no part whatsoever in accommodating the Senate until such time as that institution takes responsibility for itself through Senate elections.

● (1535)

I cannot understand why it is necessary for the House of Commons to initiate legislation that provides any remuneration to that organization when, in fact, that organization can initiate its own through a Senate bill.

If the Senate were operating properly and Canadians were convinced of its effectiveness, perhaps one way out of the difficulties politicians have in legislating increases for themselves would be to have the Senate review the House of Commons and the House of Commons to review the Senate. However, that is not to be and that is for another day.

Finally and overall, the 1998 pay pension benefits issue is still inequitable. It still lacks credibility with taxpayers and is not supported by Reform Party members.

If these undesirable changes are implemented by virtue of a majority vote, Reform MPs, like all of my colleagues who would vote against this, must accept the consequences.

I think it is reprehensible, quite frankly, that MPs in the first place must vote on increases for themselves. A better process must be put in place.

We came to Ottawa. We opted out of the gold plated pension plan. Most of the 1993 Reform MPs, by the way, have donated 10% of their salaries at one time or another. I only have to look to my left to my colleague from Edmonton North to say that we all understand the difficulties some have had.

Have we been successful? I do not know. Things have not changed yet, but we are still trying to develop alternative pension plans, trying to make do, trying to get the system changed.

I think one day my colleagues will look at this pension plan and say ''Yes, there are other ways of doing it''. Until then we will work toward something better.

Finally, I want to address one other issue that has come up recently. Some have asked why there is no standing vote in this House. From my perspective, Canadians will have the Reform Party's position from exactly what I said here today.

Votes on division are commonplace in this institution. The billions of dollars passed on division on Tuesday night are but one example of how that system works. It is not perfect and perhaps it needs change. But then again, I am not government.

The very important point is that our position is on the record for all to see. I thank those who have listened and those who will understand what these dedicated people behind me have tried to do over the years.

[*Translation*]

Mrs. Suzanne Tremblay (Rimouski—Mitis, BQ): Mr. Speaker, I am pleased to address Bill C-47 and to explain the Bloc Quebecois' position on this legislation.

My comments will deal with five issues related to the bill, which, as pointed out in the summary, primarily seeks to increase the salaries and allowances payable to parliamentarians, to permit members of the House of Commons to be again subject to the Members of Parliament Retiring Allowances Act, and to provide for the payment of a supplementary severance allowance to members of the House of Commons to whom the Members of Parliament Retiring Allowances Act does not apply.

The Bloc Quebecois is opposed to this bill. First, we oppose the 2% salary increase. Let me be clear. The Bloc feels that the increase is justified. There is no doubt in our minds that members of Parliament deserve this 2% raise. Considering the quality of their work, not to mention the number of hours worked, we are absolutely convinced that the increase can be justified.

There is also no doubt in our minds that this raise would help attract quality candidates to this place. Therefore, why do we oppose this 2% increase? There are three basic reasons.

● (1540)

First of all, we were aware of the pay situation before we came here. We knew what the salary was, what the allowances were, what expenditures would be reimbursed, and so on.

We accepted those conditions because we were coming here in a very specific context. We knew we were not here for very long. Thus we do not feel all that much concerned about changes to the working conditions of MPs because, as you know, we hope to no longer be MPs because we will have our sovereign Quebec. We do, however, plan to be here for as long as the people of Quebec wants us to be here defending them, and as long as sovereignty has not been achieved.

The main thing that forces us to refuse and oppose the 2% pay increase, however, is the situation in Quebec. Quebec is experiencing a great many budget cuts at this time. There are many restrictions of all kinds, and the premier of Quebec has called upon everyone to make sacrifices in order to attain zero deficit. He has even asked government employees to accept a 6% salary cut. We therefore feel that we must show solidarity with the people of Quebec and we cannot support this call for a salary increase.

As for the severance allowance, that is an amendment that slipped past us during the 35th parliament. The bill will correct this.

Thanks to the reforms made to the MPs pension plan in the last parliament, we have in a way created a new category of member, those who would be eligible for pension when no longer MPs, who have six or more years of service, but the bill we passed in 1994 calls for them not to collect pensions until age 55. That was an important change made to the act in 1994.

As all of us are aware, moreover, MPs are not entitled to employment insurance. Let us consider the example of a former MP, a 40 year-old father of three, who is eligible for pension at age 55. He has no other job. So he will receive a six months' severance package. I think it is perfectly legitimate, in most cases, for employers to agree with their employees who are leaving their jobs and give them conditions like this one, that is, severance pay to enable the member to find another job and to try to earn a living, since he still has a number of good years ahead of him.

A major change in this bill is the right to rejoin the pension fund. Of course we agree that our colleagues may do so. The surprising part is that anyone was allowed to leave it at all.

As I have seen throughout my career, whenever a pension is provided for a group of workers, no one can join or leave the pension fund whenever it suits them.

We came here. We knew the conditions. We knew there was a group pension fund. I think the first mistake we made was to allow people to leave the pension plan. That was a mistake, in my opinion.

• (1545)

It is usual for everyone to have the same pension plan and for all MPs to be on the same footing in terms of the plan. I consider that basic justice.

Since in the future it will no longer be possible to leave the plan, we are making an excellent decision today in order to avoid having undue political pressure force people to leave the pension fund.

The bill provides a special severance allowance for those not contributing to the pension plan and not taking advantage of the 90 days they have to decide whether or not to rejoin the pension plan.

Once again, in this country we are very democratic. We do not force our colleagues who opted out of the pension fund in 1994 to opt back in; we give them 90 days to think about it.

Those who decide not to contribute to our pension plan—but it is very clear that this will be their last chance—will receive, at age 55, an amount more or less equivalent to the portion of the premium paid by the government to the MPs' pension fund.

As everyone knows, members pay half and the government pays the other half. The portion not paid by the government, if the member is not contributing to the pension fund, will be paid to him or her as a premium at age 55. There are provisions for death or other exceptions, of course but, in principle, payment is made when the member turns 55. What will be the amount of this premium? It will be the equivalent of one month's salary for every year worked, up to a maximum of 12 years.

The fifth point I wish to make, and the second reason for our opposition to this bill, involves the Senate. This bill also contains provisions applying to the Senate. The Bloc Quebecois' opposition to the part of the bill dealing with the Senate is not intended in any way as a comment on the nature or the quality of the work done by those who sit in the Senate.

Our opposition is based not on this but on the logic peculiar to our political party. We do not want a Senate. We want to see it abolished. It would therefore be difficult to endorse any measure that would improve working conditions for a group of individuals that one sees no need for. Once again, this is not a judgment of the work they do in the other chamber.

That sums up briefly what we think are the main features of interest in the bill, as well as the two reasons we will be voting against it, those being the 2% salary increase and the provisions for the other chamber.

[*English*]

Mr. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Speaker, I will begin by saying that I do not think there is ever a good time or comfortable time in which to deal with the kind of legislation we are dealing with this afternoon.

I have had the opportunity to be here for a number of years and I have seen these kinds of issues dealt with before. I know some of the pitfalls that present themselves to members of parliament on the occasion of this kind of legislation.

Surely it is an opportunity for us to be overly critical of each other. It is an opportunity for the public to be overly critical of us. It is an opportunity for various forms of temptation, various forms of self-righteousness and grandstanding of one kind or another.

• (1550)

We all need to resist the temptation for the sake of parliament, for the sake of our relationships with each other and for the sake of not bringing into disrepute the reputation of this place or of members of parliament.

It is also an opportunity for people to misrepresent, sometimes deliberately and sometimes unintentionally, what is going on when we come to these kinds of deliberations.

Some of my colleagues in the Reform Party have experienced that over the last while. As we have come to this point in time many unfair things have been said about them and many things have been alleged about them in the media. I say welcome to the club. I have had all kinds of things alleged about me over the years with respect to this issue that have been very unfair, as have members of parliament in general.

I can only think of the way in which it is often said that members of parliament after only six years are entitled to a full pension. Not so. After six years we are only entitled to six-fifteenths times 75%

of the average of the best five years. I agree that is a pension, but oftentimes if we look in the media we get the impression that members get a full pension when they leave after six years. I do not know how many times I have had to correct that perception about the MP pension plan.

Another perception is the tendency on the part of those who are critical of the plan to add up everything a member would receive from now, at whatever particular age, to age 75 and give the impression that somehow an MP would receive this in the form of one lump sum or one cheque upon leaving the House of Commons instead of annual instalments of about $48,000 in the case of a full pension to age 75 and beyond if the member lives beyond 75.

Sometimes there is a great deal of manipulation of facts to create an impression that is much more negative than the actual facts demand. If people want to be critics of the current pension, I would submit that there are things to be said about it which are true. I am only objecting to the things that are said about it which are untrue.

Some of my colleagues have had the experience of seeing how easily this sort of thing is picked up and run with on the part of people whose only agenda, it seems, is to make members of parliament or politicians look bad.

There is no good time to do this. On the other hand, given the way the system works now, there is no other way to do it except for members of parliament to deal with it themselves.

That brings me to the question of process. The NDP has advocated in the House for years and years that this process be taken out of the hands of members of parliament. The Reform Party House leader said this in his speech. I want him to know that we have been saying this for a long time. We agree but it has not been done.

Until it is done we will be in the dilemma in which we find ourselves today. Either nothing will be done or we will do things that need to be done. Some of us will agree with some of it and others will disagree with some of it, but all of us will feel a bit uncomfortable. I think we should be lifted out of this situation.

It is not enough to have statutory reviews of MPs pay and benefits after every election. That is not an independent review. I am not saying the members who were appointed were not independent minded, but it is within the political class that it is done.

Former members of parliament are appointed to review the pay of members of parliament. I do not think that goes far enough in terms of establishing both independence and some form of binding recommendations that could come forward from the independent commission that would be set up if the NDP were to have its way.

● (1555)

Why? We can set up all the independent commissions we like, but if in the end members of parliament have to decide to implement or not to implement the independently arrived at recommendations we are right back to where we started from.

What has often happened in the past when people have looked at MPs' pay and benefits is that they come back with a recommendation that we be paid a heck of a lot more than we are being paid. Then members of parliament have to say, because of the sensitivity of the matter, we cannot accept that recommendation and we are right back to where we started from.

If we are to have some kind of independent review and recommendation we need to have what goes with it, a mechanism for automatic legislation or implementation of those recommendations without it having to come to the floor of the House of Commons and without our being put in the position that we are in today and every other day that we have to deal with this kind of legislation. That has been the longstanding recommendation of the New Democratic Party.

With respect to the details of what we have before us, we are not one of those parties which has members who have opted out of the pension plan. Therefore we have no self-interest either individually or collectively in either the opting in provision or in the supplementary severance. We support this because we see it as an opportunity to address the situation that some of the members who have opted out of the plan find themselves in, a situation which they can either address through accessing the supplementary severance or, if they so choose, opting back into the plan. That is up to individual members and we leave it at that. It did not affect any of our members in any way whatsoever.

