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OFFICIAL REPORT
(HANSARD)

Tuesday, October 19, 1999

Speaker: The Honourable Gilbert Parent

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HOUSE OF COMMONS

Tuesday, October 19, 1999

The House met at 10 a.m.

Prayers

ROUTINE PROCEEDINGS

● (1000)

[*English*]

NISGA'A NATION

Hon. Robert D. Nault (Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, today I have the honour to present to the House, in both official languages, the Nisga'a final agreement and the Nisga'a nation taxation agreement.

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WAYS AND MEANS

NOTICE OF MOTION

Hon. Robert D. Nault (Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, I take this opportunity to table a notice of a ways and means motion to implement certain provisions of the Nisga'a final agreement and the Nisga'a nation taxation agreement, and I ask that an order of the day be designated for consideration of this motion.

* * *

● (1005)

GOVERNMENT RESPONSE TO PETITIONS

Mr. Derek Lee (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 seven petitions.

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COMMITTEES OF THE HOUSE

PROCEDURE AND HOUSE AFFAIRS

Mr. Derek Lee (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I have the honour to present the second report of the Standing Committee on Procedure and House Affairs regarding the membership and the associate membership of committees of the House. If the House gives its consent, I intend to move concurrence in the second report later this day.

* * *

CRIMINAL CODE

Mr. Paul Szabo (Mississauga South, Lib.) moved for leave to introduce Bill C-245, an act to amend the Criminal Code (mandatory counselling for certain assaults).

He said: Mr. Speaker, I am pleased to reintroduce what was in the last session Bill C-418, an act to amend the Criminal Code to require mandatory counselling as a condition of probation for those convicted of the crime of domestic violence.

The cycle of violence in our society can only be dealt with if there is intervention. This bill calls for Canadians to step forward, say no to domestic violence and require mandatory counselling for those convicted of criminal assault.

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

* * *

PUBLIC SAFETY OFFICERS COMPENSATION ACT

Mr. Paul Szabo (Mississauga South, Lib.) moved for leave to introduce Bill C-246, an act respecting the provision of compensation to public safety officers who lost their lives while on duty.

He said: Mr. Speaker, I am pleased to reintroduce what was in the last session Bill C-246.

Police officers and firefighters risk their lives on a daily basis to protect all Canadians. When one of them loses their life we all mourn that loss. This bill would seek to create a charitable foundation to receive gifts and bequests for the benefit of families of police officers, firefighters and other public safety officers who lose their lives in the line of duty. I hope to earn all hon. members' support for this bill.

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

CRIMINAL CODE

Ms. Albina Guarnieri (Mississauga East, Lib.) moved for leave to introduce Bill C-247, an act to amend the Criminal Code and the Corrections and Conditional Release Act (cumulative sentences).

She said: Mr. Speaker, this bill is in the same form as Bill C-251 was at the time of prorogation of the first session of the 36th Parliament.

This bill would end automatic volume discounts for Canada's multiple murderers and rapists. It seeks to give judges greater ability to achieve justice in the interest of all Canadians.

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

[*Translation*]

The Deputy Speaker: The Chair is of the opinion that this bill is in the same form as Bill C-251 was at the time of prorogation of the first session, 36th Parliament.

Therefore, pursuant to Standing Order 86(1), the bill is deemed to have been adopted at all stages and passed by the House.

(Bill deemed read the second time, considered in committee, reported, concurred in, read the third time and passed.)

* * *

● (1010)

[*English*]

INCOME TAX ACT

Mr. Paul Szabo (Mississauga South, Lib.) moved for leave to introduce Bill C-248, an act to amend the Income Tax Act and the Canada Pension Plan (transfer of income to spouse).

He said: Mr. Speaker, I am pleased to resubmit to the House what was in the first session Bill C-244, which seeks to amend the Income Tax Act to permit one spouse to split a portion of their income with a spouse who provides direct parental care in the family home.

The income split with the stay at home spouse or parent would entitle them to qualify for RRSPs and would also make the spouse eligible for Canada pension plan benefits.

This is just one way in which we could give real recognition to parents who provide direct parental care to children, and I seek the support of all members.

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

Mr. Nelson Riis: Mr. Speaker, I rise on a point of order. I was intending to introduce my private member's bill tomorrow, but it is on the order paper today. Therefore I would seek the unanimous consent of the House to introduce it today.

The Deputy Speaker: Is there unanimous consent to permit the hon. member for Kamloops, Thompson and Highland Valleys to proceed with the introduction of his bill today?

Some hon. members: Agreed.

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CANADA WATER EXPORT PROHIBITION ACT

Mr. Nelson Riis (Kamloops, Thompson and Highland Valleys, NDP) moved for leave to introduce Bill C-249, an act to prohibit the export of water by interbasin transfers.

He said: Mr. Speaker, this bill is very timely. There is a great interest in the country in terms of bulk water exports and the bill is very specific.

There are various requests on various order papers, in a sense, of firms wishing to divert rivers into other basins in order to export water to the United States and northern Mexico. This bill would prohibit such interbasin transfers of water for export purposes.

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

Mr. Myron Thompson: Mr. Speaker, I rise on a point of order. I was notified that I would be up today to present two bills under Private Members' Business. I have them prepared and ready and I would seek consent to do that at this time.

The Deputy Speaker: The member for Wild Rose has four bills on notice on today's order paper, Nos. 22, 23, 24 and 25. It would assist the Chair to know which ones he would like to introduce today.

Mr. Myron Thompson: Mr. Speaker, I am not sure what the numbers mean, but I can describe the bills. One deals with release on bail and the other is in regard to special consideration for aboriginal offenders.

The Deputy Speaker: Perhaps we could proceed with other routine proceedings and the hon. member could clarify which two of the four he would like to introduce and we could come back to this a little later. Is that agreed?

Some hon. members: Agreed.

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COMMITTEES OF THE HOUSE

PROCEDURE AND HOUSE AFFAIRS

Mr. Derek Lee (Scarborough—Rouge River, Lib.): Mr. Speaker, I move that the second report of the Standing Committee on Procedure and House Affairs, presented to the House earlier this day, be concurred in.

(Motion agreed to)

● (1015)

PROCEDURE AND HOUSE AFFAIRS

Mr. Derek Lee (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, if the House gives its consent, I would move:

That the associate membership of the Standing Committee on Procedure and House Affairs be as follows: Mr. Adams, Mr. Bellehumeur, Mr. Blaikie, Mrs. Dockrill, Mr. Doyle, Miss Grey, Mr. Hill, Mr. Jordan, Mr. Laurin, Mr. Lowther, Mr. Nystrom, Mr. McCormick, Mr. Ménard, Ms. Tremblay, Mr. White.

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

Some hon. members: Agreed.

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

Some hon. members: Agreed.

(Motion agreed to)

FISHERIES AND OCEANS

Mr. Derek Lee (Parliamentary Secretary to Leader of the Government in the House of Commons, Lib.): Mr. Speaker, in relation to one of our standing committees I think you would find consent for me to move the following motion:

That, notwithstanding the provisions of Standing Order 106(1) the Standing Committee on Fisheries and Oceans be permitted to meet for the purposes of electing a chair on Wednesday, October 20, 1999.

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

Some hon. members: Agreed.

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

Some hon. members: Agreed.

(Motion agreed to)

The Deputy Speaker: We will now revert to the introduction of private members' bills.

* * *

CRIMINAL CODE

Mr. Myron Thompson (Wild Rose, Ref.) moved for leave to introduce Bill C-250, an act to amend the Criminal Code (bail in cases of assault with weapon or a criminal harassment).

He said: Mr. Speaker, this private member's bill is an act to amend the Criminal Code to prevent a person accused of sexual assault with a weapon, aggravated assault, sexual assault or criminal harassment who has been identified by the victim or by a witness to the offence from being released until the charge is withdrawn or the accused is acquitted at a trial.

Section 522, which currently allows a judge of a court of a superior or criminal jurisdiction the discretion to allow bail in these very serious offences, would be repealed.

This would be one major way of providing a great deal of safety to a number of Canadians who are injured annually by people who commit violent crimes while released on bail.

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

* * *

CRIMINAL CODE

Mr. Myron Thompson (Wild Rose, Ref.) moved for leave to introduce Bill C-251, an act to amend the Criminal Code.

He said: Mr. Speaker, I am pleased to be able to introduce this private member's bill. The concept for it began when Craig Powell, Amber Keuben, Brandy Keuben and Stephanie Smith were all instantly killed by a drunk driver on June 23, 1996, near Morley, Alberta, as they returned from a camping trip.

The drunk driver in this case was Christopher Goodstoney and he was charged with four counts of criminal negligence causing death and one count of criminal negligence causing injury. At his sentencing hearing last April the judge referred to section 718.2(2) of the Criminal Code.

Hon. Don Boudria: Mr. Speaker, that is out of order.

The Deputy Speaker: The hon. member is permitted to give a succinct explanation of the purpose of the bill and we have not heard anything yet about the bill. I know he has interesting facts, but I think he should save those for the debate at second reading and perhaps give the House the pith and substance of the bill.

Mr. Myron Thompson: Mr. Speaker, I am really sorry. I hate to offend my little friend across the way. I will see if I can do a better job.

The bill is to prevent a judge having to take into consideration the race of a criminal when he is convicted of a crime.

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

● (1020)

PETITIONS

TAXATION

Mr. Ken Epp (Elk Island, Ref.): Mr. Speaker, I am very honoured to stand in my place today to represent my constituents by presenting two petitions.

The first one has to do with discrimination under the Income Tax Act against families that choose to have one parent stay at home. They ask that the tax benefits be the same for single income families as they are for double income families. There are 229 names on this petition and we have had a number before.

CHILD PORNOGRAPHY

Mr. Ken Epp (Elk Island, Ref.): Mr. Speaker, the second petition I am honoured to present today adds to the 300,000 names already presented in the House on the issue of child pornography.

I am very pleased with the people in my riding who to this date have submitted 4,311 names on this petition requesting that the government should immediately take steps to re-enact the provisions of the criminal code which make the possession of child pornography illegal in Canada.

THE SNOWBIRDS

Mr. Dick Proctor (Palliser, NDP): Mr. Speaker, I have the honour and obligation to present a petition regarding the Snowbirds signed by several hundred folks mostly in my constituency, but I note names from Alberta and British Columbia.

The petition notes that the Snowbirds are a national symbol and a Canadian institution. It reverts to subject matter of this summer wherein the Department of National Defence was suggesting that the Snowbirds 431 air demonstration squadron could be and should be scrapped for financial reasons.

The petition also notes that the mission of the Snowbirds is to demonstrate the skill, professionalism and teamwork of the Canadian forces and that these magnificent pilots and their flying machines should remain airborne for the foreseeable future.

The petitioners call upon parliament to take the action necessary to ensure that continued and stable funding for the Snowbirds 431 air demonstration squadron remains a priority.

THE CONSTITUTION

Miss Deborah Grey (Edmonton North, Ref.): Mr. Speaker, speaking of some of the events that happened this summer, I am also pleased to present a petition in conformity with Standing Order 36.

It is signed by a whole number of people who have concerns. These undersigned citizens of Canada draw the attention of the House to the following, that the laws of our country have always been based on Judeo-Christian morals and values which have been passed down through the centuries via western civilization.

They are concerned about the preamble to the charter of rights and freedoms as a foundation upon which the subsequent sections are based. They are concerned about the majority of Canadians.

They believe in God who created heaven and earth and are not offended by the mention of His name in the preamble of the charter of rights and freedom. They are proud to name Him and they present this petition to parliament.

NUCLEAR WEAPONS

Mr. Svend J. Robinson (Burnaby—Douglas, NDP): Mr. Speaker, I have the honour to present two petitions. The first one is on the subject of nuclear weapons.

It notes that there continue to exist over 30,000 nuclear weapons on the earth and that the continuing existence of nuclear weapons poses a threat to the health and survival of human civilization and the global environment. It also notes the concerns of the Secretary-General of the United Nations on this subject.

The petitioners therefore pray and request that parliament support the immediate initiation and conclusion by the year 2000 of an international convention which will set out a binding timetable for the abolition of all nuclear weapons.

THE SENATE

Mr. Svend J. Robinson (Burnaby—Douglas, NDP): Mr. Speaker, I have the honour to present a second petition on the subject of the abolition of the Senate.

The petitioners from my constituency of Burnaby—Douglas and elsewhere note that the Senate of Canada is an undemocratic institution composed of unelected members who are unaccountable to the people, that it costs taxpayers some $50 million per year, that its role is redundant given the roles played by the supreme court and the provinces, that it undermines the role of MPs in the House of Commons, and that there is a need to modernize our parliamentary institutions.

Therefore the petitioners call upon parliament to undertake measures aimed at the abolition of the Senate.

NISGA'A TREATY

Mr. Darrel Stinson (Okanagan—Shuswap, Ref.): Mr. Speaker, it is my pleasure to table a petition signed by 237 persons in my riding of Okanagan—Shuswap.

They are asking for the rejection of the Nisga'a treaty that will serve to entrench inequality and may divide Canadians forever.

THE SNOWBIRDS

Mr. Nelson Riis (Kamloops, Thompson and Highland Valleys, NDP): Mr. Speaker, it is an honour to present this petition pursuant to Standing Order 36 on behalf of a number of western Canadians who are concerned about the Snowbirds as a national symbol and a Canadian institution.

● (1025)

They make a number of points, one being that 85 million North American spectators have been enthralled by the Snowbirds over the past 28 years.

They ask parliament to take whatever action is necessary to ensure that continued and stable funding for the Snowbirds 431 air demonstration squadron remains a priority for our country.

[*Translation*]

GENETICALLY MODIFIED FOOD PRODUCTS

Ms. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, the first petition that I am tabling in the House today is asking for the mandatory labeling and thorough checking of genetically modified food products.

This issue concerns many Canadians. The petitioners are calling upon parliament to adopt an act on the labeling of genetically modified food items.

FOOD LABELLING

Ms. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, the second petition is calling upon parliament to pass legislation to make it compulsory for companies importing food products into Canada to ensure that these products are properly labelled as to the ingredients they contain.

[*English*]

They are asking that all companies importing food products into Canada ensure that those products are properly and thoroughly labelled as to the ingredients they contain and the ingredients they contain by virtue of the environment in which they have been prepared.

* * *

QUESTIONS ON THE ORDER PAPER

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

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[*Translation*]

CANADA ELECTIONS ACT

Bill C-2. On the Order: Government Orders

October 14 1999—The Leader of the Government in the House-Second Reading and Referral to Standing Committee on Procedure and House Affairs of Bill C-2, an act respecting the election of members to the House of Commons, repealing other acts and making consequential amendments to other acts.

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I move:

That Bill C-2, an act respecting the election of members to the House of Commons, repealing other acts and making consequential amendments to other acts, be immediately referred to the Standing Committee on Procedure and House Affairs.

He said: Mr. Speaker, today I have the honour to introduce to the House the new Canada Elections Act. The Canada Elections Act constitutes the operational basis of our democratic electoral system. Our elections act is based on three essential principles: equity, transparency and accessibility.

For close to 30 years now, the Canada Elections Act has been the focal point of an electoral system that has been an inspiration to democracies the world over. Our Elections Act is based on solid principles and orientations. Nevertheless, administrative inconsistencies have developed over those 30 years, and we need to eliminate them and to amend sections of the Act the courts have chosen to strike down.

First of all, I would like to thank the members of the Standing Committee on Procedure and House Affairs for preparing the excellent report on which this legislation is based, particularly the hon. member for Peterborough who chaired its work.

The amendments we propose today are based on the committee's findings and recommendations. The bill also reflects the recommendations contained in the 1991 report of the Royal Commission on Electoral Reform, the Lortie Commission, the proposals submitted in 1993 by the special House committee, and the Chief Electoral Officer's reports to parliament in 1996 and 1997.

As well, the bill reflects discussions between myself and my counterparts in the United Kingdom, as well as the ideas, concerns and initiatives shared with us by large numbers of MPs, senators, members of all political parties, academics, interest groups and ordinary citizens.

● (1030)

Our government is determined to see this bill passed and to implement amendments which reflect the wisdom and collective vision of the hon. members.

[*English*]

Reference to a committee before second reading will permit broader amendments, provided of course that these amendments amend the same statute as is the subject of the bill. Allow me to take some time to describe some of the administrative changes proposed in this bill.

We have proposed that the chief electoral officer be empowered to adjust voting hours for areas that do not switch to daylight saving time. This will address the problem Saskatchewan voters experienced in the last election.

We are also offsetting the impact of inflation since the act was introduced in 1974, increasing the threshold for the disclosure of the names and addresses of campaign contributors for donations and the threshold for receiving the 75% political tax credit from $100 to $200. The voucher expense limit would be increased from $25 to $50. The audit fee expense limit, because it is getting very difficult to hire auditors for $750, would be increased to $1,500.

We have proposed extending voting rights to all returning officers in Canada. We have included amendments to ensure the right to campaign canvassing and the posting of signs in apartment buildings. We have proposed that the enforcement capabilities of the commissioner of Canada elections be strengthened.

In recent years, court decisions have called on the Government of Canada to take a second look at some sections of the Canada Elections Act. We believe that amendments in this legislation are consistent with both the spirit and the letter of those decisions. Our amendments regarding third party spending are a perfect case in point.

We looked closely at the 1996 decision of the Alberta Court of Appeal which threw out the previous spending limits, but we also examined the 1997 Libman decision of the Supreme Court of Canada which said:

> With respect. . .we cannot accept the Alberta Court of Appeal's point of view because we disagree with its conclusion regarding the legitimacy of the objective of the provisions.

The court further stated: ''While we recognize their right''—third parties—''to participate in the electoral process, independent individuals and groups cannot be subject to the same financial rules as candidates or political parties and be allowed the same spending limits. Although what they have to say is important, it is the candidates and political parties that are running for election. Limits on independent spending must therefore be lower than those imposed on candidates or political parties''.

We have also placed fairness at the heart of the proposed changes to the rules governing blackouts. Recently the Supreme Court of Canada struck down the 72 hour election blackout on election polls. However, the court did not close the door on giving voters the means and the time to assess polls. Consistent with the guidance of the court, we have required publication of polling methodologies and we have shortened the blackout period.

We have also addressed the issue of blackouts on political advertising. As a result of the decision of the Alberta courts, political parties now remain subject to blackouts on advertising while at the same time there is no such blackout on candidates and third parties. Obviously it is wrong and the same rule should apply to everyone.

We have proposed a new 48 hour blackout period prior to election day on political ads; no ads on election day and the day before for anybody. We want to make sure that the only group to get the last word in a campaign is Canadian voters.

Most recently the Figueroa decision of the Ontario court struck down another provision in the elections act under which a political party that loses its status as a registered party must deregister and liquidate all its assets and turn them over to the receiver general.

● (1035)

We took note of that decision and we responded by allowing third parties that fail to field the required number of candidates during an election to retain their assets subject to certain conditions. The government is however, and most members will know this, appealing that part of the court order holding that a party need only nominate two candidates to become a registered party. The government believes strongly that the existing requirements should be defended.

Every single one of the amendments proposed in the bill, the ones that we have put forward, have put the values and principles of the elections act and Canadians first. In every single case we have asked the questions that are the foundations of the Canada Elections Act. Is it fair? Does it promote accessibility? Does it keep our electoral system open and transparent? I believe that in every case the answer is yes.

Of course this is going to be a non-partisan effort. I look forward to sending the bill to committee and listening to the constructive suggestions of all members of parliament that would permit us to improve the bill, providing that the amendments amend the same acts as those referred to in the bill.

I urge all members of the House to join in support of the bill and to send it to committee. I believe that together we will make it such to maintain one of Canada's most important pieces of legislation as our country and our democracy moves into the 21st century.

I thank hon. members for all the work they have done thus far on improving the Canada Elections Act. I look forward to appearing

before the committee, answering all questions from hon. members and working together with them to make this bill better for all Canadians.

Mr. Ted White: Mr. Speaker, I rise on a point of order. In the spirit that has been shown by the government House leader, I wonder if the House would give unanimous consent to question the minister for five minutes.

Hon. Don Boudria: Mr. Speaker, I do not object to that, but we are only limited to three hours and I would be taking away other members' time. I am appearing before the committee in a few days. I can do it either way, it is the same for me. I just do not want to take up other members' time.

The Deputy Speaker: Perhaps we can clarify it. Is there unanimous consent to proceed with questions to the minister at this time for five minutes?

Some hon. members: Agreed.

The Deputy Speaker: I did not hear any nos. Is someone saying no to the proposal? No one is saying no.

[*Translation*]

We will therefore have a five minute question period.

Mr. Stéphane Bergeron: Mr. Speaker, I understand the concerns of my hon. colleague, the government House leader, and I must say that, up to a certain point, I share them.

If question and comment period is limited to only five minutes, it is obvious that all political parties will lose out. If we were to agree on, say, five minutes for each party, then I could agree but otherwise not.

The Deputy Speaker: Five minutes each. Is that agreed?

Some hon. members: Agreed.

An hon. member: No.

[*English*]

Mr. Ted White (North Vancouver, Ref.): Mr. Speaker, it is a shame that we would not get the chance right at the beginning of this debate to ask the minister a few questions. It would help clarify the issues. Even if we all had to give up a half minute of our time, it would have helped to focus the debate.

The practice of referring bills to committee prior to second reading frankly is nothing more than a way for the government to fast track legislation that it really does not want the public and the media to get a good handle on.

I know that I am not allowed to use props, but we are looking at a bill that is 253 pages thick. This bill was introduced last Thursday in the House by the minister and just a few days later he wants to ram it into committee behind closed doors where the public and the media cannot see it. It is so full of objectionable stuff that he does not want anyone in the real world to catch on to what is happening.

The government House leader is denying the public and the media the opportunity to hear a meaningful debate of the extensive provisions in the bill before it goes to committee. How are the public and interested parties going to get enough information about this bill to come to committee and make meaningful comments, answer questions and suggest amendments when they are not going to know the bill is here?

• (1040)

The reality of the situation is that when this bill disappears later today after the vote into committee, nobody except a few special interest groups—and if they can get a few talk show hosts or media commentators to talk about it—will know it even exists. That is an absolutely appalling situation for such a comprehensive piece of legislation.

In the six years I have been in the House I have seen very few pieces of legislation that have been this thick. One of them would be the gun control bill, Bill C-68, some years ago. Look how long that bill took to move through the House. Here we have something that is going through in a flash.

If I had had the opportunity a few minutes ago, I would have asked the minister a couple of questions in connection with the Communist Party of Canada challenge to the elections act and the number of members that constitute a party. Why is it that the government House leader is so concerned that the Communist Party of Canada or the Green Party of Canada might actually have its party name on the ballot? What is the minister so afraid of that he wants to reinstate a rule that requires 50 candidates for a group to be labelled as a party? Why on earth is there anything wrong with two, three or 10 people getting together and saying they would like to be the such and such party and have their name printed on the ballot? Is the House leader so afraid of competition that he cannot stand the thought that some other credible group might actually be on the ballot?

If we look at Germany or New Zealand, both of which have mixed member proportional systems in their elections, or any other country that has a proportional element in its electoral system, there are up to 35 parties on the ballot. Yet the voters in those countries seem perfectly capable of making sensible decisions about which parties to elect and which to reject.

Why would the government House leader believe that Canadian voters are too stupid to make those same decisions? Surely when he

stood there and argued that the final decision should be that of the Canadian voter, why does he not let them make that decision? Put anybody's name on the ballot, anybody who wants to apply under the rules and pay the candidate deposit. Let them put whatever name they want on the ballot and let the voters decide. I certainly believe that voters are sensible and smart enough to make that decision themselves.

Another question I would have asked the minister is in connection with patronage which riddles like a web the field operations of Elections Canada. Elections Canada has begged the government for years to remove the patronage provisions from the elections act. When Elections Canada advises third world governments and emerging democracies how to set up their electoral systems, it never recommends the system that is used here in Canada of political patronage in all of the field positions of Elections Canada.

The registered parties get to appoint returning officers, deputy returning officers and polling clerks. A whole host of people get paid positions as rewards for supporting the government or other parties. Elections Canada has begged for the right to hire and fire on merit. The government will not give it the right because it suits the government to reward political supporters.