The opposition House leader kept referring to the three parties that had opted out of the plan. I do not think that is quite an accurate way to describe it. No parties opted out of the plan. Every party in the House has people in the plan and three parties in the House have individual members outside the plan. The Reform Party has more than any other party. The Liberals and the Bloc have a few. It is not really a question of parties; it is a question of individuals in parties.

I would like to indicate what we are not saying when we indicate our concern about the raise. I would be moved to defend the raise against certain kinds of criticisms. I have been here before when I once opposed a raise. I found myself eventually defending it because I was offended by the kinds of criticisms offered about parliament, about members of parliament and about my colleagues who had supported the raise.

I found myself at that time ending up defending the raise because of the unreasonable and vicious kinds of things that were said about

members of parliament who decided they needed a raise after a long period of time in which there had been none, the situation we find ourselves in today.

I want to make clear that our concern about the raise had more to do with timing than with substance. We felt, and I think this was reflected to some degree in the Blais report, that if we were to get a raise of 2% we would have preferred that it happen after everyone else in the public sector had received a raise in that range.

That is not an option that is before us today. We have before us the option of dealing with the legislation today. We do not choose when these things will be dealt with. However that was one of the concerns we had and we do have a reasonable hope that others in the public sector, as the government House leader said, will get a raise in that range.

In any event, these are some of the things I wanted to put on the record. We think it should be dealt with in an independent and binding way.

• (1600)

We regret that is somehow not able to happen, but it is certainly something that we will continue to work for in this parliament and in subsequent parliaments.

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, I am pleased to take part in this debate and pleased as well to gain further insight from the hon. member for Winnipeg—Transcona.

Hon. members such as he who have been in this place a long time have different perspectives on this issue from a new member of parliament. That is the case with many of the members in the Progressive Conservative Party. We are here for the first time, a year as of June 2.

I think there is some important insight to be gained from members such as he who have indicated yes on the 2% raise in terms of merit, in terms of whether it is deserved. The hon. member has said he would defend that position. I would agree with that and the Progressive Conservative Party takes that stance.

However, it is an issue of timing. With respect to that, the Progressive Conservative Party has taken the stance that given the sustained high level of unemployment in this country, given the average salary of the average Canadian, we do not feel this is the time to implement such a raise.

With respect to the other element of Bill C-47, the element that would pertain mainly to the official opposition, the Reform Party, once again when one looks at merit those members should be treated no different from any other member of Parliament. In essence we feel they should be welcome back into the pension plan in whatever form they choose, whether the severance type of arrangement or the regular pension plan.

However, it is important that sanctimony be left at the door and that it should also be left out of the press releases. We all need to be a little prudent as to what we say not only here on the floor but at home in our constituencies. When I return to Pictou—Antigonish—Guysborough I am sure I am going to receive questions about this. Every individual member is going to be forced to have a gut check. They are going to be forced to check their conscience and decide what they choose to do if this raise is passed through the House today.

When one looks at the bigger picture as to what MPs receive in terms of remuneration and the work done here, one has to take a wider view and see what salaries are paid in other professions, doctors, lawyers, professional athletes, professional entertainers and heads of corporations. One has to make a comparison in those areas when looking at this increase. I am sure there is going to be a great deal of scrutiny about it in the coming days.

There is certainly an element of sensitivity about Bill C-47, but the discussion that has taken place here today and the opportunity that members and parties have had to put their perspective forward is an important one.

Once again I indicate that we are not supporting the legislation because we cannot pick and choose elements of the bill we want to see implemented and what elements we do not want to see implemented. We find ourselves in the position of not supporting it wholeheartedly.

The political angling and the reality of what is going to occur is important. I hope a lesson was learned in all this. A lesson in process may have been absorbed. There has been a great deal of criticism about a perceived gold plated pension by the Reform Party and a great deal of political hay was made out of that characterization over the years. Reformers now find themselves in the official opposition status. They have moved forward in their political aspirations.

• (1605)

I could not help but notice in the remarks of the House leader of the Reform Party the reference to when they achieve government. Pipe dream is the word that comes to mind. If the Leader of the Opposition chooses to take clothing allowances, housing allowances like Stornoway, a car allowance, all those things, while in opposition, one can only shudder to think what would happen if he were ever to achieve his aspirations of the prime minister's office.

I am not going to engage in partisan remarks but that is on the record observation. Bill C-47 has been brought to the floor and I guess the timing is suspect with but a day remaining. It was a government priority to bring this bill forward and that has to be

questioned in terms of why we would bring this to the House of Commons on the day before it closes.

We choose not to support the legislation and yet we are going to be subject to criticism too because there is no opting out provision. The hypocrisy is there for all to see. We can choose not to support it yet we will be the beneficiaries of it. Those will be the glaring remarks in the editorials.

There is no option. It is a piece of legislation that allows us no option but to take the raise. There should not be different levels of members of parliament, those who are receiving a certain set pay compared to what other members of parliament receive.

There has also been reference made to what individuals may choose to do with that 2% increase accrued over the life of this parliament. I do not think here in the House of Commons or in the media is the place to talk about what individual members choose to do with it, whether they choose to put a percentage of their salary into a certain charity or name those charities. That is an individual choice every member is going to be forced to make.

The opportunity is there for Canadians to judge for themselves as they will and to choose how to react to this and ultimately come the general election they will choose to make this a large issue or a small issue. In the grand scheme of things, it is not a major issue for most Canadians. More important issues will come to the floor, one would hope, on the national agenda and then we can earn our pay, so to speak. Canadians can then judge for themselves what members have earned their pay. Those results will no doubt be seen at the time of the next general election.

The timing of this is suspect and it also comes in very close proximity to Bill C-37 which would also raise the salaries of judges. I am sure there is an inevitable comparison that will be made again between the decision of this government to bring forward those types of legislative initiatives so close to the end of this parliament.

On behalf of the Conservative Party all I can say is that we did not ask for it and we did not anticipate it. The members of this party did not run with the expectation that we would be receiving an increased salary. We also did not feel it was a priority at this time.

The Deputy Speaker: It being 4.11 p.m., pursuant to order made on Wednesday, June 10, 1998, it is my duty to interrupt the proceedings and put forthwith every question necessary to dispose of the second reading stage of the bill now before the House.

● (1610)

Pursuant to order made Wednesday, June 10, 1998 the motion is deemed carried on division. Accordingly, this bill stands referred to committee of the whole.

(Motion agreed to, bill read the second time and the House went into committee thereon, Mr. Milliken in the chair)

The Chairman: Order, please. House in committee of the whole on Bill C-47, an act to amend the Parliament of Canada Act, the Members of Parliament Retiring Allowances Act and the Salaries Act.

(Clauses 1 to 5 agreed to)

(On clause 6)

Mr. Ted White (North Vancouver, Ref.): Mr. Speaker, clause 6, section 9, refers to the interest which would be payable or will accrue on the amount of the supplementary severance allowance from the time a person becomes entitled to it until the time it is paid.

I would ask the minister to clarify what interest rate would be accruing on that entitlement.

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, initially the clause in question was drafted somewhat differently. It was not clear as to whether there was a provision for interest should a person for instance who has opted of the pension system leave at age 51. The person would then draw the amount not at 51 but at 55, the same as a member of parliament who is contributing to the pension system would unless the person is grandfathered into the former system and receive benefits at age 55. Both systems are parallel.

The difference is the following. A person who receives a pension obviously receives it for some time, unless of course they pass on before they start receiving the benefits. In receiving the benefits there are adjustment periodically. Arguably that is a form of interest.

In the case of someone who receives the benefit of the supplementary severance it was silent in the bill. For greater certainty the words that are there were added and the reference is ''shall accrue on the amount of the supplementary severance allowance from the time the person becomes entitled to it'', in other words the day the person ceases to be an MP, ''to the time it is paid''.

How does one establish the rate? I am told that this is the normal form, what is referred to as the crown rate. It is the same rate applied if someone has money otherwise owing to him or her from the crown. For example, it could be an income tax reimbursement that is overdue or some other similar benefit. It is not a higher rate of interest, it is almost a nominal one, but one which exists in law at the present time and recognized in the form in which it is in the bill.

● (1615)

Mr. Ted White: Mr. Chairman, I wonder if the minister could enlighten the House as to what the present crown rate would be. Is he aware of that figure at the moment?

Hon. Don Boudria: Mr. Chairman, the rate is adjusted periodically, but the crown rate I am told, as of very recently, possibly even the one which applies today, is 5%. It is the same rate payable by government for other deferred payments. So whatever the rate is for a deferred payment, as I indicated earlier, it would be the same. At the present time it is in the area of 5%.

Mr. Jim Hart (Okanagan—Coquihalla, Ref.): Mr. Chairman, I am wondering if the minister could talk a bit more about the severance allowance.

There are 301 members of the House and it appears that the remuneration of many members is different. It is not a level playing field. It is unequal. Having the severance allowance, or a golden handshake, makes the situation even worse because different members of the House of Commons would receive different compensation.

I would ask the minister when he anticipates the government will equalize all remuneration for every member of the House.

Hon. Don Boudria: Mr. Chairman, when we discuss this whole area of a level playing field, it is rather interesting for members of parliament because our functions are different.

It depends on the area of the country in which we pay income tax, for instance, or other kinds of charges on our salaries. There could be at least 12 different kinds across the country. Each one of us generally pays taxes in the province in which we live. I think very few members choose to pay income taxes in Ontario if they are not from Ontario, although they could, I suppose, if they had two residences, one here and one in their riding.

The point I am making is that there is an uneven playing field at the best of times.

I am told that when the committee was studying the report that was one of the problems involved in the so-called gross up of the income of members of parliament. The Blais commission had arrived at a formula that worked something like this. It assumed a rate of gross up to arrive at the same net benefit as people living in Ontario with two or three dependants and so on.

Of course, if a member lives in a province which has a higher tax rate than Ontario, for example, B.C., Newfoundland or Quebec, they would have to gross up the salary a larger amount to arrive at the same net benefit.

Furthermore, to illustrate a few complications in that regard, some members of parliament already make a different salary than others. Some of us in this Chamber represent very large rural ridings. I think there are 10 or 12 members in that category in the Northwest Territories and I believe there is one in British Columbia. I see my colleague across the way nodding. He is one of them. Those members already make a larger salary. If one was to calculate a grossing up amount, that person would automatically end up with less salary if the law of averages was used.

That brought the following proposition to the minds of many. We would have had a gross up which, at least in appearance, would have been a salary increase, with many members of parliament going home with a substantial decrease in income.

I am told that was one of the reasons the committee that looked into this issue decided that was not a particularly wise way of doing it and abandoned that plan.