The government House leader mentioned that he is going to give ROs the right to vote. We all know right now because of the patronage appointments that the ROs are all Liberals. I guess they must be afraid they do not have enough votes already so they have to claw in every single vote they can get.

In terms of third party spending, I heard the government House leader quote extensively from a decision of the court in Quebec because he really did not want to take any notice of the decisions in Alberta. It amuses and puzzles me that the government is prepared to ignore court decisions in B.C. that allow child pornography to run rampant. The government is quite prepared to ignore court decisions that endorse race based fisheries, but it rushes quickly to block any tiny little court decision that might diminish its advantage in elections, such as the 50 candidate rule and the third party expenses. It wants to retain the patronage. It pays lip service to democracy but its actions speak a lot louder than its words.

● (1045)

I mentioned the size of the bill. We have already started to contact a few parties, groups and individuals who have shown interest in the bill. We have not even been able to send them copies of the bill until yesterday by courier.

The minister wants to appear before committee as early as this Thursday. How can we expect it to be reasonable for interested people in the country, who may or may not have legal training, to go through 253 pages of a complicated bill, work out the implications for their group or part of society, prepare submissions, apply to come to Ottawa and transport themselves here by Thursday or maybe next week?

When the committee begins discussions on the timetable for the bill, I hope it will show some reasonable consideration for those outside this place who are interested and who would like to come here as witnesses and talk about the provisions in the bill. I hope the committee will have a realistic timetable that will perhaps extend into the spring of next year. I do not see why we should rush through on something as complicated as this bill.

An hon. member: Maybe there is a snap election coming.

Mr. Ted White: One of my colleagues on this side says that there may be is a snap election election coming. It is interesting that he says that because I notice Bill C-2, which is pretty much a replacement for Bill C-83, which was introduced just before we broke for the summer and ended the first session, contains an extra couple of clauses that were not in Bill C-83. Those clauses deal with the registration of and reporting of parties prior to June 2000 if the bill is passed before then.

When I read those clauses, I just wondered if some sort of quick election was being planned and the government wants to make sure that certain things are in place by June of next year. It is interesting that my colleague mentioned that. I am not sure if he read those clauses but that was certainly there.

Even the debate we are having this morning is an affront to democracy. The House leader stood and talked about the democratic process and how he supports it. However the debate we are having now is an affront to democracy. We do not get to ask any questions of any speaker on the government side. We get the opportunity to put up four people, 10 minutes each, no questions and comments, have a vote that the government side will win and it is rammed into committee.

We have all been here long enough to know exactly what will happen behind closed doors. We are all adults. The bill will be rammed through clause by clause with no meaningful input. It will be back here in the House again in its final form. That is just not good enough.

I would urge the minister, if he truly believes in what he said this morning, to permit the bill to have a thorough investigation in committee and to permit meaningful amendments. The one which I will propose will surely not be too controversial. It is simply to build in the opportunity for the chief electoral officer to investigate and experiment with electronic voting. Since that has been in the Elections Act in Ontario for three years there is no reason it should not be in the federal act.

I look forward to being in committee. I also look forward to a meaningful debate once the bill is back in the House.

[*Translation*]

Mr. Stéphane Bergeron (Verchères—Les-Patriotes, BQ): Mr. Speaker, it is with pleasure that I rise today to take part in the preliminary debate on Bill C-2, an act respecting the election of members to the House of Commons, repealing other acts relating to elections and making consequential amendments to other acts.

I would like to point out that, in preparation for this bill, no fewer than 14 sittings of the Standing Committee on Procedure and House Affairs were spent considering the present Canada Elections Act during this parliament.

Given our detailed and careful study, we were entitled to expect that the government would pay particular attention to the various recommendations formulated by the standing committee, but this did not seem to be entirely the case.

Certain unanimous recommendations of the committee are nowhere to be found in the bill. I will come back to this a little later in my speech.

• (1050)

To begin with, when we considered the Canada Elections Act, I was struck by two things in particular: funding of political parties, and the corollary issue of trust funds established to support candidates. No less important, I would say that the partisan process for appointing electoral officers also leaves me confused.

Under the Canada Elections Act, small and large corporations have always been able to contribute to the funding of federal political parties. This practice allows the various parties to amass huge sums, while making it less necessary to approach individual voters for money.

As they do not have to keep to a contribution limit, corporations may contribute huge sums to the federal political parties of their choice, and, need I point out, these contributions certainly do not go to political parties for purely philanthropic purposes.

The funding of political parties, as practised federally, necessarily implies preferential treatment for the most generous, and God knows just how generous they can be under the law.

I simply want to say that, with a simple contribution of a few dollars, the ordinary voter runs the risk of not having the ear of his political representatives to the same extent as a bank, which, for example, may make substantial contributions of up to several tens of thousands of dollars.

The situation creates different categories of contributors, and, unfortunately, different levels of attention to the many requests and expectations political leaders must address.

Today, we are considering a bill, which, according to the government, aims at, and I quote: ''equity, transparency and accessibility''. I might question that. How can the government claim that this process is equitable, when the provisions of the bill do not establish any sort of limit for contributions?

Who could claim, without raising an eyebrow, that this system is truly equitable, transparent and accessible, a system that allows corporations, which do not have the right to vote, to meddle in the electoral process by making contributions far beyond the capability of the ordinary voter, and thus unduly influencing the political policy of the parties and the candidates seeking votes?

This bill runs counter to a narrow concept of the rules of democracy that should govern our society, since it still gives its wealthier members a more attentive ear and a greater voice with those representing the public.

As I mentioned in the introduction, having a trust fund to support candidates seems to be nebulous at the very least. Another financial matter, you will say. This point was unanimously recommended by the members of the Standing Committee on Procedure and House Affairs when the federal electoral legislation was studied.

The members of the committee wanted the government to clarify the rules governing this practice, which may make it possible to circumvent the already lax provisions of the election act on funding of political parties. Well, not a word; nothing we recommended on the subject appears in the bill we are now considering.

So what is the point of in depth examination in preparation for bills such as this one, if the government merely nods and takes from our deliberations only those elements that suit it and which it had already in all likelihood decided to legislate?

Does this mean that the work and recommendations of the committees are only recognized and implemented when they meet cabinet's expectations?

Large amounts of money may be deposited through trust funds in the election fund of a candidate, with no one being able to identify the source of that money. This directly contravenes the spirit and even the letter of the Canada Elections Act. Monitoring, through a legislative framework, the source of a candidate's trust funds would definitely have added greater transparency to the electoral system, to use a term so dear to this government. But the Liberals decided not to endorse that recommendation and one wonders why.

I will now address the appointment process of electoral officers, which is another example of transparency that is opaque, to say the least.

• (1055)

How can the government claim to have a transparent electoral process when returning officers are all appointed by the governor in council, that is by the party in office?

The Bloc Quebecois can only deplore the partisan nature of these appointments, something which is unacceptable in a process as democratic as an election.

The government preferred to keep this eminently partisan instrument, which it can use to its advantage, instead of leaving the electoral process in the hands of qualified, non-partisan and objective people. Can one truly believe that a returning officer appointed by the party in office will be unbiased? I have doubts about that in many cases. And what about the provisions dealing with third party interventions, which set a spending limit only for costs related to advertising?

When it considered issues such as the ones I mentioned earlier, my party came to the conclusion that the expressions ''reform'' and ''in-depth review of the elections act'' were somewhat exaggerated. It has been over 30 years since the Canada Elections Act last underwent any serious overhaul. The government claims to have put forth the so-called principles of equity, transparency and accessibility, when in fact it did nothing more than indulge in a primarily self-serving exercise at the expense of the voters that it should be serving.

Government members missed a good opportunity to demonstrate that they really had democratization of the electoral process at heart. It seemed to those of us in the Bloc Quebecois that, after thirty years of elections under this legislation, a serious reform could, and should, be undertaken. Having experienced, in this last year of the millennium, the Liberal regime and its twenty-five gags imposed in the first session of the 36th Parliament alone, it would be daydreaming o believe that the government truly intended to carry out any real modernization of the electoral system.

I will take this opportunity to express the wish that, despite the somewhat singular character of the legislative process in which we are currently engaged in order to pass bill C-2, the government will truly pay attention to the concerns expressed by the witnesses appearing before the Standing Committee on Procedure and House Affairs, that it will be open to proposed amendments it might receive from the various parties in this House, and that it will be prepared to truly make this process, this operation to revise the federal election legislation, a process devoted to truly democratizing the electoral system in Canada.

[*English*]

Mr. John Solomon (Regina—Lumsden—Lake Centre, NDP): Mr. Speaker, I am pleased to speak on Bill C-2 which is the first major overhaul of the Canada Elections Act since 1970. MPs are very interested in the minute details of the bill because it is one of the key rule books for the sport of politics and the business of politics.

I will put the bill's importance into some kind of context. The biggest single difference between Canadian rules in elections and U.S. rules in elections is the fact that we have reasonable campaign spending limits in Canada. In the U.S. spending limits are stratospheric. One does not have to be a billionaire like Donald Trump, Ross Perot, Steven Forbes or Oprah Winfrey to run an election campaign in Canada as one would have to be in the U.S. We do not have to spend most of our time as elected members of parliament sucking up to the political action committees of various lobby groups that have the power to raise money for our campaigns or to spend millions of dollars to defeat us over some narrow issue.

It is true that we are seeing a few Americanisms entering our process on a small scale. If the National Citizens' Coalition and the Reform Party had their way we would have even more. They want American style health care and American style politics to help them get it.

Let us be proud of the following point. It cost Barbara Boxer $22 million U.S. to win her senate seat in California. That amount and more will be spent by both Hillary Clinton and Rudy Giuliani as they run for the vacant New York senate seat.

In comparison, I just received a letter from the Chief Electoral Officer of Canada saying that the spending limit in my riding for the next election will be around $61,000. With a few more golf tournaments and potluck suppers by the hundreds of supporters we have in my district we can raise that money easily over a four year period.

We have these spending limits in part because David Lewis and the NDP were foresighted enough make them part of their price for supporting the minority Liberal government in 1974.

● (1100)

U.S. style campaign financing makes running for office an impossibility for ordinary citizens like most of us in the House. It turns election volunteers into full time, paid professionals, running round-the-clock, round-the-calendar election campaigns. It reduces interest groups and social movements to buying and selling votes instead of trying to influence public policy with the strength of their research and the moral weight of their arguments.

One benchmark to assess change in the elections act should be whether a certain provision helps more ordinary citizens get involved in the electoral system. Then it is worthy of support.

Another benchmark is if the provision encourages us to concentrate in the public interest and the public good, rather than endless fundraising from special interests. Then it is worthy of our support.

There are many changes in the act that the NDP supports. We support the national riding limits on third party advertising and the requirement to identify their sponsors. We believe uncontrolled advertising would distort elections in favour of those groups which

can afford million dollar ad campaigns at the expense of democracy. Without this clause we would have the U.S. style financing to which I referred.

We also support polling blackouts during the last 48 hours of the campaign. Poll results are capable of being manipulated and the parties involved need to be given sufficient time to respond to published findings so the public can get the whole story.

We support changing the voting hours in Saskatchewan. I guess folks in central Canada who never heard of my province do not know that we observe only central standard time throughout the year, but at least now we will not be voting later than B.C. as we did in the last federal election campaign.

We support the changes which do not automatically deregister parties and thereby force the sale of assets if that political party for one election could not muster a slate of at least 50 candidates.

We strongly support the increases in the federal political contribution tax credit limits for individuals. This is an inclusionary policy. It involves more people and is the first change since the NDP obtained these credits as part of a package to democratize election financing in Canada back in 1974, fully 25 years ago.

Another positive change is the fact that all candidates are now eligible for the return of the $1,000 nomination deposit once the appropriate election expense returns are filed with Elections Canada. Previously candidates needed to get 15% of the vote or they would lose their deposit.

Official agents can be fired and replaced if necessary during a campaign and nomination papers can now be filed electronically or by fax. My colleagues from Yukon, Churchill River, Saskatchewan and Churchill, Manitoba will certainly appreciate this change as their ridings are bigger than most European countries. Of course they do not have the roads to match, at least not until we have a national highway program.

For our urban friends, the right of access for candidates and their volunteers to campaign in condos and apartments is strengthened.

We also support the changes which make it administratively easier for political parties to merge. Unfortunately, for the Leader of the Opposition, it cannot be made politically any easier for him, at least not in this piece of legislation.

However, there are two changes which we oppose, and there are some glaring omissions. We cannot support the elimination of so-called ''rural vouching''. People who live in the city often do not know their neighbours. We know that. However, folks who live in the country all know one another. They grew up together, went to school together, farm together, do business together and are usually related to one another.

If Georgina says that Kaye got left off the list because she does not live on the farm any more, then everyone will take her word for it because that is the way things are. Some people can tell a lie to a stranger, some people cannot, but it is just about impossible to get away with telling a fib to a DRO, a poll clerk and three or four party scrutineers from your home town; any or all of whom could easily catch you out.

The Ontario election used the federal permanent voters list instead of their own enumeration and advertised for revisions. Almost every voter in certain polls in Toronto had moved during the intervening two year period. I know we will find the same thing next time in places like downtown Vancouver and, in particular, Vancouver East. If we do not reintroduce some mandatory enumeration of polls with a high proportion of renters or tenants we may wind up with the American situation where only rich people and homeowners get around to registering and voting. That would be a shame, unfair and undemocratic.

The other provision I cannot support and my party cannot support relates to returning officers. They are now able to vote, which is okay, but they are still appointed by the government. This is significant because they hold the job until they die or the riding boundaries change. These positions should be awarded after a competition on the basis of merit. A whole new merit system would be quite a refreshing change in the House of Commons. It is the only way to maintain the appearance of neutrality, as well as the practice.

● (1105)

What is missing? There were several issues omitted from this review of the elections act, a number of which are very important to the New Democratic Party.

At our recent policy convention we adopted a paper on democratic reform which made a number of recommendations, including promoting a form of proportional representation as appropriate for our country. A system of proportional representation would contribute to the Canadian sense that the House of Commons belonged to them and would reduce regional frictions, resulting in a more dynamic and equitable democracy in Canada, which is another refreshing suggestion.

The government and the Standing Committee on Procedure and House Affairs decided not to examine proportional representation, or PR as we call it, in spite of a very thorough presentation by my colleague, the member for Regina—Qu'Appelle, and a lot of interest around the table. Given the level of cynicism about politics these days it is a pretty grave omission.

People feel their vote does not count when the allocation of seats in parliament does not fairly reflect the distribution of the popular vote. A modified system of PR, where most of the seats in the

commons were still constituency based but a portion were allocated under a regional or percentage basis under a PR system, could go some way toward relieving this imbalance. PR would overcome some of the arguments about regional or provincial representation made by some defenders of the unelected, undemocratic Senate.

We would like to see the idea of fixed election dates reviewed as well. Our convention and our party supports this. This would remove one of the advantages that an incumbent political party has over every other political party in the country.

Finally, the voting age has not been lowered in this version of the act. The Liberals have been trumpeting their so-called children's agenda. In my view, let the young people vote on the children's agenda. In fact, it would be interesting to see how often all party leaders volunteered to campaign in high schools if these students could actually vote.

Young people are thought responsible enough to drive at age 16. They can be held responsible for committing violent criminal acts in adult court. More than that, they will have to live with the long term implications of decisions taken by the parliament of today.

Unfortunately, they are taken seriously enough by other parties in the House, some of which have been known to offer kids a free bus trip, pizza and a bit of booze to skip school and wave the flag. I believe that young people will live up to the expectations we have of them and will not disappoint us.

Many support lowering the voting age to 16, including my colleague, the member for Kamloops, Thompson and Highland Valleys, as well as the New Democratic Youth of Canada, the Nova Scotia NDP and many other organizations around the country.

Finally, one thing we would like to see addressed, which was raised by my colleague from Palliser, is the use of a private person's likeness without permission in an advertisement during a campaign. This should not be allowed. We will work to see that this happens.

I am glad to hear the government House leader say that he is prepared to co-operate on these issues. This week we are celebrating co-operatives week and I am pleased to see that the government House leader will co-operate with all parties to make some changes to this very important act.

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Madam Speaker, I am very pleased to follow my hon. colleague. He has hit a very important tone; that is, on an issue such as this there should certainly be an element of co-operation

I also appreciate the opportunity to speak briefly to Bill C-2, formerly Bill C-83, an act to replace the Canada Elections Act. As has been pointed out by previous speakers, this is the first attempt in over 30 years to address this problem. The way in which this country elects its representatives is the cornerstone of democracy. It is important to examine closely all of the ways in which those changes would impact on our system.

To repeat what has been said earlier, this attempt, although perhaps the bill itself may appear at first blush as being rather cumbersome and lengthy, is a very important exercise as we engage in looking at some of these changes. Such legislation is required to update the language, add new provisions and recognize the content to reflect changes in the political landscape.

Roger Gibbons, a noted and highly respected political scientist and author, said that in most instances there is very little incentive to change a system that is on the government's side, a system that was responsible for electing it. I give the government some credit for having taken this bold initiative. Time will tell as to whether some of these suggested changes toward making the process more democratic will actually come to fruition.

Canada's electoral laws in their current form, while still very effective, do require updating. All Canadians, not just politicians, are affected very directly by our electoral laws, as voters, political party volunteers, as well as those who work as election officials on voting days have a very unique stake in what this legislation entails.

We know that just 38% of the Canada population elected the current government, which resulted in this very precarious majority government system that we now have.

• (1110)

I will not take the time of the House to review the bill in great depth that we are sending off to committee because it is at committee where this study will really get down to the nuts and bolts. However, I will point out a number of the positive elements as well as some of the areas of the bill that the Progressive Conservative Party takes issue with.

First, we are pleased to see that third party spending limits have been reintroduced to the $150,000 maximum, with no more than $3,000 against the individual candidate.

The PC Party is also pleased to see that measures have been taken to control Internet advertising. There is no ignoring the advances that are being made technologically in the country and while the Internet is a remarkable tool of communication for millions of Canadians we are still fine tuning its appropriate use. One needs only to mention the issue of child pornography and other particular broadcasts that are taking place on the Internet to highlight the fact that this is an area that has to be examined very carefully. The potential for abuse is very real.

Bill C-2 would eliminate the possibility of adding or deleting content from political parties' election websites after a blackout period, which is 72 to 48 hours. This is a positive step. Given the fact that someone could elevate confusion just prior to an election, this is something we have to take very seriously.

Just as with the Internet, the emergence of polls as an important communication tool is another element that cannot be ignored. The release of polls in relation to the proximity of election day has been an ongoing source of concern and frustration both for the elector and the electorate.

I am very pleased therefore to see that the provisions in the bill would require an individual or polling company who releases a poll during a writ period to provide an in-depth analysis of the poll itself, speaking to the voracity, I suggest, and the importance of the accuracy of the information being relayed. One can only hope that this measure would dramatically reduce the number of polls that are perhaps based on inaccurate or inadequate data. I also believe that it is important that the media take greater responsibility in clearly outlining the poll's methodology and how the findings were reported.

Another very positive change that has been alluded to is the changing of the voting hours, particularly in the province of Saskatchewan, but I suggest it is as important in Chicoutimi as it is in Antigonish or anywhere in the country.

An interesting addition to the legislation that is not contained in Bill C-2 would be to require the chief electoral officer to notify the leader of a political party of any outstanding filings from candidates. This, I believe, would be consistent with the efforts to be more transparent and open as to how all financial matters are being conducted.

The Conservative Party supports the initiative of the chief electoral officer to provide candidates with an estimation of the spending limits in their respective ridings. Greater clarity and understanding of the rules of engagement are extremely important to running efficient, effective and honest elections. This is certainly a tool that would assist candidates as they undertake their election preparedness.

An examination of the finances that takes place in Bill C-2 is an extremely important part of the legislation. Increased accountability, increased accessibility, transparency and all of those fine watch words that we hear have to be more than just words.

To quote the previous speaker, there is a high degree of cynicism that exists about the process that of course flows into a degree of cynicism about politics in general. If we can address this at the outset, early in the process, the process that is responsible for each and every member of the House arriving here in Ottawa as a representative, it will perhaps help to stem, to a degree, the cynicism that does exist.

Being able to identify how much money is given to parties will allow for scrutiny. There is some concern as to how this might act as a disincentive to some, but it is certainly an important area to look at and it is one of the specific areas that we in the Conservative Party very much look forward to examining in greater detail at the committee.

It is perhaps important as well to look at the raising of the thresholds for 75% of political tax credits from $100 to $200. We have some concerns with respect to the publishing of contributor's names and specific information about where they are doing business, their location and the ways in which they may be contacted. This may be a disincentive for some and if we want to encourage people to participate on a financial level in the process I think there has to be some respect for confidentiality. However, this will be dealt with in greater detail at the committee.

● (1115)

The return of the $1,000 candidate's deposit also encourages people to participate in the actual process because this is the basic threshold that a person has to cross to enter into the fray. The return of the $1,000 deposit is an important change.

The current legislation simply requires that a name be provided when a donation is made. Bill C-2, just to hearken back to my earlier point, now requires that an individual must provide addresses for publication. This may raise real concerns for individuals who do not wish to have this information made public. The committee will be delving into that in greater detail.

Another area of concern that the Conservative Party has, and it is a rather vague concept, deals with the issue of party mergers. I will not get into this particular debate today. There has been a lot of debate outside of the House in a different context, and it is not something that the Conservative Party has pursued.

My initial interpretation of the section in Bill C-2 dealing with mergers requires simply that two political parties wishing to merge obtain a signature of two leaders in respective parties. I can think of a personal example where that will not happen. A 30-day waiting period is then imposed.

However, there is some concern that when an election is called, that the merger itself would be nullified. So there is some nebulous content in the bill respecting mergers. I believe we may be heading down a slippery slope if we were to accept carte blanche what is currently in the legislation.

There is one other concern I would just like to put on the record. Our party has some difficulty with the role of the registered district agents or auditors. While the principle behind this is sound, it is imperative that the mandate and the position of this particular

person be clarified in the legislation. The role of the registered district agent or auditor has far-reaching powers and it is something that must be clarified.

We are also aware of the seriousness of electoral fraud. We know it can be a problem. We must therefore empower those auditors and individuals entrusted with the role of overseeing elections with the ability to act and act with clarity and force. However, those powers must be carefully examined before they are laid down.

I think there was mention of the difference between rural and the vouching for individuals. We recognize that there is in some instances in rural communities the ability of a neighbour to come and vouch for a person but there should be some clarity and perhaps a method for doing so.

I am encouraged that the government has recognized this as an area for change to produce a more democratic, better functioning electoral system. I look forward to taking part in the debate at the committee and look forward to waiting to see how the government will react to the input that it will receive no doubt from all members of the opposition.

Mr. Peter Adams (Peterborough, Lib.): Madam Speaker, I am particularly pleased to be able to speak in the debate on the new Canada elections bill. I was the chair of procedure and House affairs last year when we dealt with this matter on a preliminary basis.

It has already been mentioned by some members of the opposition that this is a large bill. The fact of the matter is that this is one of the underpinnings of our democracy. Our legislation and Elections Canada are a model to the world. People come to Ottawa regularly from other countries to examine how we do things.

It has been 30 years since there was a comprehensive review of this important piece of legislation. Over those years, of course, given the changes in technology and in communications across the country, all sorts of smaller changes have been made to it, trying to keep it up to date and so on.

I am particularly pleased at this time that the government has seen fit not just to fix parts of it but to take this very basic piece of legislation and develop what is essentially a new act. The time is right for that given the changes of the last three decades.

The process on how this was done has been mentioned. It was unusual, and I realize that it may be difficult for some opposition members to understand.

● (1120)

The Standing Committee on Procedure and House Affairs, which is the committee responsible in the House for the Canada Elections Act, conducted an elaborate review of this last year. I recommend the report that resulted from that review to all members of the House and to anybody watching this on television. I recommend it not because it provides all the answers or that it provides a sort of complete blueprint from which this new legislation was taken, but because it presents all the views of registered parties, members of parliament, members of the House and others who appeared before the committee.

The report does not say one way or the other how it should be done. It says what particular issue is at stake, what the views are that were presented to us and whether or not the committee had a consensus view. The report, which involved very wide consultation in the House and beyond, provided the basis for the drafters of the legislation, which was very useful to them.

During the committee's consultations, we did not start with a blank space. We had before us the work of our predecessors over the last 30 years in the House of Commons, for example the Lortie commission which the minister mentioned. We considered the recommendations of the Lortie commission, many of which have not been acted upon, with great care and included them in the committee's report.

We also considered the recommendations of the special committee of the House which dealt with electoral matters only a few years ago. We considered those and they are also referenced in the report. The drafters had the Lortie commission, the recommendations of the special committee of the House and the general framework laid out based on the consultations of last year's Standing Committee on Procedure and House Affairs.

Now, continuing the process, the minister wants the bill to go directly to committee for further consultation not only with members of the House but, as usual, by holding public hearings with people across the country. There will be further input. I commend the minister for that. It is very courageous and appropriate to get the bill into committee now so it can be debated by all members of the House.

We have now heard from the minister and a number of members of the opposition parties. There was criticism of course from the opposition parties but it was constructive criticism.

Because it is a very thick document, I would like to point out the sorts of things the bill is trying to deal with. In doing that I underestimate the bill in some ways. It is not a bill that simply fixes bits and pieces of the legislation. It is a bill that rewrites the legislation to fit with the modern era. Nevertheless, I will mention some of the specific points.

Let me give some examples of the way people as voters will benefit from the legislation. Canadian voters temporarily abroad will be able to submit their ballots at embassies and consulates. The legislation has not been revised for 30 years. Thirty years ago it would have been very difficult to administer a system like this.

One can well imagine people in remote embassies trying to get a valid vote back into Canada. It could have been quite difficult and could have delayed the process. We now need something easier so that is being done.

The minister made the point about signs in multiple dwelling units. We know we can canvass in buildings which are like small communities in some of our cities. People live in those communities. They walk the corridors, ride the elevators and so on. The legislation, with respect to signage from political parties, has been different inside these dwellings than it was outside. The modern reality is that many of us live in multiple dwellings. It is very appropriate that those of us who do live in those dwellings have the same chance to advertise and show our political affiliation as the people who live in single or small units.

If members think about the changes over the last 30 years, they think about the role of polls. Polls are now part of modern life like so many other things. Maybe in the backs of our minds we would like to turn the clock back to when polls did not exist but they do exist. It is now possible to sample thousands of people in a very short time and very quickly put the results of that sampling in front of people as they are watching TV at night. This is now recognized in the legislation today.

• (1125)

The legislation does not ban polls or anything of that sort. Among other things, it states that during an election campaign when a poll first appears, the first time it is mentioned in the campaign, the methodology, that is the exact way in which the poll was conducted, will have to be given to the public. We will know if is a straw poll and it is somebody selling hamburgers and counting the hamburgers that are red or blue or whatever the methodology may be, or if it truly is a statistically based sampling of people in all regions, people of all ages, people of different income groups and those types of thing. I think it is very appropriate nowadays because the general public is well informed about such things. Now, when a poll first appears in an election, the methodology will be described and it will allow us all to judge the reliability of the results of that polls.

Because we have so much information and it is so easy to get information out, it is very appropriate that the legislation provide us with more complete information on the registered parties, what they stand for and what their organizational basis is, more information on the candidates who run, whether they run for main line parties or some local issue of that sort, and more information on what we in the House now know as third parties.

Third parties are groups that are not registered and have no running candidates in an election, but want to be able to advertise on a particular issue in a certain constituency. Again, it is very appropriate when that occurs. If it is a legitimate activity, we need to know who those people are, where they are coming from and, in this legislation, that there be information about them and spending limits—in this case $3,000 per constituency—on them in the same way as all candidates and all parties have spending limits and have to provide information.

This is a fundamental piece of legislation. The process so far has been very positive and open. It is my sense that when this gets to committee it will create great interest and input from all members. I look forward to the discussions. I urge all members to move forward so that at the end of this process we will have a new, even stronger Canada Elections Act.

Mr. Rob Anders (Calgary West, Ref.): Madam Speaker, I have to admit that this is one of those days when I am actually sick to my stomach to be a member of parliament. It is obscene and unconscionable that the government brings through, to serve its own ends, some of the restrictions on the freedom of speech that it is doing today.

The idea that a ruling party seeks to restrict the ability of any other person or group to counter government propaganda during an election is frankly evil. The government currently uses its advertising to an unfair advantage. It uses unbridled partisan activities. I could come up with numerous examples but I do not think I need to. The population of the country knows them well.

I do not understand why a government is allowed to use taxpayer funding to get themselves re-elected. I think that is wrong.

• (1130)

Citizens should be able to enforce provisions by filing complaints with Elections Canada to prevent governments from doing those types of things with taxpayer funds.

Another aspect I would like to touch on is the whole idea of patronage. Elections Canada as an instrument of democracy is rife with people who are chosen by the government to do its bidding during elections. I cannot think of a better example in government of a totally patronage ridden system. Other countries would be wise never to copy such a thing.

With regard to spending limits, two separate court decisions in Alberta have struck down spending limits as unconstitutional. It is not the place of the government to limit the right of an individual Canadian or a group of Canadians to spend their own money in support of an idea. There is a saying that nothing is so important as an idea whose time has come, but you can bet that this government will toss as many roadblocks and obstacles at the success of an idea as it possibly can.

I cite just one example among many, the Charlottetown accord. Those people who call others enemies of Canada outspent the other side by a ratio of 13:1, yet the people's voice still came through.

Spending limits only really serve the interests of the governing party. I will elaborate on that later.

Regarding registered party status, in March an Ontario court struck down requirements that would force a party to run 50 candidates in order to have its candidates listed with party affiliation on the ballot. By what rationale are two candidates or more not sufficient to be recognized as a political party? This is why. It is because the governing party likes big parties.

The Liberals like the idea that you cannot start up small and expand and it does not like competition. That is the reason these rules have been put in. It goes so far as to require the liquidation of a party's assets and to send the money to the receiver general for failure to run 50 candidates in an election. How dare they. Why not let the voters rather than the government decide who they want to represent them?

It is nothing but a clear attempt to stifle the formation and growth of new parties and to limit competition on the ballot. In other countries that have proportionate representation they make selections between 35 parties or more on a given ballot, yet the Liberals, the ruling party across the way, tell Canadians by this legislation that they are too stupid to make the same types of distinctions on ballots. That is exactly what the Liberals are saying by this legislation.

A small issue which one of the other members touched on is the idea of party mergers. This legislation will disallow local decisions for parties to run a single candidate between them. Instead it centralizes power and requires the signature of party leaders in order to perform some sort of local merger. It disallows the idea of local decisions and local self-determination.

On the idea of voter identification, currently an electoral official may ask for proof of identification but a voter can take an oath instead. Imagine the strange and bizarre scenario where a homeless friend of the prime minister could arrive at a voting station and say ''I do not have any proof of my eligibility to vote or proof of residence''. ''What is your name, sir?'' ''John Crouton''. ''Where do you live, sir?'' ''24 Sucks Us Drive, Ottawa, Ontario''. And that person may be eligible to vote. That is a travesty in our democracy.

That type of abuse could go on at our polling stations. Identification should be shown to prove eligibility and residence. That is only fair. It substantiates our right to vote and gives it some validity.

● (1135)

I will talk about taxpayer subsidies. We should oppose any assistance to political parties and political lobbies from public funds. Taxpayers should not be expected to fund activities designed to persuade them how to vote. There should be no reimbursement for those types of things.

On the issue of byelections, the legislation reads now that byelections must be called within six months but not held within six months. The distinction is it allows the ruling party to time byelections according to its own circumstances which it does all too well. With new computerized voters lists there is no problem with holding elections within six months and indeed that has been done.

I will quote a few different sources which I think eloquently back up some of the things I have been talking about today, some of the travesties which I think are being done to our elections act and to democracy.

Dave Rutherford writes a column in the province of Alberta and also runs a local talk radio show. He pointed out that one of our former prime ministers actually once said during an election campaign that it was not the time nor the place to discuss complex issues. A person who says that kind of thing is probably the type of person who wants to bring forward legislation that would restrict freedom of speech and restrict competition on the ballot. I do not doubt that for a second.

These people want to control the election agenda. They want to ensure that political parties themselves, particularly the government party, can establish the agenda of an election.

Unfortunately I note that I only have one minute left in my time. I would like to quickly read into the record the type of subsidies that go on and who they benefit.

The upshot of this is that the Liberals had a spending limit of over $30 million in 1997 but surprise, $22 million of that was in direct and indirect subsidies from the Canadian taxpayer in terms of spending rebates and political tax credits.

I think it is wrong. People should do what they can to fight this legislation. I urge those who challenge it in the courts to please do so. I hope that even though legislation like this was brought forward by Trudeau in 1983, again by the Conservative government when it was in office and by the NDP in British Columbia, that it once again will be thrown out as unconstitutional by the courts of this land.

Ms. Carolyn Bennett (St. Paul's, Lib.): Madam Speaker, it is always a privilege to take part in a debate as important as the one we are conducting today.

The vast majority of the measures in the bill are as a result of a long broad based, painstaking consultation process. Today we are referring this bill, the new Canada Elections Act, to committee before second reading. The results of the consultation were subjected to careful analysis by the Standing Committee on Procedure

and House Affairs. The proposed amendments to the current Canada Elections Act stem directly from that analysis which was performed by members of all parties represented in this Chamber.

Our first responsibility as parliamentarians is therefore to pass those improvements into law and give Canada an elections act which is suited to the society of today and more important still, to the society of tomorrow. We should bear in mind that the new elections act we pass will govern the election of the first government of the next millennium.

Our second responsibility and no less important, far from it, is to uphold Canada's role in the eyes of the whole world as a leader in democracy. The virtues of our democratic system are known and recognized the world over. In this area as others, Canada has served as a model, one which is acclaimed at home and indeed abroad.

● (1140)

Although we have a firmly established reputation for democracy, we must always work continually to maintain it. Our whole democratic system in its fullest and most noble expression rests first and foremost on our electoral process, the very process which is our task to perfect here today. We must work to perfect it. We must ever strive for perfection knowing however we will never fully achieve it.

No matter how strong our collective commitment as members of parliament to the shared cause of serving Canadians may be, there will always be new circumstances, special situations, unforeseen snags and impediments along the way. Simply the process of social change, the pace of which has increased exponentially as a right of technological explosion, makes a periodic review necessary.

The amendments before us today are in keeping with the existing act's three hallmarks: fairness, transparency and accessibility. They relate chiefly to the three distinctive areas of administrative adjustments, publication bans and spending by third parties during election campaigns.

On the last point, the courts have found some aspects of the act to be too restrictive and incompatible with the charter of rights and freedoms. However while that decision settled one problem, it has created another. The result is while the official parties and candidates must abide by stringent spending rules, the third parties remain exempt. We believe this is fundamentally unfair.

In view of the broad public support in the regulation of election expenses, especially as we look to our neighbours to the south and see that it seems that now only the rich may run, there has been demonstrated public support for extending this rule to third parties. To make these rules fair for everyone, Bill C-2 will raise the spending limit for third parties to $150,000 nationally and $3,000 per riding.

The second main issue of the bill deals with the matter of publication bans which have also been contested in the courts. The regulations concerning partisan advertising and the publication of public opinion polls have been the subject of various court challenges. On this point too the new measures are based on the principles of fairness but also accessibility. They would limit publication bans to the 48 hours before the vote and require that the methodology used in opinion polls be released at the same time as the poll results.

As I have mentioned, the first major component of the bill relates to various changes of a basically administrative nature. Here more than anywhere else the three great principles of fairness, transparency and accessibility apply and are in evidence.

We had previously settled the problems relating to the release of election results and closing of polling stations given the existence of different time zones in Canada. However, we had not dealt with the special case of Saskatchewan which, unlike the other western provinces, does not move its clocks forward in summer. The bill provides for this adjustment.

Another inequity had cropped up under the current act which was with returning officers not having the right to vote except in the event of a tie. This did not appear consistent with the provisions of the charter of rights and freedoms. This bill will give the returning officers the right to vote like all Canadians. If there is a tie, there will simply be another vote.

The third point relates to urban concentration. Multi-unit buildings, condominiums and homes for the aged are proliferating in some towns and are home to a growing number of voters. We are proposing in Bill C-2 to let candidates campaign in dwellings of that type and to let tenants or owners, as the case may be, put up posters and signs.

It has been my experience that certain boards of condominiums have instituted private bylaws prohibiting canvassing which then is enforced by security guards. I was involved in one situation where the security guard was fired for having let canvassers into the building.

Our existing Canada Elections Act is an exceptional, remarkably effective document which has served Canadians well for many years. Many other countries in the world would like to be able to say the same. It remains however, like many other laws, that it needs to be updated periodically. Some of its provisions are 30 years old.

As I have pointed out, the changes before us are based on a thorough analysis of the situation performed by the Standing Committee on Procedure and House Affairs, an analysis which I think we can all agree is untainted by partisanship. That analysis yielded a number of suggestions and in some cases, conclusions which were included in the committee's nearly unanimous report.

Based on that report the government framed the new measures that are being proposed to improve the Canada Elections Act.

Personally, I believe these new measure will achieve their purpose. I am convinced that in the medium term and the long term the new provisions will raise the quality of our democratic system to a still higher level.

● (1145)

The main purpose of a new elections act is to build democratic respect for the rights and freedoms of a country's citizens and let all citizens freely choose the people who will represent them, defend their rights and ultimately ensure their quality of life. I wholeheartedly recommend passage of the bill in its entirety.

[*Translation*]

Mrs. Madeleine Dalphond-Guiral (Laval Centre, BQ): Madam Speaker, after the Constitution Act, the Canada Elections Act is, without a doubt, the cornerstone of our democracy.

The purpose of this act, which encompasses the entire electoral process, is to ensure that the rules of democracy are respected so that the House of Commons reflects, as faithfully as possible, the wishes expressed by voters.

This act has not been overhauled in over 30 years. It was time, and we might have expected Bill C-2 to opt clearly for transparency. On reading it, however, we are forced to admit that, for this government, there is many a slip twixt the cup and the lip. The transparency is still veiled; I would even go so far as to say that the veils number at least seven.

There are 577 clauses in the present bill. For the initial consideration of some 250 pages of text, before Bill C-2 is referred to the Standing Committee on Procedure and House Affairs, 301 parliamentarians will have a total of 180 minutes: three hours of debate. This will allow a mere 6% of elected members to speak. Given that nine of 18 opportunities to speak go to the government party, that leaves nine for the four opposition parties.

Already, the decision to go with this entirely parliamentary rule might suggest that the government is not too inclined to hear what the opposition might have to say on this subject.

During the few minutes allotted to me, I would like to draw particular attention to two points that we feel are fundamental but which are striking by their very absence: democratic funding of political parties, and the method of appointing returning officers.

For over 20 years, Quebec has been able to take just pride in having had the courage to clean up party funding by allowing only individual voters to contribute to party coffers.

The contribution limit is set at $3,000 per voter. The Quebec legislation, which has been in effect for over 20 years, has been proven effective and we are sorry that Bill C-2 shows not even the hint of a desire to take a similar approach.

However, not a month goes by that events do not make us think that perhaps the influence of contributors to the government's electoral fund is directly proportional to the size of their cheque. Is it simply by chance that the Minister of Transport is on good terms with the president of Onex? The question is put; it is up to you to come up with hypotheses.

Clearly, the bill before us today will not increase the public's confidence in the political parties. The old adage ''Them that has gets'' has not lost its meaning entirely.

So long as corporations, both large and small, can contribute to the electoral coffers as they like, with no restriction, democracy will be at risk.

For a country that wants to be the best and prides itself on being so, the federal approach to funding in this bill is an obvious blight on democracy.

● (1150)

In 75 days or so, we will be in the next millennium. How can we not regret the fact that this government prefers the status quo to clearly opting for transparency? Not only is the ordinary individual's perception of elected officials not improved, but, more importantly, democracy would come out ahead with legislation that recognized the vital need to give back to voters and to them alone the responsibility for the vitality of the political parties.

The second matter I would like to draw your attention to is that of the selection of returning officers.

Far be it from me to cast any doubt whatsoever on the ability of the governor in council to make valid recommendations in this connection. Moreover, making the number of appointments of all kinds that fall under its jurisdiction must be a full time job. Yet the fact that appointments of returning officers are perceived as political appointments in itself casts some doubt on the impartiality of these appointments.

The role of returning officer is key to the entire electoral process. He is responsible for applying the legislation and for settling any conflicts. As everyone is aware, a decision can satisfy some and stir up controversy with others. Just how wise is it to maintain a controversial system of appointment rather than assigning this responsibility to a committee which would examine applications for the position submitted in a competition?

Could a candidate defeated in a previous federal election be appointed returning officer? There have already been appointments as surprising as this within the present selection process. It is not

unreasonable to believe that a committee would select from among the candidates the person best fitting the requirements of ability plus impartiality. And if, by chance, a former Bloc Quebecois candidate were to become a returning officer, there is a good chance that he or she would make an excellent one.

Here again, the government had a choice of transparency, but once again it has chosen the status quo. That is a choice that we regret.

On the 18th century, Montesquieu wrote ''The love of democracy is a love of equality''. Canada is a democratic country, but democracy is as fragile as fine china, and the lawmakers have a duty to protect it. Not only to protect it, but to improve it.

By maintaining the present rules for political party funding and the appointment of returning officers, Bill C-2 confirms our suspicions that the democratic discourse adopted by the government does not necessarily have as its corollary any love for equality.

We greatly regret this, and in the words of Châteaubriand, a parliamentarian himself, we are forced to acknowledge that this bill does not meet our legitimate expectations and that, ''despite the efforts of democracy to raise its standards with its grand goals, its standards are lowered by its actions''.

What a pity that the democratic habits of the Liberal Party will, instead of raising the standards of Canadian democracy, remorselessly lower those standards.

[*English*]

Mr. Nelson Riis (Kamloops, Thompson and Highland Valleys, NDP): Madam Speaker, it is a delight to have an opportunity to speak today to Bill C-2 to amend the elections act. My presentation will be somewhat different from some of the others we have heard so far, which I must say have all been quite interesting.

● (1155)

I will be very specific in my comments. I want to make clear that I am not necessarily speaking in terms of advancing New Democratic Party policy. It is a policy in a number of our sections. I know it is a policy also in a number of other party sections, particularly the youth sections. I am referring in particular to section 3 of the elections act which states that every person who is a Canadian citizen and is 18 years of age or older on polling day is qualified as an elector.

As we begin the 21st century, we hear more and more from all political parties about the concern of young people. The way society and the economy are going there will be a future for them. The younger generation will be taking on major leadership roles very quickly and at very young ages.

We should listen to the words of the government House leader today when he said that we should work to make the act better for all Canadians. This is the first time we have had a chance for some major overhaul for the past almost 30 years and we should consider lowering the voting age from age 18 as it currently is to age 16.

Probably most MPs like myself spend a lot of time in high schools talking to young people. If there is one point that stands out clearly it is that young people today are very informed, very serious, and very hard working. We do not often hear about them. We often hear about the ones that are the small minority, but overwhelmingly young people today are incredibly bright, hard working and dedicated to their studies.

It becomes very clear that they are very well informed about political, economic and societal issues. When it comes to elections in some cases I am prepared to say that many of Canada's young people aged 16 or 17 are probably more informed than their parents on some issues.

I wonder if it is not time for us now to be as bold in our thinking as members of parliament as others in the past were bold and said against incredible opposition that it was time for women to have the vote. To think anything other than that now is absolute folly. Also it was suggested a few years ago that first nations people should have a chance to vote. To think back that we as a country only allowed first nations people to vote in the 1960 general elections is almost incredible.

Today I am suggesting that young people aged 16 and 17 should be given the opportunity to participate in Canada's electoral process.

Section 215 of the criminal code says that everyone is under a legal duty as a parent, foster parent, guardian, or head of a family to provide the necessities of life for a child under the age of 16 years.

At age 16 a whole number of things change for young people. At age 16, for example, they can drive any kind of vehicle on our highways. They can join and serve in the armed forces of Canada. They are eligible for adult court consideration in our justice system. They can use a firearm and go hunting. They can leave school if that is their wish. They are no longer under their parents' legal obligation to care for children. They have the legal right to get married and to raise children. They can be eligible to receive social assistance but they cannot participate in Canada's electoral process.

They are not permitted to vote. They can go hunting, drive cars, get married and join the armed forces, but we do not permit young people who wish to vote the opportunity to cast their ballots in terms of the party of their choice and of the policies of their choice. After all, people who are aged 16 and 17 probably have the most to lose or gain by policies that parties and governments put forward compared to others in society.

Let us look at what happens in other jurisdictions that have given the vote to young people aged 16 and 17. There are countries which for a number of years have said that they want our young people to participate in the electoral process, to get involved. We do it for a particular set. Young people of 16 and 17 years of age are welcome to join a political party and choose the leader of that party. They are welcome to participate in enumeration during election time. They are welcome to participate and develop party policy for the New Democrats, the Reform Party, the Conservatives or the Liberals. They can choose leaders, develop policy and participate in the electoral process, but they cannot vote. There seems to be some inconsistency here, some slight hypocrisy in our positioning when we say we want to involve young people in their country's electoral process, we want them to participate but we will not let them vote on voting day.

• (1200)

Now there is a window of opportunity which we have not had for a long time as members of parliament. We can say to young people that not only do we want them to participate in the electoral process to determine the future of their country but we certainly want them to be able to cast a vote on election day by lowering the voting age from 18 to 16. It would potentially add almost 700,000 young people to the voters list. They would not all want to vote, just as their parents do not all want to vote. A lot of adults do not vote today but the majority do.

There are jurisdictions that have permitted young people to vote. A number of years ago Brazil said it wanted 16 and 17 year olds to participate in the electoral process. There were a lot of naysayers who said that they do not care about politics and they will not participate, blah, blah, blah, but the reality is quite the contrary. The participation rate of 16 and 17 year old voters in Brazil is higher than the average. In other words, given the opportunity to involve themselves in a meaningful way in their country's future, these young people rallied to the cause, as do young people in Nicaragua. They also have the opportunity to participate and vote at ages 16 and 17. They are participating and showing interest in numbers beyond those of their parents.

Knowing the young people I know and I suspect it is the same for my colleagues in the House of Commons, when we go to high schools and technical schools and we talk to these young people about the future, they have ideas. They know the situation. They have concerns. They would love to participate in the electoral process if we gave them that opportunity. From the limited information we have of those countries that permit this, not only do young people participate but they participate enthusiastically.

My understanding is that the youth wings of all the political parties in the House have endorsed this concept, at least in principle or in detail. Many of the provincial sections of our parties have adopted the idea of considering lowering the voting age from 18 to 16.

As we look through the various clauses of the elections act before us, clause 3 says a person has to be 18. Let us go back 30, 40 or 50 years, or to where we changed the age from 21 to 18. It was stated at that time that 18 year olds were much more informed than they were previously.

We all know about the technological revolution that has taken place in the last few years. Now young people are plugged into the electronic world probably a whole lot more than we are. They understand the issues. They know how to get the information. Those who wish to be are tuned in to the web pages of political parties. They are on the Internet. As a matter of fact some of them spend half their life on the Internet becoming informed about all kinds of issues.

For those young men and women who are 16 and 17 years old, let us be bold as members of parliament as we approach the 21st century and extend to them a welcoming hand. Let us say we want them to participate in their country's electoral process. For goodness sake let us give those who wish to vote the opportunity to do so.

Mr. John Harvard (Charleswood St. James—Assiniboia, Lib.): Mr. Speaker, let me first say that I find it particularly satisfying and exciting to begin the new session of parliament with the prime objective of improving our nation's democratic process.

Bill C-2, the purpose of which is to replace the current Canada Elections Act, was born of a great consensus here in parliament. The measures that are being proposed are in fact the outcome of a long and comprehensive consultation exercise, a process in which all parties represented in the House took part through the Standing Committee on Procedure and House Affairs. That consultation, conducted with the highest regard for the principles of parliamentary democracy, generated many suggestions and even allowed us to draw certain conclusions. The bill we are examining today is therefore not exclusively the creation of the government; rather it reflects to a considerable extent the opinions of all parties present in the House.