• (1620)

As I said previously, we still have a number of people with different incomes. Right now, for instance, I believe that I pay something like $10,000 a year in premiums for the MP pension plan. There are those out there who write articles and publications and so on, who insinuate, by their silence and sometimes otherwise, that this pension is free. But my income is $10,000 a year less than some other members of this House because I opted into the plan. Naturally, the benefit comes later because I get a pension. The reverse is also true.

Those are the various salaries that exist now. To say that we have a condition whereby there will be various levels of income, yes that is true. It is going to be true with several different kinds of retirement plans. But that is true at the moment, even before the passage of this bill.

Mr. Jim Hart: Mr. Chairman, we are almost there, but not quite. We talked about tax rates in different provinces. However, I am specifically referring to clause 6, the severance allowance which is being offered. I am talking about the equality offered there in comparison to the MP pension plan currently in place.

If my memory serves me correctly, regardless of whether a person works for Eaton's or the Bay, in Nova Scotia, in Calgary or wherever in this country, they participate in the same pension plan. It is an actuarial requirement. It is actuarially required that every employee participate in the same plan. But in the House of Commons there is this inequality that we have designed for ourselves, where we have different members paying different amounts and receiving different benefits. It is a very small plan. There are only 301 members.

I would like to put it to the minister again. To make it an actuarially sound plan, would it not be better to bring in a plan by which all members of parliament would receive a pension plan that is comparable to the private sector? At the same time as being comparable, it would level the playing field for all members of the House of Commons so that we would not have the situation where

we have 301 members and probably five or six different categories of pension benefits available to us.

Hon. Don Boudria: Mr. Chairman, if anyone thinks that we could have a pension plan which would be the same for every MP under any kind of scheme, that is unachievable.

By definition, the tenure here is different for everybody. We are obviously subject to the democratic rule. Some members are elected at 45 and finish at 55. We have a colleague in this Chamber who was elected for his first term at the age of 69 and is now in his second term. We had a colleague who resigned in 1993 when he was 82. We have a colleague in this House right now who was elected at age 22 or 23.

There is a whole variety of these things at any time. This is not a conventional employer, nor are we conventional employees. That is the difference.

Comparable to the private sector is an interesting thought. What about executives in the private sector?

Some have referred to the present plan for members of parliament as being generous and gold plated. However, I do not believe it is.

I read from page 139 of the Blais commission report which states:

> The pension plan for Members of Parliament, while appearing to be generous, is not necessarily out of line with public and private sector plans that recognize the impact of mid-career hire aspects of the career path of their senior employees.

That is from the Blais commission report.

The other thing about the plan is that the Chief Actuary of Canada, in and around 1990 when there was controversy about the plan, published a report in which he talked about assuming an equal employer-employee contribution. That does not exist in any public sector plan because we do not vest the money in a particular fund. We do now for the new contributions to CPP that this government brought forward, but that is a new beginning in that regard. Other plans are not like that.

● (1625)

Some would argue that the superannuation plan has a second component which has that feature. But generally it does not. There is an unfunded liability because the premiums are not invested in various schemes that generate interest dividends and other forms of income. That is true of public sector plans.

In 1990 I believe it was, the chief actuary said that he believed this plan was just as solvable as one in the private sector.

Should everyone be in the plan? Yes. That is my position. When people opted out of the plan two years ago, I remember making passionate speeches in this House to my opponents telling them they should stay in. That is what I said at the time and I have not changed my mind.

If anyone thinks today that I will accuse them of being hypocritical if they decide to opt into the pension plan, no, I will not. I refuse to participate in that dialogue. I have to be consistent with what I said.

If I said four years ago that it was wrong to opt out of the pension plan, surely I have to say now that it is right to opt in. Otherwise it would not be very logical and I would be quickly reminded of that not only by people opposite in this House, but also by the media and by the public generally.

I do not think it is wrong. I think it is right. I said so before and I stand by what I said. I am the first to say that what is offered to MPs overall, as the Blais commission report recognized, is not onerous.

Mr. Jay Hill (Prince George—Peace River, Ref.): Mr. Chairman, dealing with clause 6 of Bill C-47, I was wondering about subclause (6) which deals with the eligibility for this new supplementary severance allowance.

My understanding is that under the existing Members of Parliament Retiring Allowances Act when an MP reaches the age of 55 they qualify for the MP pension. In fact, there is a phase-in period of one year, from 54 to 55, built into the act. When they qualify for the MP pension, they no longer qualify for the standard six-month severance that all members of parliament qualify for, regardless of whether they are in or out of the pension plan.

I wonder if the hon. minister could clarify for us, under clause 6, whether those MPs who are not in the MP pension plan who reach age 55 will qualify for the six-month standard severance, plus the additional supplementary severance allowance at the time they retire, or when they are not re-elected, if they are 55 or over.

Hon. Don Boudria: Mr. Chairman, here we are getting into an area that is a little complicated. For MPs who are in the plan, we had a difficulty. I am talking about the MPs who are in the plan, not the ones who were grandfathered. An MP who is in the plan qualifies for a pension at age 55. Say that MP was defeated at age 52. Because the MP had six years of service, they would be pensionable. Therefore, they would no longer qualify for the severance. But, of course, the MP did not get a pension because he or she was not 55, so they ended up getting neither.

This is as a result of the change that we made in the pension plan some four years ago to place the threshold at age 55. At that time a companion change should have been made to the severance.

What there will be now is a phase-out to ensure that someone does not resign at age 54 years, 11 months and 29 days in order to collect both. There would be a phase-out for people in the pension plan.

If an MP ceases to be an MP and is out of the plan—and I understand there are some 48 at the present time—the MP in question would receive, if the person is less than 55, six months severance and, at age 55, the supplementary severance plus the interest at the crown rate that I described a moment ago in answer to a question from the member for Vancouver North.

● (1630)

I believe that answers that scenario. I do not know if there are any other scenarios possible. I guess there is always the one of the MP, like myself, who is in the plan and has contributions at both the old system, the grandfathered one, and the new one. Because I would be collecting a pension right now, of course I would not get a severance at all.

Mr. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Chairman, I have a comment and then a question. In terms of some of the concerns that have been raised by my colleagues that there is a sort of multilayered pension, I would say that in part this is due to the fact that a minority of members of parliament asked that there be different provisions. Those requests were respected by the Prime Minister in 1994. Subsequently when other changes were made it was necessary to respect that certain other members had been in the old plan for so long that it would have been quite unfair to try to fit them in to the new conditions.

That is not unusual even in the private sector. Looking at a lot of major companies that have existed for a long time, there are employees who belong to one plan and employees who belong to another arrangement of the same plan because they began much later than those other employees. From my own experience, my own family in the CNR, there was the 1958 plan and then there was a plan that existed before 1958 and I think some changes came after that.

I think if the record is searched there would be other examples in the private sector where this is done, not because people have some kind of urge for complexity, but just because as changes happen, the welfare of those who have already invested a certain period of time in the existing plan has to be respected, otherwise they would be treated quite unfairly.

My question for the government House leader has to do not so much with this legislation but with other amendments to the MPs pension act that have been sought in the past by my colleague from Burnaby—Douglas. Could the government House leader tell me if it is the government's intention, obviously not today and not in the context of this legislation but at some other point, to bring in legislation that would respect the decision taken in the Rosenberg case and amend the MPs pension allowances act to provide for benefits to same sex spouses? Is it the intention of the government to do that at some point or not?

Hon. Don Boudria: Mr. Chairman, there has been at least this one court decision, the Rosenberg case that has been referred to. At the moment I am sorry that I do not know whether or not it is the intention of the government to appeal this case. I do not have knowledge of that at the present time.

Perhaps I should limit my comments to say that certainly it is my feeling that any rules that apply eventually in the case of civil servants generally in regard to survivors benefits should be at least in principle similar when applied to members of parliament. I believe for instance the rules we use now for spouse and so on for the members of parliament plan is identical or a mirror image of the ones utilized in the public service. Thinking of it rationally, if there are changes in the future, my belief is that they should respect the fact that whatever rules apply in regard to survivors benefits in the public service generally should equally apply to this particular plan.

Mr. Randy White: Mr. Chairman, I want to confirm an issue that my colleague brought up here on the severance. If an individual who is 60 years old had opted out of the plan originally, he would receive six months severance plus one additional month's severance for each year of service. I would like that confirmed.

● (1635)

Hon. Don Boudria L: Mr. Chairman, that is precisely it. If the MP in question had 12 years or more of service, the individual would in fact receive 18 months of severance. The supplementary severance, to repeat what I said, is identical as far as I know to the one in the Ontario legislature that is in existence for its members who have opted out of the pension plan. That is basically where the idea came from. I reason it to be very similar.

Mr. Jason Kenney (Calgary Southeast, Ref.): Mr. Chairman, the government House leader in response to an earlier question said that MPs in the current standard defined benefit plan make financial contributions of up to $10,000 a year. That is true. I am one of the people to whom he refers who in the past has written articles about this. I have never denied the fact that contributions are paid and that they are substantial.

The problem with the plan as continued through lack of amendment in this bill is that it provides benefits much, much greater than the contributions. In fact the benefits paid to an average member out of the defined benefit plan are some 3.8 times greater than the total average member's contributions.

The government House leader also spoke about a recommendation of the Blais commission which would have eliminated the provision in the Income Tax Act which allows members of parliament to shelter a third of their de facto income from taxation.

I think this is an outrageous double standard that we impose on Canadians.

The government House leader also said that the committee which discussed the report of the Blais commission decided that this would be inequitable in terms of its treatment of people in different provinces. I take a rather different view of why the Blais commission's recommendations were not adopted.

I refer in particular to a statement made by the hon. member for Mississauga Centre, the government caucus chair, who on February 9 was quoted by the *Hill Times* as saying with respect to the recommendation to gross up the salary and replacement of the tax-free expense allowance that ''if we are going to get nailed at least we want to get nailed for a reason and see it in the wallet''. She furthermore said that the government should ''screw the Blais report''.

Does the hon. government House leader think that portrays a constructive attitude to the report of an independent commission? Does he not think that the bill before us today would be more credible with the public were it to have reflected the binding recommendations of an independent commission? Does he not in other words think that this process should be changed so that it is an independent one and that we are not put into a possible conflict of interest position?

Hon. Don Boudria: Mr. Chairman, I think there are basically three questions in there. The first one is the statement that benefits are greater than the contributions. Of course. It is a pension. The benefits coming out of the plan are by definition and that is true of any pension plan.

What is different with this case is there is no assumed income on the matched employer-employee contributions and that is why it is not calculated. Take the matched employer-employee contribution and assume to it a normal form of income and as far back as 1990 the chief actuary said it was sound. But we have to make that assumption because most investments do bring in income.

Some of the largest owners of shares in banks today are pension plans. The Ontario teachers pension plan for instance owns a lot of shares of many of the large banks in this country and the pension fund is doing quite well. That is true. I recognize that.

On the issue of what an hon. member may or many not have said about the Blais commission report, I have not cast stones on anyone in this House for any element of what is in this bill, across the way to my own colleagues or otherwise. I will not do so. I think this package is reasonable overall. Even if there is some provocation, I will not participate in that. I want to end this debate in the tone which I think is right and which I believe I have demonstrated through the process. I will not take part in that.

• (1640)

I am against the issue of binding recommendation. I am against saying to my electors ''I got a salary increase but it is not my fault. It was a binding recommendation''. That is wrong in my opinion. I am going to St. Isidore de Prescott in my riding this weekend. They will say that I voted myself a 2% increase and I will say yes. That is what I want to say. Yes. It is called accountability. Not my fault is not my way of doing things. Eventually I will be judged for what I do. There will be that judgment day and I will accept the judgment of my electors. But I will not chicken out. I will never say that it is not my fault.

The Chairman: The 30 minutes having been taken up in committee of the whole, pursuant to order made on Wednesday, June 10, 1998, it is my duty to interrupt the proceedings and put forthwith every question necessary to dispose of the committee stage of the bill now before the House.

(Clauses 6 to 16 inclusive agreed to)

(Title agreed to)

(Bill reported)

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.) moved that the bill be concurred in.

The Deputy Speaker: Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

The Deputy Speaker: Pursuant to order made on Wednesday, June 10, 1998 the motion is deemed carried on division.

(Motion agreed to)

The Deputy Speaker: When shall the bill be read the third time? Now.

Some hon. members: Agreed.

[*Translation*]

Hon. Don Boudria moved that the bill be read the third time and passed.

[*English*]

The Deputy Speaker: 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 Jonquière, National Highway System.

Hon. Don Boudria: Mr. Speaker, I would like you to indicate to me when I have spoken about six or seven minutes so that the time allotted can be divided among all parties. I want everyone to have an opportunity to speak.

I want to make the third reading remarks brief first because we have the half hour limitation for all parties and second because I believe that this issue has been thoroughly debated.

We have had the report from the Blais commission which I was offered to appoint. Ultimately the Prime Minister appoints all commissions but I was asked to appoint such a commission immediately after I became Minister of State and Leader of the Government in the House of Commons. It was my duty to do so pursuant to the Parliament of Canada Act.

• (1645)

I believe the people who served on the Blais Commission did a very good job. I thank Commissioner Blais, Dr. Jérôme-Forget and Mr. Ray Speaker. All three of them have worked very hard at producing this document. The bill we have before us today in large measure, although not exactly, reflects the recommendations they provided to us. Again I thank them. I believe they did a good job.

As I have indicated in speeches in the House before, I have been around Parliament Hill for a very long time. I came here on October 25, 1966. I started from the most junior ranks of this place and have had the opportunity of meeting truly great Canadians who were called upon by their constituents to serve in this place. I probably had the occasion of meeting more than perhaps many in this room. I have had the opportunity of knowing members of parliament both as a staffer looking upon those almighty and powerful people who are parliamentarians and as a parliamentarian myself.

An hon. member: And learned the truth.

Hon. Don Boudria: Yes, I have learned the truth. We are the leaders of the country. That is the truth and I make no apologies for it. This is a very noble profession and outside of being called to represent one's fellow people in religious offices it is the highest calling in the land. This is what I believe.

Mr. John Diefenbaker, I happen to think, was a great Canadian. He was not of my party but a great Canadian nonetheless. I met him on many occasions as a staffer on the Hill. He said it well when he said that there was in his view no greater honour and no greater privilege, and let us not forget the second part, than to serve in the House. I believe that to be true.

I also believe the House should be designed and should function in such a way as to attract people from all across the country and all walks of life. A doctor should be able to be a MP. Some are. People from the agricultural community should be MPs. Some are. People from finance and people from the teaching profession should be able to be MPs. Yes, a busboy in the parliamentary restaurant should also aspire some day to be a member of parliament, and one did. As a matter of fact I believe I am the only servant of the House of Commons ever to have been elected in the history of Canada. That is okay. Every Canadian should be able to aspire to come here. That is a principle of democracy.

One of my pet hobbies is the study of history. The great Reform Act of 1832 in Great Britain talked about the shortcomings of democracy in Britain at the time. Let me summarize what the two main ones were. One was that the franchise was too small. Not enough people in Britain had the right to vote. That was undemocratic. It had to be widened so people could participate. A second thing was wrong at the time. Daniel Patrick O'Connell, the liberator of Ireland, had been elected to the British House of Commons, the first Roman Catholic ever to get there. The only reason he got there was that he was rich. No one else could. Members of parliament were not paid.

The second element of the great Reform Act that is important to me and that I want to bring to the attention of the House is that people were demonstrating for their members of parliament to have a salary so that people like themselves could serve in the highest court of their land, the parliament of their country. I am proud that I am able to do that in this country in spite of the fact that I am not rich and probably never will be. I am proud of the fact that people who are rich can also be here along with me, all of us together.

• (1650)

I agree with the articles that say that one does not come here in order to get rich. That is true. However one does not come here to come out of here broke as so many people have. That is not right. Both those propositions are wrong.

There is a middle ground we should all believe in even if sometimes we have to take a bit of heat when we go in front of the media. I will do that because I believe that it is right. I recommend the bill to the House of Commons.

[*Translation*]

Mr. Speaker, I thank you and all my colleagues in the House of Commons. As this is perhaps the last bill I will be introducing before the summer recess, I would also like to thank my colleagues, particularly the House leaders of the other parties for their support during the session. Together, we have all contributed to the operation of what Mr. Diefenbaker called the highest court in our land, the Parliament of Canada.

[*English*]

The Acting Speaker (Mr. McClelland): Before we resume the debate I have a couple of announcements to make.

Colleagues, as some of you may know there has been a rumour concerning the health of the hon. member for Wild Rose. To put members' minds at ease he is alive and well and looking forward to coming back and resuming his duties here. His illness was a figment of imagination.

Again, before we get to debate, I want to explain to our visitors that I will now make an announcement that we will be leaving the Chamber in about half an hour to go to the Senate for royal assent. What I am doing now is giving notice, in both official languages, that we will be leaving the Chamber.

THE ROYAL ASSENT

[*English*]

The Acting Speaker (Mr. McClelland): Order, please. I have the honour to inform the House that a communication has been received as follows:

June 11, 1998

Mr. Speaker,

I have the honour to inform you that the Honourable Charles Gonthier, Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy Governor General, will proceed to the Senate chamber today, the 11th day of June, 1998 at 7.15 p.m. for the purpose of giving royal assent to certain bills.

Yours sincerely,

Anthony P. Smyth
Deputy Secretary Policy, Program and Protocol

GOVERNMENT ORDERS

[*English*]

PARLIAMENT OF CANADA ACT

The House resumed consideration of the motion that Bill C-47, an act to amend the Parliament of Canada Act, the Members of Parliament Retiring Allowance Act and the Salaries Act, be read the third time and passed.

Mr. Randy White (Langley—Abbotsford, Ref.): Mr. Speaker, I must say I am a bit at a loss. I thought we had interpretation here for everybody. The notice was read in English and French.

The Acting Speaker (Mr. McClelland): For the information of the hon. member, there are certain historical things that must be done in both languages. That was one of them.

Mr. Randy White: Mr. Speaker, that was well done.

● (1655)

I am going to try to convince my colleagues in the House, those on the other side in particular, to have a look at the current MP pension plan. I listened to government House leader who was getting a little excited about the fact that he has the right to stand and encourage pay raises and that sort of thing.

Others in the House have an equal amount of passion in why pay raises should not be. The fact that they are in an omnibus bill we have to vote for one thing and another. They may not like one thing that is in there for one party or another and we may equally not like some other things. I think all of us in the House understand that.

I want to tell members opposite that if they want to heckle I am in a good mood for it. I think they had better keep peace over there.

I want to talk about the current MP pension plan. I would like my colleagues to listen for a few minutes about why I believe that what has to occur in the House is some form of independent actuary or some consulting firm, not a full-blown inquiry but some form of assessment of the plan.

The reason this is required is that there are about 263 members currently involved in the plan. There are those who were elected prior to 1993 who have 5% of their salary each year going into the fund. There were some changes relevant to that plan in 1994.

What happened was at that time in 1994 a number of members from all three parties opted out of the plan because they did not like it. Also at that time more changes were made to the plan, that is those elected subsequent to 1993 now receive 4% of their salary a year, and some other changes. That gives pre-1993, post-1993 and those who have opted out.

There are also others in the House—and one of my colleagues is involved in that regard—who are elected at this time and had been members of parliament at some other time in the past. They have broken service for which basically there has not been any arrangements made. There have to be some rules for that as well. That is the fourth kind. Then there are those MPs who are less than age 55, may retire under the post-1993 plan and now are able to get a severance. That is different from the other plan.

We have five situations. As one of my colleagues said we have another situation where we have severance which will ultimately end up in an RRSP.

We are talking about a total of 301 people with the most convoluted pension plan I have ever seen in my life, and I can tell the House I have seen a lot of them. For the benefit of all concerned I am not asking at this point that members opt out of the plan. I am asking that the House consider some kind of avenue where a real actuarial firm—no political appointments but real people out there—looks at the plan and makes some recommendations that maybe everybody can live with: the taxpayer, the general public, the average worker, those who have opted out and those who want to opt out.

It is such a convoluted exercise that something must be done. It will not go away. It is true we have established something here today. For my colleagues to have RRSPs to get them through later life is a good idea.

If we look at the concept that the B.C. government has come up with, it is quite similar to what we have designed today except that the government says it is taking 9% of the pay and putting it into RRSPs and the member contributes equally. That is exactly where we are headed.

• (1700)

I think it is a natural process to go through. What we are looking at here is an evolution of a pension plan that just got under the back side of the taxpayers so much that it forces change.

Now we have seen an acceptance by others in this House to understand that a pension of some form is needed. Perhaps with the wishes of my colleagues we acknowledge that it is not needed to the extent that it is given to some.

A number of people have given up dollars out of this. We accept that on this side. I take exception to the Conservative member who took shots at us for this.

We need something reasonable. We do not expect to gorge off the public. If this were just a flash in the pan from 1993, that would be different but it is not. Our members who were elected in 1997 want the plan changed as well. They are sitting here hoping that there is some agreement ultimately to change this plan. They are embarrassed by being in it.

Ultimately something has to give. I think the members of this House would be well advised before we turn this into another fight again to at least have a look at it. We are not asking them to opt out. We are asking them to have a look at it.

That is our position. That is where we are at. From here on in we hope we look at a government and an institution that look after their members in the same way private industry looks after its members.