• (1205)

Our electoral system has certainly made its mark throughout the world. New democracies are taking inspiration from it and using it as a model. True, this electoral system has evolved over the years and up to now has generally served the Canadian people well. But like anything else in the real world, an electoral system is never perfect. Because the society it serves is constantly changing, our electoral system must not only keep pace with this evolution, but it should anticipate it to the greatest extent possible.

When we come to think of it, an electoral system is never intended to respond to the limited needs of the day. On the contrary, an electoral system must anticipate tomorrow's democratic society and prepare for it. To achieve this objective, Canada has spared no

effort. Over the past few years there have been countless studies and reports.

The Lortie commission on electoral reform, to name one, made numerous recommendations. Those recommendations brought about the striking of a special House committee which in turn produced five separate reports to the House of Commons.

More recently, Canada's chief electoral officer, Jean Pierre Kingsley, submitted his own report following the 1997 election. This towering mass of work bears witness to the interest parliamentarians take in electoral reform. This new bill marks its culmination.

In fact, our task is basically to improve a system that has made our democracy a source of pride and international recognition. We must correct a few imperfections, fill some gaps, update some components of the existing act to better reflect today's reality, but perhaps most important, adapt each measure to the requirements of the charter of rights and freedoms.

This latter aspect relates to some of the financial measures more specifically, the participation of third parties in election campaigns, for example. To what extent should we accept this participation and what restrictions are to be imposed on spending? Those issues have already raised much controversy, including legal action. In this regard, the new bill provides for higher limits to allowable spending, $150,000 nationally and $3,000 per riding.

In terms of administration, Bill C-2 includes a series of new measures intended to facilitate many matters and here again to better respect Canadians' rights and freedoms.

Among other measures, Bill C-2 provides that returning officers will have the right to vote, which has not been the case in the past.

The third important aspect of the bill concerns publication bans on both advertising and polls. This is another aspect of the act that has been contested before the courts. The elections act of 1974 banned all electoral advertising at the beginning of the campaign and before voting day. This was the situation until 1996 when the Alberta Court of Appeal rejected this principle in the Somerville case.

As far as publicizing the result of polls is concerned, the ban applied for 72 hours before polling. Last year however, the supreme court handed down a decision in the Thomson case declaring this to be inconsistent with the exercise of rights and freedoms. That decision of the supreme court also added an important proviso in that it stipulated voters should be given the opportunity to make up their own minds as to the credibility of polls by analysing the methodology. Thus the court was saying that parliament's restrictions might be more acceptable if they included a requirement to make the polling methodology public along with the results of each poll.

As a result, the government has opted for the best possible compromise in the new measures being put forward. First, all bans at the beginning of the electoral campaign are lifted. Second, the bans before voting day are shortened from 72 hours to 48 hours. Third, the bill requires that the publication of all public opinion polls during an election period include in the first 24 hours of publication, full details of the polling method applied. This decision first and foremost was intended to ensure fairness toward all voters.

• (1210)

Obviously some will cry censorship. They will argue that Canadian voters are perfectly capable of separating the wheat from the chaff and selecting the information that is meaningful to them. That may very well be. However the 48 hour period is a means of giving the voters a bit of a respite before they go to the polls, allowing time for personal and individual reflection without outside influence. I should note here that the supreme court in the Thomson decision did not take this reflection period into consideration. I believe this is a serious argument that brings the new measures entirely within the intent of the charter of rights and freedoms.

As to polling methodology, its publication will enable people to get a better idea of whether the results are based on professional polling or amateur surveys.

In closing, this electoral reform is yet another means of preserving what is most precious to all the people of Canada, our democracy. As we go about our day to day business we do not often have to think of it and when we do, we often see our democratic freedoms as an acquired right, perhaps even as our due. Yet it takes only passing attention to international events of late unfortunately to remind us of the richness of our democracy. It is this richness that Bill C-2 seeks to preserve.

With Canada being a world leader in this area, there is no standard to follow. We must learn as we go. We must learn from our mistakes, our imperfections and our evolution. This is exactly what electoral reform is aimed at, improving the elections act equitably and transparently. Surely it is possible in order to safeguard what we as Canadians most cherish, our democratic freedoms.

[*Translation*]

Mr. André Harvey (Chicoutimi, PC): Mr. Speaker, modernizing the Canada Elections Act is of the utmost importance to update a tool that is indispensable to the framing of our democracy.

I think it is not going too far to say that, after 30 years, we must carefully look at every detail of this issue. It is a start. Members of the House of Commons have done some preliminary work that is very important. But this bill is far from being perfect.

In this exercise, it is essential to keep in mind that the work that has started and will continue over the next few weeks and the next few months will serve Canadian democracy and also each Canadian who must assume his or her responsibility to vote at specific intervals.

It is important to consider certain elements which, to us, seem indispensable. This is a very laborious exercise. We are addressing issues on which it may be difficult to reach a consensus. The numerous clauses and hundreds of pages setting out the proposals to be submitted to the House at a later time force us to recognize that it is almost a monk's job that will be asked of parliamentarians.

It will be hard to agree on everything. Regarding the financing of political parties, for example, policy issues will arise that will need to be discussed. And these will be difficult issues.

● (1215)

There is, for example, the issue of popular financing, which was introduced in Quebec. In spite of the fact that the act marked a huge improvement in the exercise of democratic rights, it is not perfect either. Under the provincial act, a business or its members may still contribute to the financing of political parties.

For example, in a law firm, only personal contributions are allowed. However, the firm itself could very well ask its members to contribute to a political party with the promise of being reimburse by the firm. A direct link between financing and democracy is not as easy as it may seem to make. These are nuances that will be important to address in debate or in committee.

The selection of returning officers is also an issue that will have to be addressed. We need to put in place a system where returning officers at least appear to be beyond too direct political influence. In debate, it will be very interesting to hear suggestions from all political parties and all Canadians on how to improve this procedure.

It will also be important to consider issues such as the voting age. It is becoming almost unavoidable to change the legal voting age given that, as one of my colleagues noted, young people are increasingly well-informed, and from an earlier age, about the problems and challenges they will have to face during their life.

It will be important to consider changes in that respect. Letting younger people take part in a democratic process, in an election, would probably force the vast majority of Canadians to be more attuned to the priorities that are of particular concern to young people. Some of our debates, which have been going on for over 15, 25 or 30 years, will have to be set aside, so that we can deal with issues that concern young people.

In that context, we have to be open to the idea of lowering the voting age. To allow young people to vote at age sixteen might be appropriate. At that age, and even before, young people are increasingly aware of the issues confronting them. Such a change might bring some fresh air to the Canadian democracy.

Let us not forget that these amendments to the Canada Elections Act concern all Canadian voters. That is why we may have to try to go as far as we can in seeking a consensus, so as to achieve near-unanimity in the House of Commons regarding this legislation.

There will obviously be policy issues involved. Each party has been adhering to certain principles for many years, even decades. In undertaking a review of such an important act, we should perhaps set aside the principles that have guided our actions in the past and be more forward-looking instead. This is important in order to give all Canadians an act that will reflect a great deal of openness regarding several issues, including financing.

Financing has always been a very divisive issue in Canada, where we have the strict public financing process as we know it in Quebec and the traditional financing system used elsewhere in the country. I think it is possible to reconcile the two and come to agree on financing methods that are acceptable to all Canadians, without contravening the principles of democracy.

We raised the issues of polls, electronic information, Internet, etc., and we will raise them again.

● (1220)

It is important to limit such action rationally, because it is possible—democracy is important, we must protect it—to put it to demagogic use even. Therefore, activity involving election polls and electronic information that will be distributed increasingly, both publicly and within our families, must be given a framework.

I believe that the fact of having to publish the full rationality behind polls conducted will prevent, obviously, in the context of a regular election campaign, the publication of certain polls intended strictly to serve partisan purposes and to manipulate the very democratic action people are called on to take from time to time, namely vote in all good conscience. This is an important point that must be addressed.

The fact that the number of hours in which the publication of polls both rational and less rational will be controlled is surely good news and will enable all Canadians to cast their vote in an objective and rational way that will benefit the country as a whole. I believe that our role as politicians is to do everything necessary to promote transparent democracy.

Among the various parties, everything must be done, in the context of the revision of election legislation, so that the periodic act of voting by the public may be governed by objective and non partisan rules. I am sure that all the time spent revising the

Canadian election legislation will be beneficial for decades to come.

I thank the House for having given me a few minutes to express my thoughts.

Hon. Charles Caccia (Davenport, Lib.): Mr. Speaker, I would like to begin by expressing my support for the bill introduced by the government leader and reminding members that the new measures in this bill are the result of consultation by various parties over a period of several years.

First, with respect to the time difference dilemma, we realized that the situation of Saskatchewan called for special attention. The minister has already covered this this morning. A special amendment in the bill also applies to the various aspects of publication during an electoral campaign. The problem of blackouts arises, not just with respect to advertising per se, but also with respect to the publication of opinion polls.

The minister has set out the government's reasoning very clearly: in any democratic election, the electorate must have the final word, without any interference or influence. Under the 1974 legislation, third parties claiming to have no political affiliation could intervene financially and however they wished in an election campaign.

Obviously, partisan independence was quickly challenged and, in 1993, new legislation had to be introduced to limit their spending to $1,000. And this was where the domino effect of the Charter came into play, because the courts ruled that such a limit was contrary to the exercise of rights and freedoms. The solution thus led to a new problem.

• (1225)

But there is public pressure on the government to do something about this.

Polls have shown that eight out of ten Canadians approve the imposition of third party spending limits. What is more, 79% of those polled think that these third parties should not be allowed to spend more than the candidates, as is now the case.

In this new bill, the government is therefore proposing that third party spending be capped at $150,000 nationally, and $3,000 per riding.

Still on the topic of funding, another factor called for immediate attention and that was inflation. By keeping its fiscal house in order, the present government has undoubtedly managed to minimize inflation's impact in recent years.

Nonetheless, since the 1974 legislation, the need for improvements at the electoral level has made itself felt. And this is another of the provisions in Bill C-2.

[*English*]

As I indicated, the bill is a good step in the right direction. I am certain there will be other desirable measures in the not too distant future.

I would like to put on record a suggestion that was made by a group of constituents in Davenport who some months ago suggested the establishment of a declined vote ballot paper. In other words, the option ought to be given to the elector to indicate that he or she declines to vote as a form of rejection, disapproval or malcontent with the candidates who are indicated on the ballot paper, none of whom meet the expectations of the elector. It is a novel idea. It is the subject of a private member's bill which I put forth. I look forward to the opportunity of explaining it in more detail at the appropriate moment.

Before concluding I will comment on the financing of election campaigns. Election campaigns need not be as expensive as they are now. They can be run on much smaller budgets, with much less publicity at the national and local levels, with perhaps more debate and with particular discussions at the community level.

There is no doubt we have a good system in place. It is the envy of many other electoral jurisdictions, but we have to make progress on the question of maintaining the electoral process as independent as possible from sectoral interests.

In that respect I urge the government to give serious consideration to the elimination of contributions by sectoral interests such as the corporate sector and organized labour and trade unions and to increase the incentives for individual contributions.

Under that kind of system which exists in some jurisdictions the head of a corporation or union would make a personal contribution. In other words, the contribution would be on a personal basis rather than on the basis of a company or a union. The person would make that contribution out of the funds available to him or her as a private citizen and not as a contribution in the name of a corporation that may pursue specific interests in the legislation in the following parliament with a specific bill under certain conditions, or may use the threat of the withdrawal of contributions in future elections as a means of obtaining the attention and bending, so to say, the will of the government of the day.

• (1230)

The ideal goal that we ought to be aiming for would be a system in which individual contributions would become more and more in number, thus enhancing the democratic quality of our system because it would involve more people recognizing their civic duty and their civic right to make contributions to the party of their choice, but on a private, personal and individual basis. At the same time this would be coupled with the goal of eliminating corporate

sector and organized labour contributions and any contribution by a specific narrow interest in society.

One has to recognize that this is one of the issues that the government has already tackled in Bill C-2, by way of its amendments, which will deal with sectoral interests and specific interests with respect to publicity and intervention during an election period.

We are on the right path. We are moving in the right direction. We now need to build on this measure contained in Bill C-2 and move toward a system that will allow for the flourishing of individual contributions and a gradual, if not determined, elimination of contributions from the corporate and organized labour sectors.

Mr. Gurmant Grewal (Surrey Central, Ref.): Mr. Speaker, I rise on behalf of the people of Surrey Central to speak in opposition to the government's scheme to torpedo Bill C-2 through the House.

This bill proposes changes to the Canada Elections Act. It is a very important bill for our democracy.

As my colleagues, the hon. members for North Vancouver and Calgary West, have already pointed out, this bill was examined in committee during the first session of this parliament. Yet, the contents of the bill being introduced today prove that the Liberals have ignored the witnesses who appeared before the committee. It is as if there had been no committee hearings at all with respect to this bill.

Normally bills before the House are sent to committee for study after the debate at second reading has taken place. Because the government could not get this bill passed in the first session, is it reintroducing it and sending it to the committee immediately, where it can secretly amend it? Or, is it to prevent the bill from being amended as a result of having no debate at second reading?

This bill maintains the most objectionable provisions of the Canada Elections Act, especially those that benefit the ruling party, in this case the Liberal Party. Our elections should be democratic, free and fair, offering equal opportunity to all candidates and all parties.

Canadians have been asking for changes to the way we elect our federal government representatives. With this bill we see clearly that the Liberals have once again failed to respond to the wishes of Canadians. What a great way to start the second session of parliament.

This week the Liberal government that lacks vision is being particularly undemocratic with Bill C-2. The government has wasted an opportunity to modernize and democratize the Canada Elections Act. Specifically, it has failed to deliver changes to a number of things; for example, patronage appointments, party registration requirements, campaign financing, third party spending issues, the reimbursement of election expenses, voter ID and the timing of elections and byelections.

● (1235)

In the short time I have to speak on this bill I will say a few words about some of these areas.

Let us talk about patronage appointments. Under the current elections act the system of patronage allows parties to appoint people to positions. Returning officers are political appointees. The returning officers appoint their own assistants, poll clerks and others. This is a way of rewarding the party faithful, which has no place in our electoral system. It is outrageous in what is supposed to be a non-partisan, impartial and neutral electoral organization.

Elections Canada always recommends against a patronage ridden system when it helps developing nations set up their electoral system. Yet, the Liberals are maintaining the system because it benefits them. They go out to preach what they do not practise at home.

Elections Canada has repeatedly asked the government to release it from the patronage system and allow it to hire its own staff for elections by advertising and interviewing based on ability, merit and experience. Many Reform MPs have insisted in the past that these appointed positions be advertised in newspapers for staffing instead of filling these positions as patronage appointments.

The chief electoral officer's report on the 36th general election made the same recommendations as we have been proposing on this side of the House. Opposition MPs on the Standing Committee on Procedure and House Affairs supported this position, but the Liberals opposed it, proving that the government's position is politically motivated in what should be a non-partisan situation.

The third party spending limit is proposed to be $150,000 during a federal general election, of which no more than $3,000 may be spent on any particular riding. We believe that it is not the place of government to limit the rights of individual Canadians, or group of Canadians, to spend their money in support of a cause or a candidate in federal elections.

Far from levelling the playing field the Liberals are challenging the hallmarks of our democracy. For example, the ruling Liberal party has free broadcasting time based on the number of members of parliament it has, far and beyond what any other party is allowed to have. Have the Liberals changed that situation with this bill? No, absolutely not. This would give a huge advantage to the Liberals by restricting the ability of any other person or group to counter government propaganda during an election.

Let us talk about the requirements for registered party status. The elections act requires a political party to run 50 candidates in

an election to remain a party on the ballot. The courts in Ontario say that only two candidates are needed to form a party. It is the voters, not the government, who should decide whether a party or a candidate is worthy of their vote. It is up to the voters, not the government. This is an attempt by the government to hinder the formation and growth of new parties like the Reform Party. The government is actually trying to limit competition on the ballot. It is undemocratic. It is anti-democratic. The government should be ashamed.

Regarding voter identification, currently, when there is doubt about a voter's identity or right to vote, that person may be asked for proof of identification, or the voter can be asked to swear an oath. That is absolutely ridiculous. If someone is evil enough to try to commit fraud in an election, surely we can assume that the same person would have no problem swearing an oath, lying to God or to himself.

Regarding electronic voting, the Liberal government is ignoring the realities of the information age in denying us the use of electronic voting methods that are more efficient, less costly and more universally accessible voting systems. In Ontario electronic council elections can be run for one-sixth of the normal cost.

Let us talk about the reimbursement of a party's election expenses. The Liberals allow reimbursement of campaign expenses and then restrict eligibility for reimbursement to certain parties. What is going on here? There should be no reimbursement at all to any candidate or any party.

• (1240)

Bill C-2 retains the requirement for a candidate to deposit $1,000. The candidate's deposit should be much lower, in the interest of encouraging Canadians to participate regardless of their financial position.

In conclusion, there are many other areas where the bill could be criticized as undemocratic, including the lack of fixed dates for federal elections, the timing of byelections, government advertising or propaganda before an election, and others, but time prevents me from commenting on these matters.

I would like to read an e-mail from one of my constituents. Bill Lawton states: ''All in all I feel this is just an affront to democracy. This bill is really draconian and not relevant to the democratic citizenry''. My constituents know all about the bill. It is manipulation by the power hungry government in power. It is nothing less than dictatorship, worse than even the military government in Pakistan. Let alone scandals, it is enough to call this government corrupt. It is a crime in broad daylight. The government must amend Bill C-2 and restore democracy in Canada. If this bill goes through in its present form Canadian voters should refuse to vote Liberal in the next election.

Mr. Gar Knutson (Parliamentary Secretary to Prime Minister, Lib.): Mr. Speaker, it gives me great pleasure to rise in support of the government's introduction of a new elections act.

Let me begin my remarks today by congratulating Elections Canada for the work it has done in the past. I know that under the new bill it will continue to do fine work.

I have been involved directly in two elections. I do not know if Elections Canada is monitoring this speech, but if it is I want to say how well I thought it did from my own personal experience. Any Elections Canada official I had to deal with was extremely fair and I have had nothing but a good experience with the organization. I know that with the new bill it will continue to operate in a fair-handed, even manner and we look forward to the continuation of a tradition which I think Canadians hold dear, democratic elections.

Elections Canada really is like a referee. We have the best election when we do not notice that it is there. It is like a sports game where we do not notice the calls that are being made by the referee. There is much work that Elections Canada does in getting ready for an election, such as voters lists and setting up the polls. It is a tribute to the hard work that there are not more complaints, given the complexity of the task of having people vote in a country as large as this.

I will now turn to some substantive issues which have been addressed by members opposite. The opposition has raised the issue of the bill going to committee before second reading. I want to point out to members in the Chamber and to Canadians generally that by having the bill go to committee before second reading gives committee members greater latitude for a fuller, broader debate and to make different amendments than they would otherwise be able to make if the bill went to them after second reading.

The basic principles of parliamentary procedure are that once a bill goes through second reading it has been approved in principle. Amendments that can be made are somewhat more narrowly defined than would be allowed under parliamentary law, or more narrowly defined in that they cannot go against the bill which has already been approved in principle.

By going to committee before second reading committee members can have a broader debate. They can look at numerous amendments in a broader context. Being a member of that committee I look forward to having a very full and frank debate, which will impact on all of us elected to the House as well as Canadians everywhere.

There are a number of administrative changes that are being proposed in the bill and there are reasons we need to make those changes.

Canada's electoral laws are based on principles we value as a democratic society: fairness, transparency and accessibility. They provide the framework of our electoral system. A House of Commons committee has concluded that Canada's electoral law remains strong, although a number of provisions came into effect nearly 30 years ago and should be updated. The proposed administrative changes are based on the committee's report.

The first electoral administrative change I would like to talk about is the adjusting of voting hours. We will allow for the adjustment of voting hours for areas that do not switch to daylight savings time when other clocks move ahead one hour. This will ensure that polls in Saskatchewan will close either before or at the same time as polls in Alberta and British Columbia. This corrects the problem experienced in Saskatchewan in the last election.

● (1245)

I am sure we all remember a time when it used to be a grievance of western Canadians that as they turned on their televisions on election night there was a sense that the election had already been determined even before they had cast their votes because of the time zone switch. A government may have obtained a majority once the returns were made in Atlantic Canada, Quebec and Ontario. By the time the returns got to either the prairie provinces or British Columbia, the majority had already been set and there was a sense that their vote did not matter as much.

I understand that. The government was wise to try to correct it in the last parliament. Now we are fine-tuning it a bit so that we will get the results at the same time. In 1997 it made for an exciting return. All Canadians have a sense that their votes count just as much when the returns come in at roughly the same time.

The act will also provide for standardized hours of voting for a single byelection or more than one byelection in the same time zone, being from 8.30 a.m. to 8.30 p.m. It will enable returning officers to vote. At present they may vote only in the case of a tie. It will authorize the electronic submission of nomination papers for all candidates to take account of the advent of new technologies.

It will ensure the right of electors to post reasonable electoral signs and of candidates to canvas in multiple unit residential buildings, including condominiums, during campaigns. Having canvassed in apartment buildings, as have most of the members of the House. it is often a case of dispute between oneself and the caretaker of the premises. It will be good to have it spelled out more clearly in the Canada Elections Act that candidates actually have a right to go into apartment buildings during reasonable hours to canvas.

The act will abolish the process of vouching to reduce the risks of electoral fraud, a practice whereby rural voters could vouch for neighbours at the polling place so that they would be allowed to vote even when they had not been enumerated. It will consolidate, clarify and modernize the language and organization of the act to make it easier to understand and apply.

In regard to elections financing the bill makes a number of changes. Some of them are minor and some of them are more substantive. To offset the impact of inflation it will increase the threshold to $200 from the $100 level which was set in 1974, the 75% threshold for the political tax credit.

All of us as politicians who have to raise money understand what this means, but the general public may not. Right now, if one makes a donation to a political party one gets a tax credit for 75% of the first $100. That was set in 1974 and obviously it needs to be updated in light of inflation so we are proposing that it be raised to $200.

It will increase the threshold for disclosure to $200 from the current $100 limit. This provision ensures that all donors who contribute more than the threshold level to a registered party, candidate or third party are identified by name and address.

The issue of what level the threshold should be, whether $100 or $200, is somewhat academic. The main point is that it is an example of something that makes our system fair. If one wants to donate to a political party, whether one's name is Gerry Schwartz or some other name it becomes a matter of public record. This is one of the key elements of our electoral law that prevents corruption in our system.

Someone may want to try to influence me by making a donation to my party or to my campaign. However, if it has to be public there is a record. The opposition can obtain that record and raise the issue in the House. The local media can obtain it. This is one thing that limits the influence of big money.

In Canada we have a system of which we can be particularly proud, particularly in comparison with the system in the United States where the accusation is often made quite rightly that its politics are driven by big money. The amount of money that a congressman or senator has to raise to run for re-election in its federal system is somewhat scandalous.

My next campaign will spend in the neighbourhood of roughly $50,000. My equivalent in the United States would probably spend in the neighbourhood of millions of dollars. That is something of which all of us should be proud. It is something we should applaud. It says something very worthwhile.

● (1250)

Under the new act we will require a more detailed financial reporting by registered parties. It is the same issue of making sure that parties conduct their business in a transparent way. If a party is

receiving money from individuals, they are registered and become public. It will also let us know what money is being spent on.

During a campaign there are limits on what someone can spend. It should be open and transparent reporting so that we can see whether someone is trying to sneak around the campaign limits by spending money ahead of the campaign. Proper reporting is one of the cornerstones or the guardians of making sure that people do not overspend their limits.

The new act will also prohibit the transfer of surplus funds from a party or local association to a candidate after polling day. All this does is prevent someone from trying to run to raise money for their own personal benefit.

I am happy the government is proceeding with the bill. As a member of the committee I look forward to debating with the opposition the merits of the bill and any amendments that will come forward from all members of the House.