[*Translation*]

Mr. Stéphane Bergeron (Verchères, BQ): Mr. Speaker, first of all, I would like to join with the government House leader in thanking the members of the Blais commission for the work they did and the report they produced to guide parliamentarians in the proposed legislation, which we now have before us, that is, Bill C-47.

I think that my colleague, the member for Rimouski—Mitis, expressed very eloquently the Bloc Quebecois' position with respect to the bill on MPs' remuneration. She put the reasons very clearly.

They boil down to the following two points: Bloc Quebecois members are opposed to the 2% salary increase for MPs and to any increase in senators' pay, given our view that the Senate is an institution that is already wasting close to $50 million of Canadian taxpayers' money. There is therefore no need to throw good money after bad.

But so that there is no misunderstanding about the Bloc Quebecois' position, I would like to refer to an article by Pierre Gravel that appeared in the June 8 edition of *La Presse* under a very insidious, in my view, heading: ''Pretendin''.

I see this right off as a psychological projection, since Mr. Gravel takes the liberty of expressing several opinions on what parliamentarians really think, without bothering to find out what truly motivates them.

The Bloc's opposition to this bill is real. While we agree with many of the provisions, there are two we cannot agree with. My colleague made this point earlier very well. It is not because we do not think parliamentarians do not deserve a decent salary or a pay increase. It is simply that, at the start of our mandate, recently elected, knowing the conditions of the position we wanted to occupy, it is a bit strange for us to be arranging for such an increase.

• (1705)

I have two quotes from Mr. Gravel:

> Some members, when they sit in opposition, make the pretence of opposing an increase, knowing full well that they will get it anyway.

He concluded by saying:

> They would better serve their cause by stopping the pretence of not wanting it, when they are all dreaming of it.

This is what I meant when I talked about psychological projection.

I was saying, at the beginning of my speech, that this opposition is real. Mr. Gravel's quote, however, refers to something else. He basically said ''They oppose it, knowing full well it will apply to everyone''. The bill before us also allows us to correct something we did a few months ago, when we allowed some members to withdraw from the MP pension plan and others to remain within.

Naturally, and logically, when Parliament passes legislation concerning the remuneration of MPs, if it passes, it applies to all.

I find Mr. Gravel's allusion rather insidious. In the same vein, he refers to our colleague from Abitibi as follows:

> Liberal Guy St-Julien, from Abitibi, refused to cash the cheque for a tiny salary increase of under 1% last January, and promises to do the same again.

Mr. Gravel holds our colleague from Abitibi up as a sort of model MP, probably forgetting that, on several occasions, our colleague from Abitibi exhibited behaviour and actions that were somewhat unworthy of this venerable institution in which we sit.

Moreover, he refers to ''this case which at least has the merit of consistency''—our colleague from Abitibi with the merit of consistency! Does Mr. Gravel recall that the hon. member for Abitibi sat with Brian Mulroney, under the Conservative banner, at the time of Meech and Charlottetown, a period of great conciliation with Quebec, and now sits under the Liberal banner with Jean Chrétien

and his plan B, which is all about a hard line with Quebec? As far as consistency is concerned, he could find a better example!

Reference was also made to a minority report by the parties in opposition. He writes, and I quote:

> —a House of Commons committee report recommending improved pay for MPs stirred up protest from representatives of the Reform Party, the Bloc, the NDP and the Conservative Party. The opposition spokespersons deemed it indecent to vote raises like this for themselves when what was more important was to ''look out for Canadians first'', starting with the public servants, whose salaries are lagging far behind.

I do not know what minority report Mr. Gravel is referring to, as far as the Bloc Quebecois is concerned, because the Bloc's minority reported stated:

> In keeping with its public position on this, the Bloc Quebecois is opposed to recommendations 1 and 3 in the report with respect to the 2% raise in the parliamentary allowance, the expense allowance and the additional special duty allowance for MPs, where applicable.

Over all, then, this is a report I would describe as modest, very succinct and to-the-point, very moderate in its wording. This does not correspond at all with the impression Mr. Gravel has of the Bloc Quebecois position. He continues by lumping together issues such as the 2% increase, the increase from $6,000 to $12,000, and so on. I repeat that the Bloc Quebecois' opposition applies only to the 2% increase.

• (1710)

As for the $6,000 to $12,000, which is not part of the legislation before us and which was already approved by the Board of Internal Economy, I would point out that the Bloc Quebecois did not oppose this increase, because it is normal that the housing allowance, which was set some years ago and never amended, should be increased at this time.

Any enterprise that requires its representatives to travel provides a housing allowance and per diems. It is entirely normal that parliamentarians be entitled to such an allowance and that it be indexed.

The same goes for the pension plan. As I said earlier, we agree that members who opted out in recent years should now be allowed to opt back in under conditions set out in the bill. We also agree with the provision regarding the departure allowance. It is well known that the minimum standards for any professional job include a departure allowance. We are therefore in favour of this allowance.

I will simply say that, in my view, and with all due respect for Mr. Gravel, whom I generally find to be a completely professional editorial writer, this editorial was based on incomplete and erroneous information. I think I have made that clear today.

I would like to pick up on Mr. Gravel's conclusion, and then I will conclude myself with a paraphrase of his introduction. Is there anything more annoying than journalists and editorial writers who shed crocodile tears over the bad reputation MPs enjoy with the public, when they often contribute to that bad reputation through their writing?

I therefore invite Mr. Gravel to reflect on this conclusion and I also invite parliamentarians to acknowledge that, of course, the job needs to be properly paid, not just on its own merits, but also in order to attract quality candidates for the good of the institution, as has already been said. But we must not lose sight of the fact that this increase was proposed just after we were elected to this House, that we were aware of the conditions when we decided to run in the election, and that we felt the salary was quite appropriate at the time. Consequently, in our opinion, there is no need to change it.

It must also be kept in mind, as far as the Bloc Quebecois position is concerned, that we feel it is most inappropriate to increase the pay of the members of the other place.

[*English*]

Mr. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Speaker, the debate this afternoon has been conducted with appropriate the tone and in the appropriate manner. As I said earlier, this is a difficult thing. I wish it did not go with the territory. I wish we could have a process in which these kinds of decisions were removed from us. I do not agree with the government House leader that there would be something wrong with taking this out of our hands, but that is a legitimate point of view.

When I say it goes with the territory I am reminded of once being in a bookstore and looking through a collection of old newspaper stories somebody had put together on the occasion of the anniversary of something. When I was flipping through I noticed that in 1905 the headlines read ''MPs give themselves—''. So we might take some comfort from the fact that plus ça change, plus c'est la même chose and that this has always been a matter of some controversy, at least as far back as 93 years ago and probably before that.

• (1715)

I want to say something with respect to something the House leader of the official opposition said about the fact that there are so many different categories. I understand his concern but if the House leader of the official opposition were to get his way surely, and I do not speak against this in principle, there would be more categories. Unless all the people who are in the plan now in various stages were to be dealt with in an incredibly unfair way, the investment that they have made in the particular plans would somehow have to be recognized. We would then have another category.

Even if the Reform Party were to form the government and bring in its own plan, unless it was going to act in a way that it would otherwise condemn in every other aspect of human life it would have to take some account of the reality of individuals and their participation in the existing plans.

All I am saying is that there is no way to escape complexities. If an entirely new plan were brought in and you were to recognize, as you should in some way, the participation of people in the past and in the present in pre-existing plans, you would have to wait until everybody in all those other plans died off and then presumably you would only have one plan for everyone. That would take a long time.

I do not think we should be against complexity in principle. I think that where fairness demands complexity then complexity it is. Simplicity in itself is not a virtue when it comes to these kinds of things.

The Acting Speaker (Mr. McClelland): It being 5.18 p.m., pursuant to order made Wednesday, June 10, 1998, it is my duty to interrupt the proceedings and put forthwith every question necessary to dispose of the third reading stage of the bill now before the House.

Pursuant to order made Wednesday, June 10, 1998, the motion is deemed carried on division.

(Motion agreed to, bill read the third time and passed)

* * *

MESSAGE FROM THE SENATE

The Acting Speaker (Mr. McClelland): I have the honour to inform the House that a message has been received from the Senate informing this House that the Senate has passed a bill to which the concurrence of this House is desired.

Mr. Randy White: Mr. Speaker, I rise on a point of order. Does this still apply now that the government has flown in the face of Canadians and appointed five more senators just now? Are we still going to go through with this?

The Acting Speaker (Mr. McClelland): I cannot respond to the hon. House leader of the opposition because I have no idea what he is referring to.

THE ROYAL ASSENT

● (1720)

[*English*]

A message was delivered by the Usher of the Black Rod as follows:

Mr. Speaker, the Honourable Deputy to the Governor General desires the immediate attendance of this honourable House in the chamber of the honourable the Senate.

The Royal Assent

Accordingly the Speaker with the House went up to the Senate chamber.

● (1730)

And being returned:

The Acting Speaker (Mr. McClelland): I have the honour to inform the House that when the House went up to the Senate Chamber the Deputy Governor General was pleased to give, in Her Majesty's name, the royal assent to the following bills:

Bill C-9, an act for making the system of Canadian ports competitive, efficient and commercially oriented, providing for the establishing of port authorities and the divesting of certain harbours and ports, for the commercialization of the St. Lawrence Seaway and ferry services and other matters related to maritime trade and transport and amending the Pilotage Act and amending and repealing other acts as a consequence—Chapter 10.

Bill C-12, an act to amend the Royal Canadian Mounted Police Superannuation Act—Chapter 11.

Bill S-3, an act to amend the Pension Benefits Standards Act, 1985 and the Office of the Superintendent of Financial Institutions Act—Chapter 12.

Bill S-9, an act respecting depository bills and depository notes and to amend the Financial Administration Act—Chapter 13.

Bill C-31, an act respecting Canada Lands Surveyors—Chapter 14.

Bill C-39, an act to amend the Nunavut Act and the Constitution Act, 1867—Chapter 15.

Bill C-15, an act to amend the Canada Shipping Act and to make consequential amendments to other acts—Chapter 16.

Bill C-4, an act to amend the Canadian Wheat Board Act and to make consequential amendments to other acts—Chapter 17.

Bill C-411, an act to amend the Canada Elections Act—Chapter 18.

Ms. Marlene Catterall: Mr. Speaker, I rise on a point of order. As a result of the royal assent that just took place, business that normally would have been conducted under Government Orders was not conducted.

I am going to ask for unanimous consent to return to government orders for approximately one minute so that the House can hear a motion to approve the amendments made by the Senate to Bill C-410, an act to change the name of certain electoral districts and to concur in it.

This is a bill that is of importance to all parties in the House. The names of ridings are changing and there is a certain urgency that this proceed as quickly as possible.

If you would ask the House for consent that that motion be put, I do not think it requires any debate. It would just require a minute or so of House time.

The Acting Speaker (Mr. McClelland): The chief government whip has asked for unanimous to revert Government Orders for a short period of time, no more than five minutes, for the purpose of disposing of a bill. Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[*English*]

ELECTORAL BOUNDARIES READJUSTMENT ACT

Ms. Marlene Catterall (Ottawa West—Nepean, Lib.) moved that the seconding reading of, and concurrence in, amendments made by the Senate to Bill C-410, an act to change the name of certain electoral districts.

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

Some hon. members: Question.

The Acting Speaker (Mr. McClelland): Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

(Motion agreed to, amendments read the second time and concurred in)

The Acting Speaker (Mr. McClelland): The House will now proceed to the consideration of Private Members' Business as listed on today's order paper.

PRIVATE MEMBERS' BUSINESS

[*English*]

The Acting Speaker (Mr. McClelland): Order, please. I have received notice from the hon. member for Elk Island that he is unable to move his motion during private members' hour on Friday, June 12, 1998.

It has not been possible to arrange an exchange of positions in the order of precedence. Accordingly, I am directing the table officers to drop that item of business to the bottom of the order of precedence. Private members' hour will thus be cancelled and the House will continue with the business before it prior to private members' hour.

* * *

● (1735)

INCOME TAX ACT

Mr. David Chatters (Athabasca, Ref.) moved that Bill C-227, an act to amend the Income Tax Act (income deferral from forced destruction of livestock or natural disaster), be read the second time and referred to a committee.

He said: Mr. Speaker, it is a pleasure to present my private members' bill. It would appear it is the last private members' bill of this spring session of parliament.

It is actually quite a simple issue. It is an attempt to correct a strange anomaly in the Income Tax Act. I would have real trouble understanding how any members of this House could reasonably object to it.

Certainly in recent years Canadians across this country have suffered devastating emotional, psychological and financial impacts of natural disasters with huge costs and losses of both property and peace of mind.

Farmers who are individuals with the most intimate professional and personal ties to the land oftentimes compose the group that is most severely affected by these natural disasters. Over the past three years, farmers across the country have suffered serious losses due to the disastrous flooding of major river systems.

Extensive national media coverage familiarized most Canadians with the Saguenay flood in Quebec and the Red River flood in Manitoba. However, fewer Canadians were aware of the flooding that took place in northern Alberta and certainly in my riding.

During these periods of flooding my constituency office was bombarded with calls from distressed farmers in dire need of assistance. Many have been forced to sell their cattle as they were unable to feed them due to destruction of their feed crops. These same constituents were concerned that they would be unable to make ends meet that year let alone make enough headway to be back on their feet by the following year. The constituents' calls I received are what gave rise to this bill being discussed here today.

This bill would allow farmers to defer for one year all income from the sale or destruction of livestock given that the sale was necessitated by a shortage of feed due to a natural disaster. This bill would also allow farmers to defer income from compensation they receive from Agriculture Canada in the case of forced destruction of livestock because of infectious disease such as anthrax. This deferment of income tax would lessen the immediate financial burden on farmers, giving them time to repair damage to their farms or to rebuild their stock of farm animals.

Unfortunately Bill C-227 is non-votable. However, I am hoping that the discussion today will raise awareness in this House of the positive changes that could and should be made to aid those farmers adversely affected by natural occurrences beyond their control.

Through this bill I am not asking that the government introduce an entirely new element to the Income Tax Act. Currently the act does allow for deferment of income from the sale of livestock but for some curious reason only in the event of drought.

This bill simply aims to remove the inequity by extending that same consideration to all farmers forced to sell or destroy livestock

due to natural disasters, infection or disease. Therefore acceptance of the principles of this bill would simply mean recognition of the need to close the gaps in existing legislation.

Frankly, I am appalled that such gaps were allowed to exist in the first place. Surely if insufficient moisture preventing the growth of crops to feed livestock is sufficient reason to defer income from the sale of the animals, then excessive moisture that destroys the crops needed to feed the animals is also sufficient reason to defer income from the sale of animals.

● (1740)

In both cases the farmers are forced to sell their livestock because of natural occurrences beyond their control. In one case the natural occurrence is drought, while in the other it is flooding. In both cases the farmers would benefit from income tax deferral which would give them time to recover from whatever disaster has occurred.

In addition to the many phone calls I received both during and after the northern Alberta floods, I also received an abundance of letters. One letter written by a constituent on behalf of the farmers in the Kinuso area detailed the financial minefield faced by farmers on flooded lands. This constituent described their situation as a vicious circle of high cost and low returns.

During the northern Alberta floods the vicious circle went something like this. Excessive moisture due to heavy rains and excessive flooding drastically reduced the amount of hay that farmers were able to bale and what they were able to bale was in very poor condition. If any crop was harvested at all or if any hay was baled, it was only enough to supplement the feed that had to be brought in from elsewhere.

At the time farmers were faced with exorbitantly high prices for feed because of the shortage of feed in the area and unusually low prices for cattle simply because there was an excess of cattle forced onto the market by the forced sell off. The constituent's letter describes the situation as a triple whammy: no local feed, high prices for imported feed and very low cattle prices.

Many farmers were faced with a situation in which they could not afford to feed their livestock, but if they sold it, they would receive such low prices that they would not be able to replace their livestock for the same price at a later date. Of course, a substantial amount of that income that they received from the sale of livestock would then be claimed by the tax man, leaving them even less to replace the cattle with in another year after the natural disaster had passed.

When the farmers were taxed on the pittance they received for the sale of their livestock, the additional financial burden of taxation was unbearable to many.

All farmers are affected by natural disasters but it is the young farmers who are financially destroyed. Unlike the more established farmers, they do not have something to fall back on. Oftentimes they have invested all that they have into a small farming business, only to see it swept away by some merciless flood.

Immediately taxing these young farmers on their income from the forced sale of livestock is unduly harsh when they do not have a financial safety net to fall back on. The immediate spike of income that is generated through the forced sale of livestock in many cases makes the same young farmers ineligible for existing safety nets that are there for financial disasters.

The principles of this bill would be especially helpful to those farmers who are just beginning and who are desperately struggling to make ends meet.

I am hopeful that all members of this House will see the value of this bill, although I am uncertain of the response from the opposite side of the House, given their horrendous track record in regard to meeting western farmers' needs.

If any other economic group in this country were to suffer the level of discrimination that the western Canadian farmers have had to suffer over the last number of decades in this country, there would simply be blood in the streets. That may be a harsh statement, but that is not an exaggeration. One only has to look back in Canadian history to the Winnipeg strike or some of the protests by the aboriginal community. When other groups found themselves backed into a corner, they took drastic action to right that wrong.

When one looks at the record, the western Canadian farmers certainly have suffered some real injustices in this country. If we look back at the Crow rate, the subsidized freight rate that was introduced in this country, it was not to help the western Canadian farmers, but to help the central Canadian feedlot operators to move feed grain from the plains of western Canada to southern Ontario to feed cattle. At the same time, the western Canadian farmers had to simply turn around and pay the full rate for manufactured goods returning west from central Ontario. If that is not discrimination I do not know what is.

● (1745)

We can think of many other examples. We have been debating the issue of the Canadian Wheat Board in this House for some months. It was not created to benefit the western Canadian farmer. It was created originally to produce wheat to ship to Britain to help the war effort. Western Canadian farmers were again asked to contribute billions of dollars to the war effort, more than what the manufacturing workers of central Canada were asked to contribute. I could go on and on with different examples where that discrimination exists.

In recognition of the unfairness of some of these things the government could move quickly to deal with this issue and bring some fairness. I am not terribly optimistic that will happen. In conjunction with the issue of the flooding in northern Alberta I asked this House through private member's Motion No. 11 to provide the same kind of disaster relief for the farmers whose

property and farms were destroyed in the flooding simply to give those farmers the same level of disaster relief that farmers in Ontario and Quebec were granted because of the ice storm and the flooding. I think the reaction from the other side of the House was an insult. A simple request for some fairness and equality was simply turned down without even a moment's consideration.

My motion would have guaranteed that the part time farmers who intended to become full time farmers but who were forced to seek off farm employment to build farm equity financial assistance in the event of a natural disaster. It is unfortunate that after the motion was debated, the government quickly and with very little thoughtful consideration voted it down.

I experienced additional disappointment earlier this year when I received a phone call from a constituent who was faced with extreme financial hardship and simply felt he had no place to turn. Through no fault of his own because of heavy flooding and heavy rains over the last couple of years in our part of northern Alberta this farmer had been forced to go two consecutive years without being able to harvest a crop. This put the farmer in real financial hardship. He was unable to meet his commitment to the Farm Credit Corporation.

One would think that under those circumstances a crown corporation like the Farm Credit Corporation could show this individual some compassion and some consideration. But no, that was not possible. It simply evicted this man and his family and they were out on the street. It is the height of cruelty in such a situation to treat him like that after he had faced that kind of hardship and psychological bombardment while at the same time not two miles away, Alberta Pacific Pulp Mill was unable to meet its obligations under a contract with the Alberta government and it turned around and negotiated a settlement to forgive some $250 million worth of interest on the debt.

Surely if this government can afford things like the $1.5 billion subsidized loan to China to buy Candu reactors or the several hundred million dollars in farm aid to Indonesia, it should certainly be able to show some compassion for these western Canadian farmers who through no fault of their own have found themselves in financial trouble. It simply does not happen.

This individual not only lost his farm but his home. He was dealt with very callously by representatives of the Farm Credit Corporation. In spite of appeals I made to the minister and to farm credit head offices, they had no time to look at the situation.

• (1750)

An hon. member: A predatory organization.

Mr. David Chatters: The hon. member could not have said it better.

However, if members on the opposite side of the House think I am being unduly critical of their performance I would like to remind them that the changes proposed by this bill present the perfect opportunity for the government to show that it does care about the needs of farmers.

Certainly farmers in my riding and presumably farmers across Canada would be pleased to see the changes I am proposing. I would therefore implore all members of the House, but especially those members opposite, to give serious consideration to this bill. Although not votable by choice of the committee responsible to make that decision, it is my hope that this discussion has highlighted the gaps in the existing legislation.

It is also my hope that the government will take advantage of this excellent opportunity to pursue greater fairness not only for the flood victims in my riding but for all farmers across this country forced to sell or destroy livestock as a result of disease or natural disaster.

Mr. Tony Valeri (Parliamentary Secretary to Minister of Finance, Lib.): Mr. Speaker, this private member's bill endeavours to extend the current one year tax deferral for income from forced destruction of livestock to other amounts paid to farmers with respect to natural disasters.