Mr. Ken Epp (Elk Island, Ref.): Mr. Speaker, I am very pleased to be able to rise in this short debate today. As you know, Mr. Speaker, but perhaps not everyone within hearing distance of the debate knows, we are indirectly talking about Bill C-2. The motion before the House right now is whether or not we should send the bill to committee prior to second reading.

I have had some experience with this matter. I will use the first couple of minutes of my time to address what we are really supposed to be addressing today, whether or not the bill should go to committee at this time.

When the bill was first introduced I thought it was a very good idea. We could get bills out to committee and let the members of the committee work through the bill in its initial stages so that before there is an entrenched position we could exercise the give and take of debate and give due consideration to various aspects of the bill. Hopefully we would come forward with a bill with less controversial wording and less in need of amendment. The whole idea sounded like a really good one.

How do I put this gently and within the rules of parliamentary language? I think committee work in this parliament is a sham. That is really a strong statement but it really is so, unfortunately.

Some hon. members: Oh, oh.

Mr. Ken Epp: I wish members opposite would listen to what I am saying. I know they have a duty to protect their political party and the government of the day.

It is a sham in this sense. It is known that the Liberals as the governing party dominate every committee. For the Liberals to have eight members and all of the opposition parties together to have seven is I suppose okay, but unfortunately government members lose their freedom in committee as they do the House. Just as we have had members of the Liberal Party stand with tears in their eyes to vote against something they were deeply in favour of, so we have those members in committees controlled by the leader of the government or the minister, as the case may be. I have firsthand experience in this regard.

Some hon. members: Oh, oh.

The Deputy Speaker: Order, please. The hon. member for Elk Island has the floor. With all the yelling that is going on it is very hard for the Chair to hear him. I know members are enthusiastic in their support of what he has to say or against it as the case may be, but it is nice to be able to hear the words of wisdom of the hon. member for Elk Island. I am sure all hon. members would like to do that.

● (1255)

Mr. Ken Epp: Mr. Speaker, I really wish they would give thoughtful attention to what I am trying to say. As defenders of democracy, as they like to call themselves, they should also be speaking the same words I am now speaking.

I remember that when I was first elected in 1993 I came here and I was involved in a particular party. I brought in an amendment to a bill at committee. It was one of the first bills that went to committee before second reading. I was involved in the debate. I thought it would be great and I put forward an idea.

A clear majority of members, including those on the government side, were in favour of the amendment I proposed. One Liberal member used my name and said that I had a good idea. I cannot use my own name here. It is a stifling of freedom of speech in the House of Commons. I proceeded with the amendment to the wording of the bill and assumed that it would be accepted.

There came a day some time later when we voted on clause by clause in committee. The chairman asked ''Shall clause one pass, shall clause two pass, shall clause three pass''. When it came I moved an amendment to the appropriate clause as required by procedure and the Liberal members all voted against it.

Later on I challenged them. I said ''I thought you guys were on my side. I thought you agreed with the common sense of what I was trying to propose''. I would never divulge the name. Nor would I even identify the riding, which is within the rules here. The Liberal member to whom I spoke looked at me, shrugged his shoulders and said ''We really don't have a choice''.

I put forward that evidence to say that the whole process is a sham. Even though the committee will do the work, and I have no doubt that it will try to do good work, the ultimate control will come from the government House leader in that committee. He will basically dictate what the final results of the bill will be.

It is surely unfortunate that I do not have a couple of hours to debate everything. I will have to hurry. I will now talk a little about the bill. My colleague has already mentioned the magnitude of Bill C-2. It is a huge bill. It has 250-some pages. There is a lot of detail in terms of prescribing how we conduct our elections. The index alone has xxii pages, and I will talk about two of them.

According to the government House leader who made a speech this morning, one of the topics covered is improving the way our elections work and of improving democracy in Canada. I want to talk about clause 39. It is important to actually put on the record what it says. I want to alert Canadians across the country from coast to coast who are sitting there glued to CPAC this morning to pay attention to what it says. There are several different positions. I cannot read them all but they all have this wording:

> —the returning officer shall solicit names of suitable persons from the candidates of the registered parties whose candidates finished first and second in the last election in the electoral district, to be submitted to the returning officer—

Then it says that the candidates shall be appointed as much as possible half from the candidate's party that finished first and half from the candidate's party that finished second.

Is not Elections Canada and the work of Elections Canada impartial? Is that not what democracy is? We have right in the elections act proposed by the government an entrenchment of a practice which has been in our procedures for far too long. There is a pay off if one votes correctly. The Prime Minister will tell people in his riding to vote for him and he will be able to funnel millions of taxpayers dollars into the riding. That will be their prize for voting for him.

It is time to give Canadians free choice to vote for the candidate and the party that are principled and that represent the true values of Canadians. We should not cloud that decision by the immediate appeal of having money funnelled into the riding or getting some patronage appointments at the next election because all these positions are paid for by the Canadian taxpayer via Elections Canada.

● (1300)

I was surprised when I was first elected to find out that this process existed. In fact I was a brand new candidate back in 1993. I had never participated in elections before and one day I got a phone call telling me that the Reform Party came second in the 1988 election and that I now had the right to name all the deputy returning officers in the polls. I said, ''That cannot be, Elections Canada is surely impartial. Just because we came second surely does not give me the right to now say that the people who voted for the Reform Party in the last election will now get a payoff, a government job''.

This was wrong and I recognized it right away even though I was inexperienced. I declined. I told the returning officer in Elk Island to choose the person who did it the last time if she or he did a good job. I also said that I did not care what party the person was with, but that if there was somebody who worked last time and did not do a good job that I would give my permission to fire them. I should have been out of the loop.

The principled Reform Party, not the one of political expedience doing anything that needs to be done to get elected but rather the one that is based on principle, says that the Reform Party supports giving Elections Canada the power to select and hire all of its own employees, including but not limited to returning officers, deputy returning officers and other field staff. We believe that the decision should be made on merit and on ability to do the job and not based on a debt to be paid because of having shown favour to one political party or another.

If I had time I would also love to talk about many other issues in Bill C-2 but of course with this process we cannot. I have only these few minutes and members cannot even ask me any questions. That is regrettable, I am sure.

Mr. Randy White: Mr. Speaker, I rise on a point of order. My colleague spoke so eloquently that I wonder if the House would agree to allow him another 10 minutes. It was such a great speech, I would like to hear more.

The Deputy Speaker: Is there unanimous consent to extend the hon. member for Elk Island's time by an additional 10 minutes?

An hon. member: Agreed.

An hon. member: No.

Mr. Steve Mahoney (Mississauga West, Lib.): Mr. Speaker, I am delighted to speak to Bill C-2.

I was particularly interested in the analysis and comments by the previous speaker with regard to the work of committees. In the last two years I have served on the public accounts committee which is chaired by one of the Reform opposition members who, I would add, does a very good job, is very impartial and fair and really runs an excellent committee. We have a process in place here where the official opposition automatically gets the opportunity, if it so chooses, to chair the public accounts committee.

I also served on the citizenship and immigration committee and filled in on a number of different committees. The committee system that is in place is not dysfunctional and is not what the member has said, a sham. In fact, it is representative of the make-up of this place. Why would that be? Interestingly enough, the majority of Canadians voted for this government in two elections in a row.

Should we abdicate our responsibility? We have been told by the Canadian people that they want the Liberal Party and this Prime Minister to run the government. We understand that the opposition

is not happy with that. I served in opposition myself to a labour party, to Bob Rae and—I will be nice—his group of colleagues. It was somewhat frustrating, to say the least, to see a majority government of New Democrats in the great province of Ontario.

Mr. Derrek Konrad: Mr. Speaker, it appears to me there are not very many members to hear the speech of the member opposite. I ask that quorum be checked.

• (1305)

The Deputy Speaker: Call in the members.

And the bells having rung:

The Deputy Speaker: I see a quorum. The hon. member for Mississauga West has the floor.

Mr. Steve Mahoney: Mr. Speaker, it is not my fault if the room empties when I stand up to speak. I try to do my best. I do appreciate the assistance to bring in some of my colleagues whom I know are working hard at their desks on behalf of the people of Canada and their constituents.

People often wonder why the Chamber is so sparsely populated when members of parliament speak. It is because we have so many things to do and committees are just one example. Even though the official committees are not up and running yet, although I understand they will be in a day or two, we, in particular, have caucus committees. We have interparliamentary committees of Canada and Europe that are meeting and, as we speak, the Canada-Taiwan interparliamentary committee is meeting.

Last evening I had the privilege of having dinner with the parliamentary group from Barbados who are here on official business and will be here for question period. There is a lot of work to do. I recently attended a meeting of AECL where it gave us an update of its work around the world. To denigrate the work of members really is not fair. It is not something that I would do on that side of the House and would not expect it to be done here.

I would say that the committee system is very clear in this government. In this place, in Ottawa, there is a role for opposition members. Sometimes I am quite surprised, actually. Were I in opposition, I think I would be substantially more aggressive in going after—

Mr. Lynn Myers: Or effective?

Mr. Steve Mahoney: I might be more effective, I do not know. I will leave that for others to judge. I certainly would find more opportunities to raise issues. I do not see that.

I put a proposal forward back in the Ontario legislature in 1992. In fact, I stood for the leadership of our party. One of my proposals was that a bill should not be referred to committee; an idea or a problem should be referred to committee and that a committee should be convened in an attempt to write a bill and to put forward a solution that could go in the bill rather than having the bureaucrats draft something, put it on our desk and it appears too many times to be a fait accompli.

This is about as close as I have seen any government get to that particular principle. This is taking the bill reforming the Elections Act into committee before second reading. If I were in opposition I would have my staff working overtime going through the bill. I would see this as an open and accountable government giving opposition members the opportunity to make comments at committee, to repair anything they thought needed repairing, to change parts of the bill and to have input into the process.

What do we get? We get, I am afraid, the somewhat typical response, ''If they are doing it, we must disagree with it''. That really is unfortunate. It is somewhat myopic and narrow-minded. It does not do credit to the constituents who sent these people here, who expect them to roll up their sleeves and get into committee and work with government members and other members of the opposition to make this bill a better bill. Why would anyone opposed it?

• (1310)

My next election will be my tenth at the municipal, provincial and federal levels. I have had some experience. In fact, my wife has had three elections. She sits on the Mississauga council. I guess one could say we are a bit of a political family. We care about the process that is in place. We care about the rules. I, along with my family and the government, believe very much that the rules need to be fair for everyone.

Frankly, I would go a little further with this reform. If I have an opportunity at committee, I might even float an idea that members may accept or reject. I believe there should be a penalty for someone who does not vote. I know it is a very controversial idea, but there are places in the world where they actually do that. The penalty in Australia is a fine. It could show up on one's income tax reporting.

I find it disgraceful that municipally we only get a 30% voter turnout. It is the one level of government, in my view, that impacts more directly on people's lives than any other level of government and less than 30% of the people vote. In fact, if there is not a high profile contest for mayor, quite often less than 20% of the people vote. However, they are quick to pick up the phone to call their elected representative to solve a particular problem in the community, for example, if the garbage is not picked up or they have other difficulties. They just do not accept the responsibility to cast a ballet.

Provincially, that percentage goes up to between 50% and 60% depending on, I guess, the nature of the election. In the 1995 Ontario provincial election I think there was a higher voter turnout because the public generally wanted to dismiss the government of Mr. Rae that was in office. However, we have now slipped back

down again. Federally, it again increases into the 65% to 75% range.

We live in a country with democratic freedom and we see other places in the world experiencing difficulties, in particular, the problems we see in Pakistan today.

I had the privilege of being part of a parliamentary group visiting Croatia during the first free election since the second world war. I saw men and women lining up down the street, with tears in their eyes, having the first opportunity to actually cast a ballot.

Let me tell members what that experience was like. When I walked into the polling booth there were Yugoslav soldiers with rifles on their shoulders standing on either side of the ballot box. Behind the ballot box was a life-sized picture of General Tito. It was only just a little bit intimidating to those people casting their ballot. I tried to lighten it up by pinning Canadian flags on the lapels of the soldiers but I do not think they were particularly amused by it.

When one sees that kind of thing, when one sees people fighting and dying for freedom and democracy all around the world as we have seen in our generation, one realizes that a Canadian who does not cast a ballot unless there is a legitimate reason, although I cannot think of one other than being dead, is not living up to the responsibility that goes along with the freedom of living in such a great and democratic society.

I would go even further, but the bill at least sets a level playing field, makes it fair for everybody involved and cleans up the election procedure in Canada.

• (1315)

[*Translation*]

Mr. Yves Rocheleau (Trois-Rivières, BQ): Mr. Speaker, I am quite pleased to take the floor for the first time in this new session, and especially so because we are debating the Canada Elections Act, which is supposed to be completely amended by Bill C-2, an act respecting the election of members to the House of Commons, repealing other acts relating to elections and making consequential amendments to other acts.

I am very happy to take part in this debate because I have been involved in the consultations undertaken by the chief electoral officer after the May 2, 1997 election. He was looking for ways to improve this legislation which is rather outdated. For well over 30 years, it has not been revised significantly, and the chief electoral officer was striving to have it amended significantly.

After what I had gone through and what had been reported to me in my riding during the election, I got involved in this process with the help of an excellent lawyer and friend of mine, Jean-François Lacoursière. As a legal adviser to the Bloc and a good adviser on electoral law, an area in which his expert opinion has been frequently sought, he agreed to write a report which I have tabled in the Standing Committee on Procedure and House Affairs, a report we may come back to. It has hardly been mentioned.

Incidentally, it is very hard to find one's way around in this bill. Mr. Lacoursière himself told me some time ago that the Canada Elections Act was very difficult to consult and to understand. This is not normal. The federal government is already being criticized for its lack of transparency. The elections act is an extremely important important tool in that it is the basis of the election process in our country.

Therefore, it is important to call a spade a spade. It is important for the thousands of people who have to work with the Canada Elections Act at some point to be able to find whatever they are looking for quickly and efficiently instead of always feeling lost in the legalese used by government lawyers—we hope they themselves can find their way through it. It really is difficult to consult that document, which is at least one inch thick. Something is wrong here.

The problems raised by Mr. Lacoursière dealt with issues that will undoubtedly be raised again, issues like voting by mail, a process that is riddled with flaws, and voting at mobile polling stations, a process that will certainly have to be refined.

In my speech, I will touch on three main elements of this bill on which we are criticizing the government. First, there is political party financing, which is not a new issue but which deserves to be raised again because of the scandalous way in which political parties are managed and because of the connections that exist between large corporations and the election funds of traditional political parties in Canada.

Second, we want to address the designation of returning officers. Third, we want to talk about voter identification, something that leaves a lot to be desired and, here again, we can give some examples from Quebec.

Party financing is really outdated. We have not made any progress in this area. We know full well that the legislation is full of holes that allow corporations as well as individuals to shamelessly contribute all they want to Canada's traditional political parties.

Issues like the Onex proposal, which I feel, as a Quebecer, goes against the best interests of Quebec and maybe even of all of Canada and which, notwithstanding its basic flaws, demonstrates the more or less honourable relationship between the Liberal Party of Canada and the main promoter of the Onex deal, can only further undermine the proposal. We feel this entitles us to criticize this proposal all we want.

• (1320)

Its credibility is open to question, given the known relationship between one of the major contributors to the Liberal Party, former Cabinet members and current party managers. The federal government blithely announced that there will be a moratorium, as if it were one of its own management decisions. Obviously, it is part of the Onex agenda to get the federal government involved at some point by taking such a measure to help the deal along.

The Canadian government obviously committed itself in favour of Onex, for reasons that may too shameful to mention because they are related to the financing of the party currently in office.

Mr. Ghislain Lebel: It is true.

Mr. Yves Rocheleau: This is shameful, because it is primitive. So-called civilized societies such as ours should ensure that rules are in place to protect government decision makers from undue influence.

This is what democratic financing is all about. This is what we realized in Quebec. We set a limit of $3,000 for contributions made to political parties, and such contributions can only be made by voters.

The Parti Quebecois government is depending on no one in particular, but on everyone, whereas this government depends on financial backers such as oil and pharmaceutical companies, banks and logging companies. All these businesses contribute tens of thousands of dollars and, in return, get privileged access to the ministers and the Prime Minister. This is unacceptable, it is a unending scandal, and it is easy to figure out why the government sometimes makes very dubious decisions. It is all a matter of cause and effect.

When the financing process is flawed, it is not possible to look after the public's interest only. The government must take other things into account, because the telephone could ring at any time and someone might say ''We will remember this the next time you come looking for work or money''.

Nowadays, governing is complicated enough in itself. Therefore, it is a good thing that the Quebec government does not have to concern itself with private interests. This is the strength of the Quebec government, given the complexities involved. It is free to act. It only needs to do so intelligently, whereas the federal government must accommodate all kinds of phantoms who remain nameless.

My second major criticism has to do with the appointment process for returning officers. This is issue is not as well known. We are talking here about the qualifications of individuals who hold strategic positions in each of the ridings, during elections. These positions should be filled through a process that is above suspicion.

Here again, what we have is basic and primitive; it does not provide any protection against abuse. All these people possess personal qualities that are beyond doubt, but there is one condition that must be met to be a returning officer for Elections Canada, or so it seems, although it is not written down anywhere: to be a member of the Liberal Party of Canada. It is even better if one has been the president or vice-president of an association, and better yet a defeated candidate.

This is unacceptable, and primitive. It smacks of the way things are done in a banana republic. Canada is one of the western democracies that go around preaching to the whole world on how things should be done. We travel all over the planet to tell people how to govern themselves, and yet to this very day we still tolerate having as one of the main, yet hidden, criteria for appointment active membership in the Liberal Party of Canada.

To top it all off, the Chief Electoral Officer of Canada saw how incongruous and unacceptable the situation was, and has long been recommending that the Canadian government change the rules so that, like Quebec, there would be a competition to designate elections staff, as indeed there should be.

• (1325)

Finally—and I shall close with this—the last weakness is that there is not a word about voters being required to identify themselves with a card or some other means. Given the impersonal character of our society and our big cities, it is completely normal for citizens to be required to identify themselves to the person at the polling station, since we know all the funny business there can be.

It is in within the order of things for voters to be required to identify themselves to whoever is duly mandated to require it before giving them authorization to vote, a fundamental right in a democracy.

Yet again, this is a considerable weakness in the bill and one against which we must speak out.

[*English*]

Mr. Lynn Myers (Waterloo—Wellington, Lib.): Mr. Speaker, I am very pleased to enter this debate today with respect to the Canada Elections Act. I find it of considerable interest. I sat on the procedure and House affairs committee and this was certainly a part of the committee's work. I thought we did it in a very non-partisan, effective way that ended up being very succinct and to the point in terms of the kind of meaningful changes Canadians expect in terms of their electoral system.

We in Canada have a model electoral system that is emulated around the world. It is certainly considered to be one that is of great

interest to nations wherever they are in the world. It underscores the great democracy that we in Canada have. It is one which I think we should be very proud of in terms of its effectiveness and what it means for Canadians wherever they may live in this great land of ours. It also underscores the values, institutions and symbols that unite us as a people and present us as an effective nation not only to ourselves internally but to the wider world community.

I am a little surprised by the Reform Party, especially the member for Elk Island who tried to denigrate the things we are trying to do. Instead he should be celebrating the fact that this bill is going to committee where they can be part of a system where there can be effective changes. Instead of trying to work with the government in this all important area, Reformers are content as usual to take extremist views to try to sabotage the system. That is most unfortunate.

But then Reform is a party that is always intent on pitting region against region, people against people and group against group. It is most unfortunate that Reformers take that tact all the time. It underscores where that party is coming from. I know Canadians want and will have no part of it. What Canadians will have a part of is the government's position on this all important legislation, understanding that this is the way we have to go. We need to ensure that we do the right thing for Canadians in this area because it underscores our democratic system as we know it.

There are many issues I could get involved with, election financing for example. I know—

The Deputy Speaker: I am sorry but it is my duty to interrupt the hon. member and the proceedings at this time and put forthwith the question on the motion now before the House.

Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

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

Some hon. members: Nay.

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

And more than five members having risen:

The Deputy Speaker: The chief government whip on a point of order.

Mr. Bob Kilger: Mr. Speaker, I rise on a point of order. Discussions have taken place between all the party whips. Pursuant to Standing Order 45 I believe you would find consent to defer the recorded division just requested on Bill C-2 until later this day at the end of the time provided for government orders.

The Deputy Speaker: Is there consent to defer the division to 6.30 p.m. as agreed to by all the whips?

Some hon. members: Agreed.

The Deputy Speaker: I will call it again if need be but I believe five members rose and I am prepared to defer it. Therefore the vote is deferred until 6.30 p.m.

* * *

• (1330)

[*Translation*]

PERSONAL INFORMATION PROTECTION AND ELECTRONIC DOCUMENTS ACT

The House proceeded to the consideration of Bill C-6, an act to support and promote electronic commerce by protecting personal information that is collected, used or disclosed in certain circumstances, by providing for the use of electronic means to communicate or record information or transactions and by amending the Canada Evidence Act, the Statutory Instruments Act and the Statute Revision Act, as reported (with amendment) from the committee.

SPEAKER'S RULING

The Deputy Speaker: The notice paper contains 157 motions in amendment with respect to report stage of Bill C-6.

[*English*]

The motions will be grouped for debate as follows.

[*Translation*]

Group No. 1, Motions Nos. 1, 2, 5, 9, 10, 27 to 33, 36 to 43, 47 to 49, 57, 59 to 97, 100 to 157.

[*English*]

Group No. 2, Motions Nos. 3, 4, 6 to 8, 11 to 26, 34, 35, 44 to 46, 50 and 51.

[*Translation*]

Group No. 3, Motions Nos. 52 to 56, 58, 98 and 99.

The voting order for each group is available from the clerk. The Chair will repeat this order for the House as each vote is taken.

Members are of course aware that the notice paper contains many motions at report stage with respect to Bill C-6.

Motions Nos. 100 to 155 are of concern to the Chair because they depart from usual House practice. These motions would drop all clauses in schedule 1. Normally, a single motion would suffice.

[*English*]

I have decided to allow these motions at this time. However, in the future only one motion will be accepted. I have so instructed the clerks in Journals. They will advise members wishing to place such motions on notice that these would not be accepted.

[*Translation*]

I will now put Motions Nos. 1, 2, 5, 9, 10, 27 to 33, 36 to 43, 47 to 49, 57, 59 to 97, and 100 to 157 to the House.

Mr. Pierre Brien: Mr. Speaker, I rise on a point of order. I would like some clarification on what you have just said.

Did I understand correctly that for this one time only you will allow Motions Nos. 100 to 157 to stand individually but that in the future you want them in a single group, which in any case does not alter the present situation since these motions are all in Group No. 1, which will be debated starting today?

The Deputy Speaker: The hon. member is absolutely right. Today, we will study all of the motions before the House, as the member indicated. I said that in the future we will permit one motion only instead of several.

MOTIONS IN AMENDMENT

Mr. Pierre Brien (Témiscamingue, BQ) moved:

• (1335)

Motion No. 1

That Bill C-6, in the title, be amended by deleting the long title.

Motion No. 2

That Bill C-6 be amended by deleting Clause 1.

Motion No. 5

That Bill C-6 be amended by deleting Clause 3.

Motion No. 9

That Bill C-6 be amended by deleting Clause 5.

Motion No. 10

That Bill C-6 be amended by deleting Clause 6.

Motion No. 27

That Bill C-6 be amended by deleting Clause 10.

Motion No. 28

That Bill C-6 be amended by deleting Clause 11.

Motion No. 29

That Bill C-6 be amended by deleting Clause 12.

Motion No. 30

That Bill C-6 be amended by deleting Clause 13.

Motion No. 31

That Bill C-6 be amended by deleting Clause 14.

Motion No. 32

That Bill C-6 be amended by deleting Clause 15.

Motion No. 33

That Bill C-6 be amended by deleting Clause 16.

Motion No. 36

That Bill C-6 be amended by deleting Clause 18.

Motion No. 37

That Bill C-6 be amended by deleting Clause 19.

Motion No. 38

That Bill C-6 be amended by deleting Clause 20.

Motion No. 39

That Bill C-6 be amended by deleting Clause 21.

Motion No. 40

That Bill C-6 be amended by deleting Clause 22.

Motion No. 41

That Bill C-6 be amended by deleting Clause 23.

Motion No. 42

That Bill C-6 be amended by deleting Clause 24.

Motion No. 43

That Bill C-6 be amended by deleting Clause 25.

Motion No. 47

That Bill C-6 be amended by deleting Clause 27.

Motion No. 48

That Bill C-6 be amended by deleting Clause 27.1.

Motion No. 49

That Bill C-6 be amended by deleting Clause 28.

Motion No. 57

That Bill C-6 be amended by deleting Clause 32.

• (1340)

Motion No. 59

That Bill C-6 be amended by deleting Clause 33.

Motion No. 60

That Bill C-6 be amended by deleting Clause 34.

Motion No. 61

That Bill C-6 be amended by deleting Clause 35.

Motion No. 62

That Bill C-6 be amended by deleting Clause 36.

Motion No. 63

That Bill C-6 be amended by deleting Clause 37.

Motion No. 64

That Bill C-6 be amended by deleting Clause 38.

Motion No. 65

That Bill C-6 be amended by deleting Clause 39.

Motion No. 66

That Bill C-6 be amended by deleting Clause 40.

Motion No. 67

That Bill C-6 be amended by deleting Clause 41.

Motion No. 68

That Bill C-6 be amended by deleting Clause 42.

Motion No. 69

That Bill C-6 be amended by deleting Clause 43.

Motion No. 70

That Bill C-6 be amended by deleting Clause 44.

Motion No. 71

That Bill C-6 be amended by deleting Clause 45.

Motion No. 72

That Bill C-6 be amended by deleting Clause 46.

Motion No. 73

That Bill C-6 be amended by deleting Clause 47.

Motion No. 74

That Bill C-6 be amended by deleting Clause 48.

Motion No. 75

That Bill C-6 be amended by deleting Clause 49.

Motion No. 76

That Bill C-6 be amended by deleting Clause 50.

Motion No. 77

That Bill C-6 be amended by deleting Clause 51.

Motion No. 78

That Bill C-6 be amended by deleting Clause 52.

Motion No. 79

That Bill C-6 be amended by deleting Clause 53.

Motion No. 80

That Bill C-6 be amended by deleting Clause 54.

Motion No. 81

That Bill C-6 be amended by deleting Clause 55.

Motion No. 82

That Bill C-6 be amended by deleting Clause 56.

Motion No. 83

That Bill C-6 be amended by deleting Clause 57.

Motion No. 84

That Bill C-6 be amended by deleting Clause 58.

Motion No. 85

That Bill C-6 be amended by deleting Clause 59.

Motion No. 86

That Bill C-6 be amended by deleting Clause 60.

Motion No. 87

That Bill C-6 be amended by deleting Clause 61.

Motion No. 88

That Bill C-6 be amended by deleting Clause 62.

Motion No. 89

That Bill C-6 be amended by deleting Clause 63.

Motion No. 90

That Bill C-6 be amended by deleting Clause 64.

Motion No. 91

That Bill C-6 be amended by deleting Clause 65.

Motion No. 92

That Bill C-6 be amended by deleting Clause 66.

Motion No. 93

That Bill C-6 be amended by deleting Clause 67.

Motion No. 94

That Bill C-6 be amended by deleting Clause 68.

Motion No. 95

That Bill C-6 be amended by deleting Clause 69.

Motion No. 96

That Bill C-6 be amended by deleting Clause 70.

Motion No. 97

That Bill C-6 be amended by deleting Clause 71.

● (1345)

Motion No. 100

That Bill C-6 be amended by deleting Clause 4.1 of Schedule 1.

Motion No. 101

That Bill C-6 be amended by deleting Clause 4.1.1 of Schedule 1.

Motion No. 102

That Bill C-6 be amended by deleting Clause 4.1.2 of Schedule 1.

Motion No. 103

That Bill C-6 be amended by deleting Clause 4.1.3 of Schedule 1.

Motion No. 104

That Bill C-6 be amended by deleting Clause 4.1.4 of Schedule 1.

Motion No. 105

That Bill C-6 be amended by deleting Clause 4.2 of Schedule 1.

Motion No. 106

That Bill C-6 be amended by deleting Clause 4.2.1 of Schedule 1.

Motion No. 107

That Bill C-6 be amended by deleting Clause 4.2.2 of Schedule 1.

Motion No. 108

That Bill C-6 be amended by deleting Clause 4.2.3 of Schedule 1.

Motion No. 109

That Bill C-6 be amended by deleting Clause 4.2.4 of Schedule 1.

Motion No. 110

That Bill C-6 be amended by deleting Clause 4.2.5 of Schedule 1.

Motion No. 111

That Bill C-6 be amended by deleting Clause 4.2.6 of Schedule 1.

Motion No. 112

That Bill C-6 be amended by deleting Schedule 4.3 of Schedule 1.

Motion No. 113

That Bill C-6 be amended by deleting Clause 4.3.1 of Schedule 1.

Motion No. 114

That Bill C-6 be amended by deleting Clause 4.3.2 of Schedule 1.

Motion No. 115

That Bill C-6 be amended by deleting Clause 4.3.3 of Schedule 1.

Motion No. 116

That Bill C-6 be amended by deleting Clause 4.3.4 of Schedule 1.

Motion No. 117

That Bill C-6 be amended by deleting Clause 4.3.5 of Schedule 1.

Motion No. 118

That Bill C-6 be amended by deleting Clause 4.3.6 of Schedule 1.

Motion No. 119

That Bill C-6 be amended by deleting Clause 4.3.7 of Schedule 1.

Motion No. 120

That Bill C-6 be amended by deleting Clause 4.3.8 of Schedule 1.

Motion No. 121

That Bill C-6 be amended by deleting Clause 4.4 of Schedule 1.

Motion No. 122

That Bill C-6 be amended by deleting Clause 4.4.1 of Schedule 1.

Motion No. 123

That Bill C-6 be amended by deleting Clause 4.4.2 of Schedule 1.

Motion No. 124

That Bill C-6 be amended by deleting Clause 4.4.3 of Schedule 1.

Motion No. 125

That Bill C-6 be amended by deleting Clause 4.5 of Schedule 1.

Motion No. 126

That Bill C-6 be amended by deleting Clause 4.5.1 of Schedule 1.

Motion No. 127

That Bill C-6 be amended by deleting Clause 4.5.2 of Schedule 1.

Motion No. 128

That Bill C-6 be amended by deleting Clause 4.5.3 of Schedule 1.

Motion No. 129

That Bill C-6 be amended by deleting Clause 4.5.4 of Schedule 1.

Motion No. 130

That Bill C-6 be amended by deleting Clause 4.6 of Schedule 1.

Motion No. 131

That Bill C-6 be amended by deleting Clause 4.6.1 of Schedule 1.

Motion No. 132

That Bill C-6 be amended by deleting Clause 4.6.2 of Schedule 1.

Motion No. 133

That Bill C-6 be amended by deleting Clause 4.6.3 of Schedule 1.

Motion No. 134

That Bill C-6 be amended by deleting Clause 4.7 of Schedule 1.

Motion No. 135

That Bill C-6 be amended by deleting Clause 4.7.1 of Schedule 1.

Motion No. 136

That Bill C-6 be amended by deleting Clause 4.7.2 of Schedule 1.

Motion No. 137

That Bill C-6 be amended by deleting Clause 4.7.3 of Schedule 1.

Motion No. 138

That Bill C-6 be amended by deleting Clause 4.7.4 of Schedule 1.

Motion No. 139

That Bill C-6 be amended by deleting Clause 4.7.5 of Schedule 1.

Motion No. 140

That Bill C-6 be amended by deleting Clause 4.8 of Schedule 1.

Motion No. 141

That Bill C-6 be amended by deleting Clause 4.8.1 of Schedule 1.

Motion No. 142

That Bill C-6 be amended by deleting Clause 4.8.2 of Schedule 1.

Motion No. 143

That Bill C-6 be amended by deleting Clause 4.8.3 of Schedule 1.

Motion No. 144

That Bill C-6 be amended by deleting Clause 4.9 of Schedule 1.

Motion No. 145

That Bill C-6 be amended by deleting Clause 4.9.1 of Schedule 1.

Motion No. 146

That Bill C-6 be amended by deleting Clause 4.9.2 of Schedule 1.

Motion No. 147

That Bill C-6 be amended by deleting Clause 4.9.3 of Schedule 1.

Motion No. 148

That Bill C-6 be amended by deleting Clause 4.9.4 of Schedule 1.

Motion No. 149

That Bill C-6 be amended by deleting Clause 4.9.5 of Schedule 1.

Motion No. 150

That Bill C-6 be amended by deleting Clause 4.9.6 of Schedule 1.

Motion No. 151

That Bill C-6 be amended by deleting Schedule 4.10 of Schedule 1.

Motion No. 152

That Bill C-6 be amended by deleting Clause 4.10.1 of Schedule 1.

Motion No. 153

That Bill C-6 be amended by deleting Clause 4.10.2 of Schedule 1.

Motion No. 154

That Bill C-6 be amended by deleting Clause 4.10.3 of Schedule 1.

Motion No. 155

That Bill C-6 be amended by deleting Clause 4.10.4 of Schedule 1.

Motion No. 156

That Bill C-6 be amended by deleting Schedule 2.

Motion No. 157

That Bill C-6 be amended by deleting Schedule 3.

● (1350)

[*English*]

The Deputy Speaker: I should inform the House that after that 20 minute speech debates are limited to 10 minutes.

[*Translation*]

Mr. Pierre Brien: Mr. Speaker, I rise today to speak to the first group of amendments to Bill C-6, formerly Bill C-54, an act to support electronic commerce and protect personal information.

I will start by saying that we have many problems with this bill for several reasons. This explains why we are proposing so many amendments asking for the withdrawal of the bill or, at the very least, the suspension of its implementation in Quebec.

When we deal with the second group of amendments, we will have an opportunity to discuss more specifically one particular amendment that would make this possible, should the government have the will to do so.

The purpose of the bill is, in a rapidly evolving technological context, to foster the development of electronic commerce while respecting the confidentiality of the information we supply or agree to supply, or the use that could be made of personal information provided without knowing how it is going to be used.

It should be noted that, for the past five years already, Quebec has had a law protecting personal information. The introduction or implementation of a federal act will create administrative chaos, making life very difficult for businesses. One can understand the will displayed by the federal government in this respect. In the other nine provinces, there is no law protecting personal information. Therefore the federal government has decided to go ahead and legislate. Too bad for the other provinces if they do not want their own law and are willing to withdraw from a field of jurisdiction that could be theirs. This is not the case in Quebec.

● (1355)

Quebec has already clearly stated, through a law, its intent to protect personal information. Moreover, the civil code contains provisions making specific reference to it. Quebec businesses have to abide by the civil code provisions as well as the law.

This is why many groups appeared before the Committee during the hearings and told the government ''You are placing Quebec in a very bad position, when we already have a provincial act that protects both privacy and access to information. With this new act, businesses will not always know which act to enforce and which definition to use in specific cases. Some organizations will have to abide by the federal act, others by the provincial act and others yet by both or part of one and part of the other''.

Of course, the government will say ''Listen, this will only take effect in three years because, in the first three years, the new act will not apply to all fields, data or businesses''. But, in three years, it will get much more extensive and will apply to everybody.

The Cabinet could make an order to withhold a particular field of activities or ensure that some sectors get under another act. But this will have to be decided by the federal government after careful consideration of its objectives and criteria. Since we all know that the Civil Code and the common law do not always have the same approach on certain issues, there will undoubtedly be differences of opinions and policies as well as differences between mechanisms adopted.

I can quote a number of people who addressed this issue at the committee's hearings. I will start with the Conseil du patronat du Québec, which came to say ''Inasmuch as the constitutional jurisdiction over the protection of privacy and personal information given to the provinces by section 92.13 of the British North America Act, it is obvious that the legislator''

The Speaker: I am sorry to have to interrupt, but since you still have six minutes to go, I thought it would be best to do so at this point. I am going to table a report, and then we will proceed to Statements by Members. You will have the floor again after Oral Questions.

PRIVACY COMMISSIONER

The Speaker: I have the honour to lay upon the table the 1998-1999 report of the Privacy Commissioner.

[*English*]

This report is deemed permanently referred to the Standing Committee on Justice and Human Rights.

STATEMENTS BY MEMBERS

[*English*]

ALEXINA LOUIE

Ms. Sarmite Bulte (Parkdale—High Park, Lib.): Mr. Speaker, I rise today to congratulate my constituent Alexina Louie on receiving the Jules Leger prize for new chamber music for her award winning work, ''Nightfall'', a piece for 14 solo strings.

Established in 1978, this prize is a national award designed to encourage Canadian composers to write for chamber music groups and to foster the performance of Canadian chamber music. This is the only governor general's award given for music, and Alexina is the first woman to receive it.

Alexina Louie's work has received both national and international acclaim and recognition. Ms. Louie has previously been named composer of the year and received a Juno award and a Chalmers award for her compositions. Ms. Louis has also received the Socan award for being the most frequently performed Canadian composer. As a composer in residence with the Canadian Opera Company she is currently working on a main stage opera which is to be performed in the fall of 2000.

I say congratulations to Alexina.

* * *

ORGAN DONATIONS

Mr. Keith Martin (Esquimalt—Juan de Fuca, Ref.): Mr. Speaker, the government just released its response to the organ donor crisis in our country. What an enormous disappointment it was. With 150 Canadians dying every year waiting for a transplant and with one of the worst donor rates in the entire developed world, it took the government four months to respond, during which time 66 Canadians died.

The government's solution to this crisis is to ponder it, study it and examine it, despite the fact that there is a 13 point federal-provincial agreement and despite the fact that the health committee put forth an exhaustive, doable plan to save Canadian lives.

● (1400)

Why was there no commitment to have a national registry for potential donors and recipients? Why was there no commitment to train and identify organ donor co-ordinators? Why was there no commitment to have a national effort to put an organ donor card on every single patient's chart in our country?

If this government cannot resolve the organ donor crisis which is really a motherhood issue, what hope is there that it will have a chance to resolve the more complex health care challenges?

* * *

WOMEN'S COLLEGE HOSPITAL

Ms. Carolyn Bennett (St. Paul's, Lib.): Mr. Speaker, on October 12, 1999, I was honoured to be asked on behalf of the Minister of Canadian Heritage to unveil a historic sites and monuments plaque commemorating the importance of Women's College Hospital in providing medical services for women by women.

[*Translation*]

Women's College Hospital has always played a vital role in the community. Today's commemoration is a deserved recognition of the hospital's contribution to the women's movement, to the community, and to medicine.

[*English*]

The plaque reads:

> Women's College Hospital has earned a distinctive place in Canadian medical history. From its beginnings as a small outpatient clinic in 1898 to its development as a modern teaching hospital, the institution symbolizes the struggle of women to claim their place in the medical profession. It offered them opportunities in teaching and in hospital practice, which were often unavailable or extremely limited elsewhere in the country. The hospital has made innovative contribution to the treatment and diagnosis of disease through its vital focus on health issues affecting women and families.

I would also like to thank Lindalee Tracy for the film *Passing the Flame: The Legacy of Women's College Hospital*.

* * *

[*Translation*]

INTERNATIONAL NETWORK ON CULTURAL POLICY

Mr. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, in June 1998, Canada hosted the first international meeting of national ministers responsible for culture. At that time, the international network on cultural policy was created.

After a year of existence, the Network has a membership of some forty representatives from a wide diversity of countries, such

as France, the United Kingdom, Sweden, South Africa, Italy, Senegal, Barbados, Mexico and the Philippines.

The second informal meeting of the international network on cultural policy was held last month in Oaxaca, Mexico. The purpose of this meeting was to ensure the viability of the network as a dynamic international forum for issues related to cultural policy.

The ministers of culture of Quebec and Newfoundland were members of the Canadian delegation to Oaxaca, and their presence enriched our participation, as well as the discussions in general.

Canada is pleased to provide the network with a permanent liaison office which will follow up on the Bureau's activities.

* * *

[*English*]

GRAIN TRANSPORTATION

Mr. Lee Morrison (Cypress Hills—Grasslands, Ref.): Mr. Speaker, the Saskatchewan Wheat Pool has a near monopoly on grain buying on the Altawan and Notukeu rail subdivisions in my riding.

Because the pool is able through zone allocation and car flexing to use its grain car entitlements elsewhere, the elevators on that line have been plugged for more than two weeks.

The railway company will not deliver cars to the few competing elevators or to producers who wish to load their own grain because the competition alone cannot assemble a 50 car train. Farmers in the area are therefore forced to haul grain as much as 80 kilometres over substandard roads while their local elevators are idle.

I am not suggesting that the pool and the railway company collude, but they do share a common interest in limiting the amount of grain shipped off of that line. As less grain is shipped, the line becomes less viable and line abandonment becomes more easy to justify.

As usual, the interests of farmers are being subordinated to those of the grain companies and the railways.

* * *

[*Translation*]

ROBERT MUNDELL

Mrs. Madeleine Dalphond-Guiral (Laval Centre, BQ): Mr. Speaker, Robert Mundell, a professor at Columbia University, has been awarded the Nobel prize in economy. The Royal Swedish Academy of Sciences has recognized the work of this Canadian economist, a pioneer of the European monetary union, barely a few months after the introduction of the Euro.

In the early sixties, Professor Mundell did a great deal of research on monetary and economic union, at a time when no one dared question the use of national currencies.

The academy said that ''Robert Mundell displayed remarkable and quasi-prophetic anticipation regarding the future problems of international monetary arrangements and financial markets''. It is unfortunate that the Liberal government refuses to listen to this great economist and will not do like the Bloc Quebecois and seriously consider a North American monetary union.

One of the best ways to prepare for the future is to build it, not wait around passively, like this government is doing on an issue that comes under its jurisdiction.

* * *

● (1405)

[*English*]

ENDICOTT PEABODY HUMANITARIAN AWARD

Mr. Julian Reed (Halton, Lib.): Mr. Speaker, it is my honour and privilege to congratulate our Minister of Foreign Affairs, the hon. member for Winnipeg South Centre, on being named the winner of the inaugural Endicott Peabody humanitarian award for his lead role in helping to rid the world of anti-personnel land mines. Our minister will receive the award on Friday from the United Nations Association of Greater Boston.

A former governor of Massachusetts and vice-president of the Boston UN association, Mr. Peabody spent his retirement years working for a variety of peace groups that focused on land mines.

The treaty banning anti-personnel land mines became law on March 1, 1999. It has been signed by 135 countries and ratified by 86.

This is not the first time our minister has been recognized for his work on land mines. He was also honoured last October when he was awarded the Council of Europe's North South peace prize. Congratulations.

* * *

TRUCKING INDUSTRY

Mr. Roy Cullen (Etobicoke North, Lib.): Mr. Speaker, it is my pleasure today to bring to the attention of the House that many of the key representatives of Canada's trucking industry are with us in Ottawa today.

It is important to remember that trade is one of the engines of economic growth for Canada. With a relatively small population spread thinly over a vast distance, Canada does not have the luxury of neglecting transportation and trade.

In my riding of Etobicoke North we are close to the Pearson airport and the 400 highways. We know very well why the trucking

industry is so vital to Ontario's economy. Total commercial trucking accounts for approximately 400,000 jobs.

[*Translation*]

I am pleased to see the trucking and railway industries working together to ensure an efficient and safe transportation system that will continue to benefit local and national businesses and, in turn, keep our economy strong.

[*English*]

That is why we must work closely with Canada's trucking industry to ensure that we have an environmentally sound and sustainable transportation system into the next millennium. Working together, Canada's trucking industry keeps Canada rolling.

* * *

AGRICULTURE

Mr. Inky Mark (Dauphin—Swan River, Ref.): Mr. Speaker, I rise today to criticize the government on the current crisis in western agriculture.

The farmers in my riding of Dauphin—Swan River and across the prairies face bankruptcy because of the government's lack of real solutions.

Today the government continues to neglect the farm disaster taking place in western Canada. Farming, an important sector of the Canadian economy, is under attack. Last week farmers from Saskatchewan and Manitoba came to Ottawa to say enough is enough. During the summer they tried peaceful demonstrations to bring attention to their plight.

In light of the recent controversy surrounding the fisheries of Atlantic Canada, the government has pleaded for peaceful negotiations. Prairie farmers have tried peaceful negotiations, yet the government does not listen. The farm community is pleading for help.

I ask the House to support my call in asking the Minister of Agriculture and Agri-Food to do the right thing. Western farmers need help and they need it now.

* * *

[*Translation*]

FIGHT AGAINST POVERTY

Mrs. Eleni Bakopanos (Ahuntsic, Lib.): Mr. Speaker, October 17 was International Day for the Eradication of Poverty. Unfortunately, in Canada, a large number of people are still living in poverty.

I want to mention the extraordinary work done by community groups in the riding of Ahuntsic, including Solidarité Ahuntsic, for which I act as spokesperson in the fight against poverty, the Carrefour d'aide aux nouveaux arrivants, which organized a seminar on poverty on Thursday, the SNAC and the Corbeille Bordeaux-Cartierville, with which I organize a non-perishable food drive at Christmas.

[*English*]

Our government in the past and with the recent Speech from the Throne has taken positive steps toward assisting Canadian families living in poverty, and most important, children, with programs such as the national head start program, the new national child benefit and the Canada child tax benefit program. But together we must do more. We owe it to future generations to ensure that none of our children go hungry, or have no shelter, or grow up poor.

* * *

THE LATE FERNAND DUBÉ

Mrs. Elsie Wayne (Saint John, PC): Mr. Speaker, all New Brunswickers were saddened at the recent passing of the hon. Fern Dubé.

First elected to the New Brunswick legislature in 1974, he served his province for 13 years as Minister of Tourism and the Environment, Finance and Energy, then as Attorney General and Minister of Justice, and finally as Minister of Commerce and Technology. He was especially instrumental in building understanding between French and English speaking New Brunswickers.

Those of us who knew Fern will always remember him as a true gentleman. Fern never lost touch with the grassroots people. At the time of his passing he was still serving them as mayor of his beloved city of Campbellton, New Brunswick.

● (1410)

Fern is survived by his wife Monique, his daughters France and Anik, and his sons Pierre and Jean, our colleague the hon. member for Madawaska—Restigouche.

I am sure I speak for all members of the House when I say that our sympathies go out to the Fern Dubé family.

* * *

[*Translation*]

CANADIAN BROADCASTING CORPORATION

Mr. Pierre de Savoye (Portneuf, BQ): Mr. Speaker, on behalf of the Bloc Quebecois I congratulate Robert Rabinovitch on his appointment as the president of the CBC.

M. Rabinovitch certainly has the qualities and the abilities needed to carry out his new duties honourably. He will, however, face a major challenge, that of ensuring the independence of the CBC, on which the public places its trust, justifying the allocation of public funds.

The corporation's independence is threatened by the desire of Canadian Heritage to use the CBC to serve the political ends of its government.

Recognized for his determination to have a free hand in performing his duties, Mr. Rabinovitch, we hope, will feel freed of the old Trudeau demons, who wanted the CBC to be an instrument of Canadian unity.

* * *

[*English*]

NATIONAL PARKS

Hon. Charles Caccia (Davenport, Lib.): Mr. Speaker, 10 years ago the government pledged to complete the national parks system by the year 2000. To date, only four of the promised 15 national parks have been created.

Two years ago Parks Canada reported that only one park is not under pressure. The other 38 are threatened by logging, mining, road construction, hydroelectric and tourism developments. In addition, eight national parks are not protected by the National Parks Act. Evidently, Canada's national parks are in deep trouble as the panel headed by Jacques Gérin, a respected international consultant, is about to report.

The Speech from the Throne makes a very positive reference to national parks. I congratulate and urge the government to provide legal protection to all national parks, complete the national parks system and implement the recommendations of the Gérin report.

* * *

AGRICULTURE

Mr. Myron Thompson (Wild Rose, Ref.): Mr. Speaker, this past weekend the minister of agriculture hosted the Funfest on the Farm, a celebration of the Canadian farmer. Each of my colleagues in the House received an invitation in a glossy package of materials delivered by the minister.