The hon. member for Athabasca in proposing this wishes to ease the financial burden on farmers whose property is damaged or lost through a capricious act of nature. I applaud my colleague for his initiative in this regard. It is important as we all witnessed during the recent ice storm that lives and livelihood disrupted by natural emergencies be quickly restored. I also agree that governments have a crucial role to play in the rebuilding process that follows devastation.

I would also like to point out, however, that while I support in principle the spirit of this proposed amendment, it is flawed in two very important respects. The proposal before us today is inconsistent with existing tax deferral provisions for farmers. In addition, the proposal fails from a technical perspective because it fully identifies neither the amounts to be deferred nor the circumstances whereby deferral would take place.

The Income Tax Act allows farmers to defer for tax purposes amounts received with respect to livestock in two important circumstances, forced destruction under statutory authority and in the case of widespread drought.

The proposed amendment attempts to build on the current one year tax deferral for income from the forced destruction of farm animals. The government from time to time orders the destruction of livestock known or suspected to carry various diseases in order to prevent the spread of illness to other animals or humans. Farmers may defer the inclusion in income of amounts paid by the government as compensation for the slaughter of diseased animals

and need only report these amounts in the year following the year of animal loss.

This tax treatment is proper because the government recognizes that the disposal of livestock was involuntary on the farmer's part. In addition, depending on the timing of government action, farmers may not have sufficient time to replenish livestock before the end of the year. To maintain tax neutrality affected farmers are allowed to defer the proceeds to the next taxation year and offset it by deducting the cost of animal replacement as it takes place.

The phrase ''under statutory authority'' in this regard is both clear and necessary. For income deferral to occur the government must be responsible for the timing of animal destruction as well as for the associated compensation. Unless these conditions are satisfied no special tax treatment is allowed.

The proposed amendment, on the other hand, would extend this special tax treatment to amounts paid with respect to a natural disaster under statutory authority. The use of the phrase ''under statutory authority'' in this context is confusing and inappropriate. Unlike the case of diseased livestock, the government does not order property destroyed through a natural disaster and does not compensate farmers in this regard under statutory authority.

A tax deferral is also provided to farmers for livestock sales associated with a prolonged drought. However, for special treatment to take place affected farmers must carry on business in a prescribed drought region as determined jointly by the Minister of Finance and the Minister of Agriculture and Agri-Food.

In addition, relief is only extended to farmers whose herd is reduced by a specific magnitude throughout a taxation year and only a portion of income from the sale of livestock is eligible for deferral.

These conditions were put in place through consultations with affected farm groups and agriculture Canada to ensure that relief is granted for widespread drought and not for localized cases.

● (1755)

However, the proposed amendment includes no similar threshold even though droughts are also natural disasters. Thus the amendment is inconsistent with the current tax policy in this area.

Moreover, the current income deferral mechanisms are limited to livestock only where the proposed amendment is not. The proposal therefore represents a fundamental departure from previous policy and is not simply an extension of the current provisions.

I am also concerned that the intent of this amendment providing tax relief to farmers hit hard by nature is not fully realized by the proposed language. To begin, the proposal does not make clear which amounts are to benefit from special tax treatment. Amounts with respect to a natural disaster could include payments from numerous sources such as governments, insurance companies and other individuals.

Payments could also be made for a variety of purposes such as replacement of inventory, recovery of capital assets or even protective measures against future catastrophes. Some of these amounts should perhaps qualify for tax relief but others decidedly should not. Under the proposal all such payments could potentially qualify.

In addition, the meaning of natural disaster is not anywhere defined by this amendment. When we say disaster we normally refer to a sudden calamitous event resulting in great damage, loss or destruction. But for the purposes of tax law this does not suffice. In extending special tax treatment we must be very specific to ensure that relief is provided only where warranted.

It should also be noted that farmers already receive favourable tax treatment in Canada. For example, farmers may elect to report income and expenses on a cash basis rather than on an accrual basis as in most other businesses. Farmers are also eligible for the $500,000 lifetime capital gains exemption for farm property. They may be able to defer proceeds from the sale of a farm property through a 10 year capital gains reserve and are in fact exempt from making quarterly tax instalments.

I believe everyone present here today will agree that victims of natural disasters deserve the federal government's and the nation's full support and empathy in reconstructing their homes and businesses.

However, I also believe that all levels of government already play a significant and constructive part in the process of restoration. The proposed amendment despite its good intentions is not consistent with current tax policy and does not effectively address the difficulties faced by affected farmers.

I thank the hon. member for bringing this issue forward. As he mentioned in his opening remarks, perhaps the discussion will shed some additional light on how we may find some other type of vehicle to address the concerns that the hon. member has brought forward. I reiterate that the amendment is not consistent with current tax policy and does not effectively address the difficulties that may be faced by affected farmers.

I bring to the attention of the House that although I do once again thank the member for bringing forward this issue, I must suggest that this proposal not be adopted by the House.

Mr. Dick Proctor (Palliser, NDP): Mr. Speaker, I am pleased to speak to Bill C-227, an act to amend the Income Tax Act regarding

income deferral for farmers who must sell or destroy livestock in the case of a natural disaster.

I congratulate the member for Athabasca for taking the time to investigate the Income Tax Act and to isolate some of the problems that farmers encounter when natural disasters occur.

In congratulating him I certainly would not want to agree with him about his comments and would want to disassociate myself with the comments he made about the Canadian Wheat Board. If he wanted to refer to the Crowsnest Pass freight rate agreement and the dissolution of the Crow benefit a few years ago, he would be on firmer ground and enjoy more support from this caucus.

This bill would allow farmers to defer income for 12 months if they have to sell off livestock or destroy livestock because of a natural disaster. This would give the farmer time to rebuild his or her livestock once that natural disaster was over.

● (1800)

Furthermore, in a case where Agriculture Canada orders livestock to be destroyed, any taxation on compensation would not be included in the farmer's taxes for a 12 month period. Again, this would give the farmer time to rebuild once the disease had been eradicated.

In the bill before us, Bill C-227, the hon. member is referring specifically to the aftermath of a flood in the Lesser Slave Lake area, but the bill would clearly apply to other areas where natural disaster has occurred. We think of the Red River flood, the Saguenay flood and the ice storms in eastern Ontario and Quebec of last winter.

The disaster financial assistance arrangements have been in place for some time. I believe they have been in place for 28 years. The program provides assistance when disaster strikes. It works, accordingly, that the federal government may be requested by a provincial government to help out financially. This assistance is provided through the disaster financial assistance arrangements and the payments help those governments to meet the basic costs involved.

This financial assistance arrangement has been in place, as I say, for almost three decades and is administered under guidelines ensuring that federal financial assistance is provided in a fair and equitable way across Canada. The amount of this federal compensation is determined by a formula based on provincial population and other criteria.

With reference to the ice storm of 1998, despite the existence of the arrangements under DFAA, problems did occur. I know that we received calls and letters from the Canadian Federation of Agriculture following that severe ice storm and we were told that the provisions of the DFAA applied to some situations but not to others.

The federation told me that federal and provincial legislation covered capital losses but not the loss of income. For example, if a farmer had to throw out milk because the truck could not get to the yard to pick it up, he or she was compensated. On the other hand, trees in a farm orchard which were injured or stressed from the storm meant that the farmer was not compensated for lost productivity resulting from that.

In addition, there were problems with the definition of farmer for purposes of compensation. Many people who are forced to work off farm to support their operations were then considered to be hobby farmers and not eligible for assistance under the DFAA, although I think eventually there was an exception made for farmers affected by the ice storm and so-called hobby farmers were included back in January and February.

We know that off farm work has become the exception, not the rule, and that farmers work to subsidize their operations.

There is a need for a more detailed look at the DFAA as it relates to the loss of income and who is eligible for compensation. I know that the bill of the hon. member for Athabasca relates to the Income Tax Act, but what we are talking about is a measure of protection for the income of farmers.

Any discussion of protecting farm income must also take into account the government's lack of support for the agriculture and agri-food sector. The support has declined drastically throughout this decade. It stood at $6 billion in 1991 and it had been reduced to less than $2 billion by 1997, a decline of $4 billion, and this year's budget confirmed even further cuts.

Farmers and other rural dwellers have sacrificed enormously in the fight against the deficit. One might well ask what the agriculture minister is doing to represent the interests of rural Canadians at the cabinet table. We believe the government is doing too little rather than too much to support farmers facing difficult circumstances.

I want to refer briefly to an opposed vote in the supplementary estimates printed recently in the Order and Notice Papers. I would have liked to have spoken to this the other day, but time allocation did not permit it, so I will make reference to it now.

It involves the member for Prince George—Peace River, who was opposed to the federal department of agriculture spending $13.8 million on crop reinsurance for Saskatchewan. I want to go through this because I think it was perhaps a shortsighted, mean spirited approach. I just want to give a little bit of history to back up the point.

In the 1980s the provincial Conservative government of Saskatchewan set up a number of farm insurance programs.

• (1805)

Members will recall that there was a serious drought in Saskatchewan at that time and indeed some action was needed. Ottawa got involved. It was probably one of those late night phone calls between then Premier Devine and then Prime Minister Mulroney. In any event, they hastily devised ad hoc programs and carried so much debt that they drove the cost of farmers' premiums through the roof.

Following the 1991 provincial election in Saskatchewan, the incoming government moved to remedy the situation. The federal and provincial governments both wrote off a portion of the debt in these programs to put them on a sound financial footing.

Saskatchewan made a payment to do away with the debt and Ottawa did the same. As I understand it, the money involved in this vote is to be used for that purpose, namely, to retire a debt that was driving premiums not only up for farmers but out of sight.

Therefore, I cannot understand why the member for Prince George—Peace River would want to prevent this money from going to Saskatchewan farmers and I am sure the farmers in that province would not understand it either. I notice in passing that the member for Prince George—Peace River has asked the minister of agriculture on several occasions over this session to provide assistance to farmers in the Peace River area where crops had been lost due to rain and flooding.

I too have spoken out in this House, urging the minister of agriculture to do more to help the farmers in Peace River. So I am disappointed that the Reform Party member who wants assistance for Peace River farmers would ask that Ottawa turn its back on farmers in Saskatchewan. It seems to me that it is yet another example of that party picking and choosing who it is going to support and who it is not. I am sure this will not go unnoticed by farmers in my province.

In conclusion, I congratulate the hon. member for Athabasca for his private member's bill and assure him of my support for it.

Mr. Gilles Bernier (Tobique—Mactaquac, PC): Mr. Speaker, Bill C-227, moved by the member for Athabasca, is similar to Motion No. 11 that was moved by the hon. member some time ago. This bill is an effort to provide equality and fairness for farmers.

This bill will allow farmers to defer income for one year if the farmer has to sell off livestock or destroy it because of a natural disaster, in the case of floods, drought, et cetera.