If this is the minister's response to our farm crisis that almost every Canadian, except those in government, seems to be aware of, then all hope is lost for our farm communities.

I personally challenge the minister of agriculture to hand deliver his pretty little calendar to a farm family who will literally earn less than nothing this year. For the western farmer about to lose the land that has been in his family for generations, there is no funfest on his farm.

Since June the minister has repeatedly said the AIDA program is almost complete. I realize the farming community only represents 3% of Canadians, but let us hope that they receive some assistance before next October's Funfest on the Farm.

* * *

WEEK WITHOUT VIOLENCE

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, this is the fourth annual YWCA Week Without Violence. This week has become a major national tool in our efforts to make Canada a less violent society. Each year it gives us an opportunity to think about the impact of violence on us all.

One of the focuses this year in Peterborough and across Canada is youth. The idea is to involve young people and encourage them to think about the richness and joy of a non-violent lifestyle.

I urge young and old to visit www.7wv.com, an Internet website designed by youth for youth to exchange thoughts about non-violence.

I encourage all members and all Canadians to contribute to the YWCA's Week Without Violence.

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MEMBER FOR DARTMOUTH

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, it is with immense pleasure that I inform our colleagues in the House that today the NDP member of parliament for Dartmouth becomes the first sitting member of parliament ever nominated for a Governor General's literary award.

Nominated in English drama for her play *Corker*, the member for Dartmouth blends her passion as a parliamentarian with her artistry as a playwright to create a powerful drama about the importance of supporting families and building communities which value and celebrate the contributions of all.

● (1415)

I ask everyone to join in extending our congratulations to our artist in the House, our playwright parliamentarian, our beloved member for Dartmouth.

[*Editor's Note: Members rose and applauded*]

The Speaker: It is not often that we have one of our own recognized in such a fashion. For this day, of course, you can have a prop in the House. On behalf of your colleagues, Wendy, I wish you well and thank you for what you do for our House by being such a great artist and a good parliamentarian.

ORAL QUESTION PERIOD

[*English*]

AIRLINE INDUSTRY

Mr. Preston Manning (Leader of the Opposition, Ref.): Mr. Speaker, just hours ago Air Canada and its partners announced their proposal for reorganizing the airline industry. Onex and Canadian Airlines announced their proposal a number of weeks ago. We now know where both the airlines stand but we still have not heard from the government. The government did not even mention this subject in the Speech from the Throne.

Now that everyone else has abandoned the status quo, will the Prime Minister tell us what he envisions for the Canadian airline industry of the 21st century?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, as was said, some offers were made today by Air Canada, as there was an offer made by Onex to the shareholders of the company. Its shareholders will look at what is best for them and they will decide.

The Minister of Transport enunciated very clearly the five conditions that the government is demanding under the circumstances, but we have to know the results of the bidding before we carry on with our policy of making sure that we have at least one national airline in Canada.

Mr. Preston Manning (Leader of the Opposition, Ref.): Mr. Speaker, the government is standing still while everything else in the airline industry is moving. Surely the government has an obligation to be more specific about a policy framework for the airline industry. For example, both the Onex-Canadian proposal and the Air Canada-Lufthansa-United proposal envision a major role for foreign air carriers and investors.

Where does the government stand on the current rules for foreign ownership and participation in the industry? Does it endorse the current rules or does it have plans to revise them?

Hon. David M. Collenette (Minister of Transport, Lib.): Mr. Speaker, I have always said that the government would consider any regulatory or statutory change that would enhance the viability and competitiveness of the Canadian airline system, and we will do just that.

We feel very strongly that not only should the government outline the five principles as I did the other week, but that we should seek the input of parliamentarians on this very important matter. That is why the committee is meeting. We will be guided on all of these issues by members of the House and of the Senate.

Mr. Preston Manning (Leader of the Opposition, Ref.): Mr. Speaker, it will be a novel day when the government talks to us and consults the advice of the House.

Hundreds of thousands of air travellers want assurances that they will continue to have a quality service at the lowest possible cost. We have tens of thousands of workers in this industry who want to be assured that there is a place for them in the future. All regions of the country want to be assured that particular routes and services of importance to them will be addressed.

Where is the government's policy framework to ensure that all of these interests will be properly addressed?

• (1420)

Hon. David M. Collenette (Minister of Transport, Lib.): Mr. Speaker, I am very glad that the Leader of the Opposition is adhering to the five principles that the government enunciated a few weeks ago. That is the outline of our framework and over the next few weeks we will be putting more detail on the policy, but we will not do it unilaterally. The Leader of the Opposition would be the first one to condemn us if we came in here with a policy, put it on the floor of the House of Commons and ignored the views of members of this House.

* * *

PAY EQUITY

Mr. Monte Solberg (Medicine Hat, Ref.): Mr. Speaker, today the federal court ruled that the government is on the hook for $5 billion in its pay equity dispute. We know there is a very good chance that the government is going to lose its appeal.

My question is for the Minister of Finance. Does the government have a contingency fund large enough to cover this $5 billion, or does this mean the end of any meaningful tax relief for Canadians?

[*Translation*]

Hon. Lucienne Robillard (President of the Treasury Board and Minister responsible for Infrastructure, Lib.): Mr. Speaker, we read the decision this morning and we are in the process of analyzing it.

It is an important decision for all federal employees. We will take the time we need before reaching a decision.

[*English*]

Mr. Monte Solberg (Medicine Hat, Ref.): Mr. Speaker, I am going to address this question again to the finance minister.

The government has known for years that it was going to face this day of reckoning, but does it have a plan? No. Does it have a contingency fund? Evidently not. Does it mean that taxpayers are on the hook? I suspect so.

Why does the minister not just admit that the government has mishandled the file and it is the taxpayers who are going to have to pay for this fiasco?

Hon. Lucienne Robillard (President of the Treasury Board and Minister responsible for Infrastructure, Lib.): Mr. Speaker, let us be clear. We have just received the judgment. We are looking at it.

There is a big difference between the government's position and the position of the Reform Party. The Reform Party does not believe in pay equity. We believe in pay equity.

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[*Translation*]

AUDIOVISUAL PRODUCTIONS

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, the copyright scandal is not limited just to the CINAR production house.

Apparently, many people are involved in this scandal and millions of dollars are said to have been obtained illegally from the federal government.

Does the Minister of National Revenue not think it is becoming important that his department take action and that he order it to conduct a special investigation into the illegal practices in this industry?

Hon. Martin Cauchon (Minister of National Revenue and Secretary of State (Economic Development Agency of Canada for the Regions of Quebec), Lib.): Mr. Speaker, information involving the relationship between the department and an individual or corporate taxpayer is confidential and I may therefore not comment.

If ever additional events were brought to the attention of my department and myself, obviously we would see that the necessary action was taken, but for now the information is confidential.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, I am not asking that information be revealed. I am asking for a special investigation. I think that the newspapers have been sufficiently eloquent.

We know that names were used, that phony corporations were set up by law firms for the purpose of diverting federal public funds.

Does the Minister of National Revenue not understand that it is his duty to call for an investigation?

Hon. Martin Cauchon (Minister of National Revenue and Secretary of State (Economic Development Agency of Canada for the Regions of Quebec), Lib.): Mr. Speaker, the Minister of Canadian Heritage has outlined the measures taken. I think that what is involved here is the fundamental relationship of trust that exists between taxpayers and National Revenue. I believe there is a strong relationship of trust.

What we are talking about here is information that is basically confidential, and it will remain so.

At the risk of repeating myself, if ever additional information is brought to our attention, we will see that the necessary action is taken.

Mr. Stéphane Bergeron (Verchères—Les-Patriotes, BQ): Mr. Speaker, yesterday the leader of the Bloc Quebecois revealed that the name of Thomas LaPierre, son of the chairman of the board of Telefilm, had been used by CINAR in order to illegally obtain federal funding for production assistance.

My question is for the Minister of Canadian Heritage. Since the name Érika Alexandre, a pseudonym made up of the first names of the children of CINAR president, Mrs. Charest, has already been identified as a possible link to the same type of fraud, has the Minister of Canadian Heritage asked her departmental staff to make the necessary checks in order to confirm or deny this?

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.): Mr. Speaker, last Friday, following the allegations made by the Bloc Quebecois, I asked the RCMP to conduct an investigation.

• (1425)

Among other things, I do know that Montreal urban community police officers will be in Ottawa this Thursday to meet with officials from Canadian Heritage and National Revenue. They have been informed of all the allegations that have been made. That is precisely why we have asked the RCMP to investigate.

Mr. Stéphane Bergeron (Verchères—Les-Patriotes, BQ): Mr. Speaker, for the benefit of the minister, is she also aware that the name of Patricia Lavoie, Vice-President, Production and Fiction Development at CINAR, has apparently also been used to illegally obtain funding for the film *Who Gets the House*, the screen-writer of which was in reality the American Timothy Neilson?

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.): Mr. Speaker, if the hon. member has any allegations to make, let him do so, and I shall put him directly in contact with the RCMP.

The Government of Canada takes these allegations very seriously, and that is why we asked for an RCMP investigation. This will cast the necessary light on all the facts and I can put the hon. member in direct contact with the RCMP if he wishes.

* * *

PAY EQUITY

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, the fight for pay equity has been going on for 15 years. The courts keep rejecting the government's appeals one after the other.

Yet, the federal government keeps denying women the right to equal pay for work of equal value.

When will the government stop appealing the rulings made by the courts and when will it finally pay what is owed to its female employees?

Hon. Lucienne Robillard (President of the Treasury Board and Minister responsible for Infrastructure, Lib.): Mr. Speaker, the government is clearly committed to the principle of pay equity for women and men.

The ruling was issued today. It is only normal that we take a few days to look at it, to discuss with the various stakeholders, including the attorney general, so that we can make the best possible decision.

[*English*]

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, this government supports the pay equity principle as long as it does not

have to treat women as equals, as long as it does not have to pay any money. However, when it is required to actually obey the law and pay, its principles go out the window. Its words say yes, but its actions say no.

Why will the government not treat women as equals?

[*Translation*]

Hon. Lucienne Robillard (President of the Treasury Board and Minister responsible for Infrastructure, Lib.): Mr. Speaker, this ruling is very important for all federal public service employees. Therefore, it only makes sense that, as a responsible government, we would take time to analyse it. I can assure you that we will then act.

I can understand that affected employees are somewhat anxious about the government's eventual decision, but I would ask them to wait a few more days, to allow us to choose the appropriate direction.

* * *

[*English*]

AIRLINE INDUSTRY

Mr. Bill Casey (Cumberland—Colchester, PC): Mr. Speaker, my question is for the Minister of Transport. Air Canada today announced its proposal for a restructuring of the Canadian airline industry and in that proposal it requested a full merger review process by the Competition Bureau.

Will the minister require that all proposals, either present or future, go through the same process so that they are all treated the same?

Hon. David M. Collenette (Minister of Transport, Lib.): Mr. Speaker, as the hon. member knows, under section 47 the Competition Bureau is very much engaged. In fact, I asked the bureau for its advice on the restructuring and that report should be coming to me in the next few days. It will be made public and it will be the subject of discussions at the Standing Committee on Transport.

This ensures the role of the bureau on issues dealing with competition, but the bureau does not have the statutory responsibility to deal with levels of service, the protection of employees, price gouging, or whether or not the airline is effectively Canadian controlled. That is why we put section 47 in place, so that the elected representatives of the people will determine the outcome of this matter.

Mr. Bill Casey (Cumberland—Colchester, PC): Mr. Speaker, in fact the Competition Bureau is there to protect consumers. The Competition Bureau is there to protect consumers for a good reason and it serves a good purpose for the country.

My question is simple. One proposal will accept a full review by the Competition Bureau. Will the minister require all proposals to go through the same process, or is there favoured treatment?

• (1430)

Hon. David M. Collenette (Minister of Transport, Lib.): Mr. Speaker, the treatment we have treats everyone equally and that is the treatment envisaged under section 47 as I have just described.

* * *

FISHERIES

Mr. John Cummins (Delta—South Richmond, Ref.): Mr. Speaker, the government is hiding behind the judicial robes of the Supreme Court of Canada and its new federal representative in the Marshall decision.

Its own Captain Canada, the Liberal Premier of Newfoundland, has said that the Supreme Court of Canada has to take responsibility for the anarchy in the maritimes. The Marshall decision must be reviewed, not entrenched as government policy. The troubles on the east coast could end today if the government acted.

Why will the government not reject the fisheries policy that assigns jobs on the basis of race?

Hon. Harbance Singh Dhaliwal (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, it is obvious that the member does not understand the issue. This is about a treaty right which is recognized by the Supreme Court of Canada.

Over and over again we have said that we recognize and respect that treaty right. We will work within the spirit of the supreme court judgment.

That is exactly what we are doing now. We have appointed a federal representative. That federal representative is talking to all the groups right now. We are looking at a long term solution to the issue.

Mr. John Cummins (Delta—South Richmond, Ref.): Mr. Speaker, the fisheries minister has delusions of adequacy. The supreme court has willy-nilly determined that Canada's fishery should be regulated along blood lines. I find that offensive and the government should too.

The West Nova Fishermen's Coalition is seeking clarification of the Marshall decision. The government refuses to support it. Why does the minister not stand now and tell the House how many maritime fisheries jobs he is prepared to sacrifice to satisfy his race based fisheries policy?

Hon. Harbance Singh Dhaliwal (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, as Minister of Fisheries and Oceans I want to ensure that we create more jobs out there.

If the hon. member has been listening, we are talking about emerging products, marketing some of their products and aquaculture. All the things I am talking about will create new jobs in the area of fisheries and oceans.

[*Translation*]

AUDIOVISUAL PRODUCTIONS

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, in March 1997, following the first investigation by the RCMP, the attorney general decided not to lay charges against CINAR. Barely one month later, Ms. Charest, the president, hosted a Liberal Party benefit supper with the Prime Minister.

I would like the Prime Minister to explain the coincidence between the favorable decision by the attorney general with respect to CINAR, a decision that is hard to explain, and Ms. Charest's involvement in the Liberal Party.

The Speaker: I will permit the question, but it must be remembered that questions regarding a political party are not permitted in the House.

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.): Mr. Speaker, the member is again making allegations in the House. These are very serious allegations, and I think that if he does have allegations to make, he should make them to the RCMP.

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, the president of CINAR is involved in the Liberal Party of Canada. The Prime Minister himself appointed her to the board of the Millennium Scholarship Foundation. Telefilm must investigate this whole matter, as the name of the son of the president is being used and Mr. Macerola, the former Liberal candidate and executive director of Telefilm, says it is an urban myth.

What we want to know is who is the main player in the urban myth, which might be called ''In the Kingdom of the Cronies''?

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.): Mr. Speaker, I find that very regrettable, because we know at the moment that SODEC is being investigated, and I would not be the one to throw mud at a political party, because an investigation is being conducted.

Investigations are necessary and for this very reason we have asked the RCMP to get involved. If the member and the Bloc Quebecois have allegations, they should pass them on directly to the RCMP.

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● (1435)

[*English*]

ABORIGINAL AFFAIRS

Mr. Mike Scott (Skeena, Ref.): Mr. Speaker, my question is for the Minister of Indian Affairs and Northern Development.

The Supreme Court of Canada has generated serious conflict and confrontation by declaring a special native only commercial fishery on the east coast of Canada.

In spite of the very obvious problems that come from treating Canadians differently, the minister is about to ratify the Nisga'a agreement, effectively creating the exact same special native only commercial fishery on the west coast of Canada.

Why in the world would the minister promote such a concept in the Nisga'a treaty when he knows full well the kinds of serious problems that come with it?

Hon. Robert D. Nault (Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, the reason I am doing it is because it is the right thing to do for B.C. and for Canada.

Mr. Mike Scott (Skeena, Ref.): Mr. Speaker, the government had a wonderful opportunity to negotiate equality into the Nisga'a agreement but it went for special status and special legal rights instead. It had an opportunity to embrace unity but opted for division, an opportunity to build bridges but opted for walls.

Ordinary Nisga'a people will pay the biggest price for that folly in the end. Why are the minister and the government prepared to promote disunity, division and discord rather than equality?

Hon. Robert D. Nault (Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, this will bring certainty and foster economic development in the member's backyard.

I would suggest to the member, knowing that he has 24 first nations of his own and he does not talk to them, that he get some advice from them. The advice they would give him is that this is the right thing to do for B.C., for that particular region of British Columbia, and for Canada in the long run. He should support it.

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[*Translation*]

GENETICALLY ALTERED FOODS

Ms. Hélène Alarie (Louis-Hébert, BQ): Mr. Speaker, the government is in great disarray over genetically altered foods.

The Minister of Industry wants to promote them at all costs, the Minister of Agriculture and Agri-Food wants to export them without knowing their effects, the Minister of Health does not have enough staff to evaluate them, and the Minister of the Environment is blocking the adoption of an international protocol on biosafety.

Will the Prime Minister finally tell them to quit playing around and make the quality of food a priority?

[*English*]

Hon. Lyle Vanclief (Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, the Canadian public and consumers of

Canadian food around the world can be very proud of our regulatory system to ensure the safety of Canadian food.

Any genetically enhanced foods go through a very stringent regulatory process to ensure that they are safe for humans, for animals and for the environment before they are approved.

[*Translation*]

Ms. Hélène Alarie (Louis-Hébert, BQ): Mr. Speaker, does the Prime Minister realize that, if the safety of genetically altered foods cannot be guaranteed, this industry will lose the trust of consumers at home and abroad?

[*English*]

Hon. Lyle Vanclief (Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, the regulatory and approval processes that are used to determine the safety of food applications in Canada are based on science, the best science available today.

The science process is approved by the World Health Organization, by the FAO and by all international bodies. It is peer tested science and we use it to judge the safety of any applications. Nothing is approved unless it passes that stringent safety assessment.

* * *

NATIONAL DEFENCE

Mr. Jim Hart (Okanagan—Coquihalla, Ref.): Mr. Speaker, access to information is a fundamental right of all Canadians.

I have in my possession a letter from the information commissioner which reveals that the Minister of National Defence routinely delayed release of access by several months so that his staff could prepare speaking notes for the minister.

Why did the Minister of National Defence put his own political interests above the legal rights of all Canadians?

Hon. Arthur C. Eggleton (Minister of National Defence, Lib.): Mr. Speaker, I want to make sure that people get the access to information they are entitled to just as quickly as they can.

I only asked that I be informed so that I could respond to any concerns that might be raised by members of the House or by the public. I certainly have made it very clear to the Department of National Defence and to all my staff that access to information regulations are to be fully followed and information is to be provided as quickly as possible. That is being done.

● (1440)

Mr. Jim Hart (Okanagan—Coquihalla, Ref.): Mr. Speaker, the minister told his executive assistant to tell departmental officials not to respond to access requests until the minister's spin doctors were finished with them.

The information commissioner said in his letter to me that this action was improper interference. Improper interference is very serious for a minister of the crown.

I will ask the minister again. Why did he put his own political interests above that of the right of Canadians to access to information? Why?

Hon. Arthur C. Eggleton (Minister of National Defence, Lib.): Mr. Speaker, the member has it all wrong. If the member wants the letter from me to the department and to my staff indicating exactly the opposite, I am quite happy to provide it.

* * *

[*Translation*]

PAY EQUITY

Ms. Caroline St-Hilaire (Longueuil, BQ): Mr. Speaker, federal public servants have been waiting 15 years for pay equity.

In 1993, the Prime Minister promised to honour the decision of the Canadian Human Rights Tribunal. The government certainly has the money to pay its employees. Finally, today, the Treasury Board lost its fourth legal appeal. Enough is enough.

Will the President of the Treasury Board formally undertake today to stop using the courts and to pay public servants without further delay?

Hon. Lucienne Robillard (President of the Treasury Board and Minister responsible for Infrastructure, Lib.): Mr. Speaker, I formally undertake to respect the principle of pay equity.

That having been said, we must be allowed the time to go through the decision carefully in order to understand the impact and to conduct the necessary consultations. However, I can tell public servants that they will hear what this government plans to do in a few days.

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SOMMET DE LA FRANCOPHONIE

Mr. Raymond Bonin (Nickel Belt, Lib.): Mr. Speaker, as host country for the 8th Sommet de la Francophonie, Canada welcomed heads of state and of government from more than 40 countries.

Can the Secretary of State for the Francophonie tell the House to what extent Canada took advantage of the summit as a forum for getting certain countries to make commitments relating to human rights?

Hon. Ronald J. Duhamel (Secretary of State (Western Economic Diversification) (Francophonie), Lib.): Mr. Speaker, Canada was able to exchange views on a number of issues such as democratization and the respect of human rights.

As well, Canada saw that its concerns and intentions relating to these issues were raised in the Moncton declaration.

Canada has shared the parallel summit's documentation with all delegations that were in attendance. I can assure my colleagues that Canada had a hand in the progress of democracy at the Moncton Summit.

* * *

[*English*]

TELECOMMUNICATIONS

Mr. John Nunziata (York South—Weston, Ind.): Mr. Speaker, here we go again. Cable TV rates are going up again. Rogers Cable has announced an increase of $1.90 a month, well in excess of the rate of inflation. This is what happens when we have a monopoly: consumers get hosed, consumers get gouged.

My question is for the minister responsible for the CRTC, the Minister of Canadian Heritage. Will she step in and block this unconscionable increase? Will she go to bat for consumers and ensure that cable companies do not willy-nilly increase rates to the detriment of consumers?

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.): Mr. Speaker, first, I thank the hon. member for his question. Second, as a lawyer the hon. member will know that there is a process for objection to rate increases and I encourage him to follow the legal process.

Mr. John Nunziata (York South—Weston, Ind.): Mr. Speaker, the minister is responsible for the CRTC. The CRTC has a track record of supporting cable companies over consumers.

I am asking the minister to use her authority as the Minister of Canadian Heritage to stop these unconscionable increases in cable TV rates.

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.): Mr. Speaker, as a lawyer the member will know that in fact the CRTC is a quasi-judicial body and as such it would be very inappropriate for me to interfere with it.

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IMMIGRATION

Mr. Leon E. Benoit (Lakeland, Ref.): Mr. Speaker, after processing only four of the six hundred migrants who arrived on our shores this summer, the IRB has denied all four refugee claims and then released them. I want to repeat that. It has deemed they are not refugees and then released them.

It would seem that the government is determined to assist the efforts of organized crime by releasing claimants whether or not they are refugees. How could the minister allow bogus refugees to be released in Canada, knowing that they are likely to disappear?

• (1445)

Ms. Elinor Caplan (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, I want to make it very clear to this member and to everyone that I deplore human smuggling. I am very concerned about the welfare of the people who are in the hands of those smugglers.

The IRB is an independent quasi judicial process. It has assured me that it will accelerate the determination procedure. The department is making arguments to detain those individuals on the grounds that there is fear of flight until we have their identity and know who they are, or if there are criminal proceedings. That is the law.

Mr. Leon E. Benoit (Lakeland, Ref.): Mr. Speaker, the government should be taking control of this issue. Already one of the four bogus refugees has disappeared and the rest are sure to follow. The minister thinks it is okay to detain claimants until they are deemed not to be refugees and then let them go.

This does not make sense to me. It does not make sense to most Canadians. Can the minister explain how this makes sense to her?

Ms. Elinor Caplan (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, unlike the Reform Party, the government is determined to enforce the charter of rights not just for some of the people some of the time, but for all of the people in Canada all of the time. Part of that procedure is to allow the IRB to do its work and make its decisions.

The department will continue to argue before an adjudicator to detain when we believe the detention is warranted. However, it is a quasi judicial, independent body and we will not interfere with its process.

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AGRICULTURE

Mr. Dick Proctor (Palliser, NDP): Mr. Speaker, my question is for the Minister of Agriculture and Agri-Food.

The minister seems to be sending out conflicting signals as to whether or not there will be any additional funding over and above the AIDA money for hard-pressed prairie farmers. For example, last week following the meeting with the counterparts from Saskatchewan and Manitoba, the hon. minister hinted that the generous support payments in Europe and the United States could result in some new money for Canadian farmers.

Will there be any new money before Christmas for prairie farmers to help them through the worst financial crisis in more than 60 years?