In the case of a natural disaster, if the farmer must sell livestock because their feed has been destroyed or for any other reason, the taxes on the income received from the sale will be deferred for one year. This will give the farmer time to rebuild the livestock once the natural disaster has passed.

In the case of an Agriculture Canada order to destroy livestock, any taxation on compensation would not be included in the farmer's taxes for one year. Again, this will give the farmer time to rebuild the livestock once the disease has been eradicated. This money is not taxed in the case of drought, so it should logically be extended to include livestock affected by other natural disasters and forced destruction of livestock for other health reasons.

With the aftermath of the ice storm of January 1998 there is a great need to re-evaluate the income support mechanism in the agricultural sector. When a natural disaster occurs, whether it be the floods of Manitoba, the Saguenay, northern Alberta, or last summer's drought in Nova Scotia, it is most often farmers who are hit the hardest financially.

It is time for the federal government to take a more proactive rather than reactive stance and start developing policies that benefit producers in good times and in bad times. In saying that, it is important that we emphasize the word consistency when we talk about disaster assistance. Without consistency in the delivery of assistance programs for farmers it would only create division between farmers across this great nation.

Before I go on any further, I would like to state for the record that when the Progressive Conservative government was in power between 1984 and 1989 support for our farmers was greater than ever before. Crop and income insurance totalled $21.7 billion, about $4 billion a year. Grains and oilseed farmers hurt by the 1988 drought received $850 million in emergency assistance.

It was also the Progressive Conservative government that in January 1991 brought in a new generation of farm safety net programs that farmers could count on. They were aimed at boosting farm income.

• (1810)

One of the most important programs, which continues to exist to this day, the net income stabilization account, replaced ad hoc programs and put in place help for farmers in all regions of this country.

The bill before us clearly demonstrates the need for us to re-evaluate our income protection system for farmers. Although government officials might say that weather conditions are never the same, disaster assistance is not the same either. I would suggest that this is where the problem lies.

There must be consistency in determining the level of assistance. It should not simply be based on the amount of publicity a natural disaster gets. This consistency must be applied to circumstances from coast to coast. Ad hoc programs provide for ad hoc solutions.

With the environmental and climatic changes that this world is undergoing, it is vital now, more than ever, to monitor these issues on an ongoing basis and develop consistent policies that would help farmers deal with these changes both financially and realistically.

I would like to mention that the hon. member for Brandon—Souris, our party's agriculture critic, has a private member's bill, Bill C-387, which addresses the problem of consistency. The hon. member's bill would establish a national committee to develop policies and procedures to ensure co-ordination in the delivery of programs by governments in the case of agricultural losses or disasters created by weather or pests, to co-ordinate the delivery of information, assistance, relief and compensation and to study the compliance of such programs with the WTO requirements.

The committee would consist of a membership of up to 21 members. Three would be nominated by the Minister of Agriculture and Agri-Food. One member would be nominated by each provincial agriculture minister. Five members would be representatives of farmers and would be nominated by such organizations representing farmers. Three members would be representatives of industry related to agriculture products and would be nominated by such organizations representing that industry.

The committee would monitor situations on an ongoing basis and discuss what income protection measures would be available to farmers in the event of disasters or unusual conditions caused by weather or pests, taking into account crop insurance, flood and drought protection programs and NISA.

That being said, the PC Party will support this bill. I hope the hon. member for Athabasca will also support my colleague's bill when it comes before the House. Unfortunately, Bill C-227 is not votable. It is important that all provinces from coast to coast have input and share ideas on income protection for the farming community. This bill clearly shows that there is a much larger problem. The main problem is the need for consistency in all financial arrangements between the federal, provincial and territorial governments. What is needed is for the federal government to show leadership on this issue and ensure that equity and fairness is there.

In conclusion, now that we know the House will rise tomorrow for the summer recess, I wish all members of parliament, including you, Mr. Speaker, a very nice summer vacation.

The Acting Speaker (Mr. McClelland): The hon. member for Athabasca, as the mover of the bill, has the last five minutes to sum up.

Mr. David Chatters (Athabasca, Ref.): Mr. Speaker, I expected the response that I received from the government. Nonetheless, I am still very disappointed with it. We can always find ways around the issue. We can always find flaws in the bill. My intention was to raise the issue of fairness and equality.

I would encourage the government, as imperfect as my bill is, to address the issue and to make an effort, through the Minister of Agriculture and Agri-Food, the Minister of Finance, or whomever would be appropriate, to bring some fairness to the issue so that those livestock producers who have to sell off livestock the same as they would in a drought or in a flood situation would be able to retain that income in the following year to replace that livestock.

• (1815)

In that spirit I would like to move that Bill C-227 be withdrawn and the subject matter thereof be referred to the Standing Committee on Agriculture and Agri-Food.

The Acting Speaker (Mr. McClelland): The hon. member of Athabasca has requested the unanimous consent of the House to have the contents of the motion referred to the Standing Committee on Agriculture and Agri-Food.

Does he have unanimous consent of the House to move the motion?

Some hon. members: Agreed.

Some hon. members: No.

* * *

ACCESS TO INFORMATION ACT

Mr. John Bryden (Wentworth—Burlington, Lib.): Mr. Speaker, I rise as a private member on a point of order to seek unanimous consent. I feel very awkward after what just occurred two seconds ago.

Last October I submitted a private member's bill dealing with the access to information bill which proposed a great number of amendments to the legislation. I received support from all parties. There were representations from the Bloc, the Reform Party, the Conservatives and the NDP. I received seconders from all opposition parties and seconders to a total of 113 on the government backbenches.

Unfortunately in the time since then I have had many representations on my bill. A lot of people looked at it and made suggestions. They have noticed some flaws and some technical difficulties in a few areas which maybe I did not think out very clearly.

I emphasize here it is still at first reading; it has not been picked. If it ever does get to be read in second reading I would not want debate to be deflected on the flaws. I would hope the debate would deal with the good points of the bill.

Therefore I would request unanimous consent of the House to substitute the text, which I will forthwith table, for the text submitted last October and that the said bill keep its number, which is Bill C-264, and standing on the order paper as there is no change in title.

I point out that the other option would have been to simply submit it under a new title, but I would much rather keep it under the old designation of Bill C-264.

The Acting Speaker (Mr. McClelland): The House has heard the request for unanimous consent by the hon. member for Wentworth—Burlington to submit a new text for a bill already presented standing in his name.

Does the House give it unanimous consent?

Some hon. members: Agreed.

* * *

INCOME TAX ACT

The House resumed consideration of the motion that Bill C-227, an act to amend the Income Tax Act (income deferral from forced destruction of livestock or natural disaster), be read the second time and referred to a committee.

The Acting Speaker (Mr. McClelland): There being no further members rising for debate and the motion not being designated as a votable item, the time provided for the consideration of Private Members' Business has now expired and the order is dropped from the order paper.

• (1820)

Ms. Marlene Catterall: Mr. Speaker, according to the order tabled and adopted yesterday I seek unanimous consent for the House to proceed to the adjournment debate.

The Acting Speaker (Mr. McClelland): Is there unanimous consent to proceed to the late show?

Some hon. members: Agreed.

ADJOURNMENT PROCEEDINGS

[*Translation*]

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

NATIONAL HIGHWAY SYSTEM

Ms. Jocelyne Girard-Bujold (Jonquière, BQ): Mr. Speaker, thank you for this opportunity to re-establish the facts concerning the debate between the Minister of Transport for Canada and his Quebec counterpart on highway 175.

On June 4, I asked the Minister of Transport what game he was playing. I asked him why, in his response to the hon. member for Chicoutimi on June 2, he neglected to mention that the Quebec Minister of Transport had formally invited him to discuss a new strategic highway improvement program agreement, particularly

for highway 175, at the meeting of the transport ministers in Edmonton?

In a letter dated May 27 and faxed the day before the Edmonton transport ministers meeting, Minister Brassard wrote as follows:

> A new agreement strikes me as necessary in order to continue and complete projects begun under the strategic highway improvement program. It would also make it possible to initiate a new and top-priority project to bolster the economic development of Quebec.

He goes on to add:

> Recent statements by Minister Massé when in the Saguenay—Lac-Saint-Jean and north shore regions open the door to new negotiations on highways 175 and 169 in the Laurentides wildlife reserve, as well as highway 389.

At the end of his letter, Minister Brassard stressed his availability to discuss a new strategic highway improvement program with his federal counterpart at the Edmonton meeting.

How then are we to interpret the words of the Minister of Transport for Canada, when he neglects to mention the existence of this letter or its contents, and claims Minister Brassard did not mention highway 175 to him in Edmonton? The least one can say is that his words are not very transparent, and hide his inability to act on this.

What is clear, however, is that Quebec is prepared to negotiate a new SHIP agreement. The Government of Quebec will, in December 1998, table the conclusion to an opportunity study for a divided four-lane highway in the Laurentian wildlife sanctuary, which includes a section on funding possibilities.

From what the minister has said, are we to conclude that, if the Government of Quebec decides to go ahead with a four-lane highway, the federal government is prepared to fund its share of the project?

• (1825)

In the short term, the people of Quebec and more particularly the people in my riding would like to know whether the minister is prepared to start new negotiations for a new SHIP agreement.

I have the following questions for the minister. First, I would like to know whether he convinced his cabinet colleagues to increase funding for the national highway system, as his provincial counterparts have asked, or whether, on the contrary, he was turned down. Second, if cabinet is open to his request, would the minister tell me when he intends to give his officials the go-ahead to begin bipartite negotiations to conclude a new SHIP agreement?

These are clear and precise questions. I ask the parliamentary secretary to answer my questions directly, because, like me, the people in the riding of Jonquière want to know whether the federal government is prepared to invest in repairing the roads in Quebec and thus return the millions of dollars it collected with its 1.5 cent tax on gasoline.

[*English*]

Mr. Peter Adams (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, first

of all let me thank the hon. member for Jonquière for her interest in the national highway system. I apologize for reading this reply in English but if I were to read it in French, it would take too long.

The federal government has recognized for some time that a significant additional effort will be required to maintain and upgrade Canada's national highway system.

As the minister stated in response to this question on June 4, the minister of transport for Quebec did not raise the question of funding for highway 175 during the Edmonton meeting, but he did raise the matter shortly afterward. Also he raised the subject of this highway in a letter dated May 27 in a broader perspective.

Transport Canada officials are presently looking at all the issues that were raised in the letter and the minister will be responding to that letter in the near future. In the meantime, the federal government will continue to work closely with all provinces, including Quebec.

If we succeed in developing a new funding program for the national highway system, highway 175 will undoubtedly be eligible for funding by the federal government if the Government of Quebec also agreed that it was a priority.

I would ask the member to convey my regards to my friends in Jonquière. I greatly enjoyed the month that I spent there.

[*Translation*]

The Acting Speaker (Mr. McClelland): The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 6.26 p.m.)

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