Hon. Lyle Vanclief (Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, I made a number of changes to the net income stabilization account program and to the crop insurance program.

We have also made some changes to the agricultural income disaster assistance program as time has gone on.

The hon. member knows that I have had discussions with the safety net advisory committee. We are looking at some more possible changes to that program as time goes on.

Mr. Dick Proctor (Palliser, NDP): Mr. Speaker, this issue is really of critical importance everywhere in rural and urban Manitoba and Saskatchewan. It is sufficiently important that two agriculture ministers were here last week to meet with the minister. It is important enough that the premiers of Manitoba and Saskatchewan are expected to be here next week to press the case.

This issue goes far beyond partisan politics and deserves a clear, straightforward answer. Will any new moneys be made available for prairie farmers before the end of this year, yes or no?

Hon. Lyle Vanclief (Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, the hon. member is obviously not listening. I just said that we have been consulting with the two new recently appointed ministers and the other provincial ministers and with the safety net advisory committee. We are looking at possible changes that, if made, will certainly assist farmers before Christmas, as the AIDA program is already doing. We are making it as flexible and innovative as possible.

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MERCHANT MARINES

Mrs. Elsie Wayne (Saint John, PC): Mr. Speaker, my question is for the Minister of Veterans Affairs.

It is time for justice for the merchant mariners. The merchant navy suffered the highest loss of life ratio versus any arm of the armed forces in World War II. If they had received a $1,000 benefit in 1946 it would be worth $21,000 today.

When will the minister deliver a fair and dignified compensation package to the merchant mariners so they will not be forced into another hunger strike?

Hon. George S. Baker (Minister of Veterans Affairs and Secretary of State (Atlantic Canada Opportunities Agency), Lib.): Mr. Speaker, I have discussed the matter with the Merchant Navy Coalition, the Merchant Navy War Veterans Association, the Royal Canadian Legion and the National Council of War Veterans Associations.

● (1450)

This is under discussion, as all matters are under discussion concerning veterans, because we want to maintain our international standing as giving the best services to our veterans compared to any nation in the world.

Mrs. Elsie Wayne (Saint John, PC): Mr. Speaker, I have heard that old tune before from the previous minister.

The press reported last week that the government is considering a compensation package of only $5,000 to $14,000 per merchant mariner. This $5,000 amounts to 25 cents for each day these men have waited for the last 54 years. It is an insult to them.

Will the minister inform the House today that he will give $20,000 compensation packages to the merchant mariners?

Hon. George S. Baker (Minister of Veterans Affairs and Secretary of State (Atlantic Canada Opportunities Agency), Lib.): Mr. Speaker, when that government was in power it said no to the merchant navy veterans when they asked for what this government gave under Bill C-61. It said no to the merchant navy veterans when they asked to have discussed what we are discussing today.

The hon. member should cross the floor and say thank you to the Prime Minister for the Liberal yes instead of the typical Tory no.

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[*Translation*]

AIR TRANSPORTATION

Ms. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, when Onex made an offer to purchase the shares of Air Canada, the Minister of Transport set out five principles to guide the government in approving any potential merger. This very day, Air Canada has just made an offer.

If either of these offers goes through, would Canadians have any guarantee of access to bilingual air services from coast to coast in Canada?

Hon. David M. Collenette (Minister of Transport, Lib.): Mr. Speaker, in addition to the five principles I have already stated: consumer protection, protection of level of service to small communities, protection of employee rights, promotion of competition, and promotion of effective control by Canadian interests, there is one other that is inescapable and unquestionable, namely enforcement of the Official Languages Act.

* * *

[*English*]

ROYAL CANADIAN MOUNTED POLICE

Mr. Jim Abbott (Kootenay—Columbia, Ref.): Mr. Speaker, is the solicitor general listening? The chronic underfunding of the RCMP is aiding and abetting rip-off artists. The RCMP have written to a Kamloops couple saying that due to the shortage of resources it is unable to continue the investigation into a $450,000 swindle. This is Canada, these are Canadians and they are being ripped off.

When will the minister come forward with funds to support the RCMP?

Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.): Mr. Speaker, the government is aware of some historic problems with the RCMP. That is why Treasury Board conducted a review.

During the review, the government was able to give $10 million to E Division in British Columbia. It was able to give $115 million to CPIC. The government has given a lot of funding to support the RCMP.

* * *

• (1455)

[*Translation*]

EMPLOYMENT INSURANCE

Mr. Paul Crête (Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, BQ): Mr. Speaker, the Minister of Human Resources Development said in her former position that she had compassion for native women.

They, on the other hand, have constantly complained about her inability to resolve their problems. Today, the minister is saying she has compassion for women who are denied employment insurance.

Now that she is looking after employment insurance, will she act as she did in her last department, or will she finally understand that the vast majority of women are denied employment insurance because of the eligibility rules? Can she understand that?

[*English*]

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, let us be very clear. The government has spoken out loudly and clearly in support of women. Last week the Prime Minister doubled the parental benefits that will be available to families in the year 2001. He talked about making the benefits more flexible and more accessible. We are acting.

[*Translation*]

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, the Labour Congress study confirms what we have known for a long time: woman have been penalized by the employment insurance reform.

The government said it wanted to address the new realities of the labour market. But women, young people, seasonal workers and independent and part time workers have all been abandoned by the employment insurance reform. The Liberal government has really missed the boat.

When will the Minister of Human Resources Development change employment insurance to really address the realities of the labour market for everyone?

[*English*]

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, the CLC is strongly supportive of the government's undertaking to double parental benefits. The CLC is also, as we are, very happy to see the most recent labour force statistics proving that after 20 years we now have the lowest female adult unemployment level at 5.9%.

* * *

[*Translation*]

PAY EQUITY

Ms. Angela Vautour (Beauséjour—Petitcodiac, PC): Mr. Speaker, the federal court issued a clear ruling: the federal government must pay what it owes to its public servants under the principle of pay equity.

Will the President of the Treasury Board comply with that ruling and finally do justice to these public servants, who are predominantly women? Will the government comply with its own legislation and pay its public servants, or will it appeal once again?

The minister is a woman. I am convinced she understands the problems that women are facing. Today, she has an opportunity to show that she can make decisions that will be fair for women and of benefit to them.

Hon. Lucienne Robillard (President of the Treasury Board and Minister responsible for Infrastructure, Lib.): Mr. Speaker, again, we support the principle of pay equity, of equal pay for equal work.

That being said, we have just received the ruling today. It is perfectly normal for a responsible government to not only take time to read the ruling, but also to analyse its impact, so as to make a well-informed decision. And this is what we will do in the coming days.

* * *

[*English*]

SIERRA LEONE

Ms. Jean Augustine (Etobicoke—Lakeshore, Lib.): Mr. Speaker, my question is for the Secretary of State for Latin America and Africa.

With so many conflicts going on in the world, little attention has been paid to the terrible tragedy of Sierra Leone. With a fragile peace deal now in place, what is Canada doing to support peace and stability in this area?

Hon. David Kilgour (Secretary of State (Latin America and Africa), Lib.): Mr. Speaker, Canada supports the proposal to

establish a new UN presence and peacekeeping force in Sierra Leone, including 6,000 peacekeepers. We have been working closely on the motion which we expect will be voted on Friday at the Security Council. We have donated approximately $10 million in the last two years. The member for Carleton—Gloucester was there recently as our special envoy to explain the importance we give to the peace process. We are basically doing as much as we can and we hope to do more.

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ROYAL CANADIAN MOUNTED POLICE

Mr. Jim Abbott (Kootenay—Columbia, Ref.): Mr. Speaker, this is about that $10 million the minister was boasting about sending to British Columbia. Seven million dollars of it went toward well deserved raises for the RCMP officers. Another portion went to pay down the deficit, leaving only $1.5 million of the $10 million. The $10 million does not exist.

• (1500)

We have a problem. The commercial fraud and rip-off are not being investigated because of lack of resources for the RCMP. When will the minister come forward with proper resources for the RCMP to protect Canadian consumers?

Hon. Lawrence MacAulay (Solicitor General of Canada, Lib.): Mr. Speaker, I indicated a list of things that the government has put in place like the DNA databank and many other things.

There are 500 cadets in training in Regina at the moment and 164 of them will be relocated in British Columbia. The government is putting dollars into the RCMP.

* * *

PRESENCE IN GALLERY

The Speaker: Today we have in our gallery two Speakers from Barbados and a delegation. I would like to present to members the Honourable Senator Sir Fred Gollop, Speaker of the Senate of Barbados, and the Honourable Ishmael Roett, Speaker of the House of Assembly of Barbados and their delegation.

Some hon. members: Hear, hear.

* * *

POINTS OF ORDER

QUESTION PERIOD

Mr. Jim Hart (Okanagan—Coquihalla, Ref.): Mr. Speaker, during question period I made reference to a report from the information commissioner. I would like to seek unanimous consent to table that report.

The Speaker: Does the hon. member have consent to table the report?

Some hon. members: Agreed.

Some hon. members: No.

GOVERNMENT ORDERS

• (1505)

[*Translation*]

PERSONAL INFORMATION PROTECTION AND ELECTRONIC DOCUMENTS ACT

The House resumed consideration of Bill C-6, an act to support and promote electronic commerce by protecting personal information that is collected, used or disclosed in certain circumstances, by providing for the use of electronic means to communicate or record information or transactions and by amending the Canada Evidence Act, the Statutory Instruments Act and the Statute Revision Act, as reported (with amendment) from the standing committee; and of motions in Group No. 1.

Mr. Pierre Brien (Témiscamingue, BQ): Mr. Speaker, I will now start where I left off earlier. I will remind members who are joining us just now that we are debating Bill C-6 promoting electronic commerce and the protection of personal information. I was explaining that Quebec already has legislation to protect that field of activity and that a new federal law will only make things more complicated for the organizations that will have to abide by it, in view of the double jurisdiction that will exist because the federal government did not recognize the precedence of the Quebec act in this field.

In fact, in its March 1999 brief, the Conseil du Patronat stated ''However, since subsection 92(13) of the British North America Act clearly gives the provinces jurisdiction in the area of protection of personal information and privacy and since Quebec has already enacted legislation within its jurisdiction and its borders, many jurisdictional disputes can be expected''.

Of course, when the Conseil made that statement, it expected the federal legislation as it stands today to be passed. The Conseil further stated ''As for Quebec consumers, they would constantly be forced to try and determine which legislation applies and choose between two types of remedies, depending on whether their information is protected by one statute or the other''.

It is important to really understand the situation because consumers will have some recourse if they feel their personal informa-

tion has not been protected. However, they will have to know if it was the federal legislation or the Quebec legislation that was supposed to protect them.

Also, the Quebec Commission d'accès à l'information appeared before the committee to explain about all the problems the implementation of both these acts would cause in the field and to stress that, in the end, Quebecers have a lot to lose given the complexity of this legal issue and the fact that they are the most protected consumers in the country. If passed, this bill aimed at protecting consumers in the rest of Canada, in other words the nine provinces that do not have such legislation, will penalize Quebec consumers because the federal government has not recognized in its bill the existence of Quebec's act and the fact that the province has jurisdiction over this area.

Other groups made their voices heard. I am thinking for instance of the Barreau du Québec, whose brief also stressed the complexity of such an act. It said ''This means that from now on a huge number of Quebec based businesses will be subject to the federal act rather than Quebec's, which will not make it any easier for citizens trying to know what their rights are in this context of legislative changes. Moreover, businesses based in Quebec will have to master a new personal information protection system slightly different from Quebec's''.

Obviously, there are many differences since, as I explained earlier, Quebec is governed by civil law while the federal government follows a totally different approach, the common law. The Barreau further stated that it supports the recommendation made by the Access to Information Commission, which reads ''In order to avoid any confusion and insure that Quebecers continue to enjoy the benefits of a full personal information protection system, we submit that Bill C-54 should be amended in order to provide that the act will not apply to businesses already subject to the Protection of Personal Information in the Private Sector Act''.

Accordingly, businesses would be subject to the existing act. The federal government could reach its goal of having an act in force across Canada, but which could be different in the case of Quebec. Businesses are already familiar with it and comply with it. The Barreau goes further still, saying ''In our view, the bill should incorporate Quebec's act, even with respect to federal areas of jurisdiction, so as to avoid confusion, overlap and duplication of legislation in Quebec''.

This is a very interesting point of view. Normally, the federal government's approach is always the opposite. The federal government is the one interfering in provincial jurisdictions. The Barreau du Québec is saying that there is already an act so, to avoid any confusion, it should apply even where the federal act normally would. This is an interesting approach that was supported by various groups which appeared before the committee, but all of which met with the insensitivity of the federal government, the same government that, one week ago, brought us a lovely throne speech full of lofty goals on paper. We can see that, when this government says, for instance, that it wants to work with the provinces to improve the quality of life of Canadians, in practice that is not what interests it.

• (1510)

What interests it is to extend its authority, to acquire greater and greater control, to be the government that plans our economic and social development and controls the protection of personal information, and so on.

Day after day, in one issue after another, this government bulldozes ahead, taking over one jurisdiction after another. And, if no amendments are made, this is what is going to happen again.

We are at report stage. There is still time for the government to amend the bill. It could include provisions acknowledging the existence of Quebec's act and providing the legal framework necessary for the development of e-commerce—we are not just talking about personal information in the electronic domain in this bill; its scope is much broader—as well as ensuring the protection of personal information under the legislation that already exists in Quebec.

In this way, a reasonable balance and a workable solution could be found. I hope that there are still some sensible people left across the way and that their beautiful speeches will translate into something concrete. That is something we will see in the course of the debate and there will be an opportunity to hear what a number of my colleagues have to say about the bill this afternoon.

[*English*]

Mr. Charlie Penson (Peace River, Ref.): Madam Speaker, I am pleased today to speak to the first group of amendments to Bill C-6 which was formally known as Bill C-44.

We agree that there needs to be some certainty in the area of privacy. We agree there needs to be some certainty in the rules surrounding the whole electronic commerce section of business, a fairly new area. We are a little concerned that the government was probably a bit remiss in not trying to get a more co-operative approach from the provinces before embarking on its experiment in terms of privacy in the area of business, but we recognize that it is required.

My understanding is that there is a three year timeframe for the provinces to introduce their own privacy legislation. I think it is regrettable, though, that a consensus could not have been reached to allow for the provinces to be part of a program that would introduce legislation on their own. The federal government has decided to go out on its own, and my hon. colleague reminds me that it is a three year phase-in.

The answer is that the provinces will have three years to introduce legislation in this area of privacy. However, if they are not able to do that or choose not to, the federal legislation will take

precedent and become the legislation in the land in the areas of privacy in commerce and business.

That still leaves the other amendments that we will be dealing with in section 2 to which I want to speak later on. We agree that there needs to be rules and legislation surrounding the area of privacy. Although we would have preferred to have a co-operative approach, most of the provinces will be introducing their own legislation to cover this area in the next three years. Therefore the federal legislation will probably not even come into effect. The provinces may have better legislation in those areas of their own which they want to put in place, and I would encourage them to do that in this timeframe.

The Reform Party supports the part 1 amendments.

Mr. Nelson Riis (Kamloops, Thompson and Highland Valleys, NDP): Madam Speaker, I cannot say how delighted I am to speak on Bill C-6 on personal information protection and the electronic documents act.

The reason I am delighted is that today we were talking about perhaps the birth of a whole new economy for the country. Others have described it in the last 24 hours as electronic commerce becoming the central nervous system of business, society and even of government.

● (1515)

We truly are into a form of commercial revolution, the consequences of which are almost unpredictable. The fantastic growth in the use of the Internet in terms of business to business relationships as well as consumer to business relationships is nothing short of astonishing. To illustrate this, Internet traffic doubles every 100 days and every second of the day seven new clients sign up on the Internet. It truly is a revolution that is happening before us.

Like all revolutions we actually do not realize there is a revolution going if we are part of it. One day we wake up and realize that the entire world has changed. I suspect during the industrial revolution people were not standing around talking about the revolution that was going on, except when they looked back and realized the tremendous change that had occurred.

I believe, as we have heard from the Minister of Industry, the Prime Minister and government spokespersons in a variety of capacities in the last number of weeks, that Canada is to become the most electronically connected country in the world by the year 2000. There was the commitment the other day to set up 600 Internet sites across the country and to mobilize 10,000 young people to serve those sites to ensure that every Canadian from coast to coast to coast, no matter where they live, no matter the size of their community, no matter the resources at their disposal will have access to the Internet of one kind or another.

Obviously there is a crucial issue that has to be dealt with and Bill C-6 attempts to do that. I refer to what happened last month at Microsoft when hackers broke into the hot mail service, exposing 40 million accounts and the integrity of the e-mail system. This kind of high profile breach of security obviously is something that consumers are concerned about.

Madam Speaker, I know that you are an e-commerce fan and I suspect that when you talk to your constituents about electronic commerce the kind of thing you hear is what the rest of us hear and that is that people are concerned about the security of the information they provide.

When we send off our credit card number or when we carry out a business transaction, is it secure? Do we have confidence that the person receiving that information is the person that we expect to be receiving that information?

In Canada the electronic commerce section will grow from $1 billion in 1997 to about $13 billion by 2002. There is an incredible rate of economic change that is occurring before us. In 1998 there were 414,000 active commercial websites and by 2002 it is predicted that number will jump to 1.6 million. It is astonishing economic activity that is occurring before us. Bill C-6 attempts to build in some security in terms of personal information.

Today we are dealing with the motions in Group No. 1. I want to say on behalf of the federal New Democratic Party that we will be opposing the motions in Group No. 1 put forward by the Bloc Quebecois. The reason is obvious. Bloc members believe, and they make a compelling argument, that we should have one system for the province of Quebec and one system for the rest of the country. Obviously that is going to be a messy, patchwork system of protection. We represent all Canadians in the House and we want to have a policy that will protect Canadians from coast to coast to coast.

My friends in the Bloc Quebecois argue that there is already protective legislation in the province of Quebec. They are right in that respect. It is lacking in most other jurisdictions of the country. However, to pass federal legislation that does not include all provinces and territories I think would be folly. We do not want a patchwork of different standards across the country. National standards are crucial. For that reason we feel that we must oppose this group of amendments.

● (1520)

It is not right or fair that some Canadians should be deprived of privacy protection because their provincial government has been slow to act. The reality is that there are some provinces that are dragging their feet on this issue. I suspect one of the reasons is that they really do not know what to do. The provincial governments are looking to the federal government to say that rather than all of the provincial jurisdictions introducing their own protective legislation, why not have a decent standard from coast to coast to coast

introduced by the federal government, which is what Bill C-6 is all about.

In other policy areas where there is federal and provincial overlap both levels of government will be required to co-operate to ensure the strongest protection is given to Canadians and to reduce any confusion.

I listened carefully to the speech made by my hon. friend from the Bloc Quebecois, who argued that in his judgment the legislation presently in place in Quebec would be adequate. Let us ensure that whatever is the best piece of legislation to protect the consumer will be the piece of legislation that will dominate.

In conclusion, we support the federal government in its efforts to exercise its commerce power in respect to privacy protection. We support the intent of the legislation generally, and for that reason I am afraid we will have to oppose the motions in Group No. 1.

Mr. John Cannis (Parliamentary Secretary to Minister of Industry, Lib.): Madam Speaker, before I commence speaking I would like to take this opportunity, as a newly appointed parliamentary secretary, to express my thanks to the Prime Minister for giving me the opportunity to engage in this level of our government.

We on the government side oppose the motions in Group No. 1. These motions, tabled by the Bloc, strike at the heart of Bill C-6 and indeed undermine the government's ability to introduce a national law that will protect the privacy rights of all Canadians, and I stress, all Canadians. These motions attack the government's competence to deal with federal laws that impede electronic government and electronic services delivered to all Canadians.

In our consultations at the industry committee, consumer groups and industry expressed the view that the government has achieved the right balance in Bill C-6 between the right of individuals to have some control over their personal information and to have access to avenues for effective redress, and the need of industry to collect and use personal information as a vital component of success in the information economy.

For these reasons, consumer groups like the Public Interest Advocacy Centre, the British Columbia Civil Liberties Association and the Consumers' Association of Canada, and industry groups like the Information Technology Association of Canada, the Canadian Marketing Association and the cable and telephone companies have all called for rapid passage of Bill C-6.

Swift passage of Bill C-6 will help build the consumer trust and market certainty needed to ensure that Canada is a world leader in electronic commerce and the global information economy.

The motions tabled by the Bloc are unacceptable and must be rejected. With the passage of Bill C-6 Quebec citizens will benefit from the best data protection in the country. Bill C-6 will provide all Canadians, and I stress, all Canadians, including those in the province of Quebec, complete and comprehensive privacy coverage across our country.

Quite frankly, I would have expected better of the Bloc than to table amendments which deprive all Canadians, who have no privacy protection in the private sector, of getting the benefits of this national law.

[*Translation*]

Mr. Paul Crête (Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, BQ): Madam Speaker, I welcome this opportunity to speak to this bill, not so much because it is back on the agenda but because I get a chance to clarify the situation once again.

Bill C-6 is the resurrection of Bill C-54. The purpose of this bill is to implement legislation to protect personal information at the federal level, when similar legislation already exists in Quebec. This bill will enable the federal government to interfere in a provincial jurisdiction in spite of the fact that Quebec already has a legislation protecting all personal information. This seems to me to be a rather absurd situation.

● (1525)

I would like to quote from a letter to industry minister John Manley and signed by Denis Marsolais, the president of the Chambre des notaires du Québec, copy of which was sent to us by this organization. It reads as follows:

> We submit that overlapping systems will cause undue misunderstandings and complications both for consumers and organizations subjected to two sets of regulations dealing with a single matter.

This is not a separatist speaking, but the president of the Chambre des notaires du Québec. I point this out to the previous speaker, who said that it is not surprising to see the Bloc Quebecois take this standpoint. The Bloc Quebecois is not the only one to take this standpoint; there is a consensus throughout Quebec.

The president of the Chambre des notaires also stated:

> Even more disturbing is part 2 of the bill. Clause 38 recognizes the validity of electronic versions of notarial acts in Quebec which are referred to in a federal law, not only if they are recognized as such under the laws of the province of Quebec but also if they are listed in one of the schedules of the legislation. These schedules would be maintained by the minister, an agency or anyone given the authority to modify them. For all these reasons and many more—

This implies that not all the reasons were listed.

> —we believe—

This is the president of the Chambre des notaires du Québec speaking, not a separatist member of Parliament, as my colleague opposite would have you believed. The president of the Chambre

des notaires du Québec represents all the notaries in Quebec. This point of view is shared by all Quebecers, all interested parties, not only the sovereignists, not only the separatists, but even the federalists in Quebec. Everyone in Quebec knows that, for five years now, we have had an act to protect personal information, not only in the government but also in the private sector.

The amendments we have put forward only try to ensure that the federal government will respect the situation in Quebec. So, I was somewhat offended when I heard the previous speaker say ''Of course, the Bloc members are always asking for something, because they do not want Canada to work''. This is utterly false. It is a matter of how things are supposed to work.

There is already legislation under Quebec's jurisdiction. Out of respect for Quebecers, the government should not have reintroduced this bill or should have amended it to ensure that Quebec's legislation would apply in that province while the federal legislation would apply elsewhere if this were what people wanted. But precedence should be given to Quebec's legislation so that our province can give personal information the protection it feels it deserves.

We live in a distinct society. The House recognized it in a motion on distinct society that was moved by the government, but ever since the motion was agreed to, the government just paid lip service to it. It is not mentioned in any legislation and whenever Quebec's distinct character, society and people have to be recognized in a bill, there is no mention of it.

Liberal members say that this is the position promoted by the Bloc, by the separatists, but I invite all Canadians to assess the situation.

On the one hand, the federal government wants to introduce a bill on electronic commerce that also covers the area of personal information, while, on the other hand, Quebec has already passed a groundbreaking bill whose value was recognized by people around the world. But the federal government is now stepping in, clumsily, several years after Quebec has passed and implemented its own legislation. All of a sudden, Quebec should step aside, because it is only a province. It would appear to be saying to Quebec ''You people think in a different way''.

The hon. member used the term ''national legislation''. It reminds me of all the fuss about the national capital. The federal government claims to be the national government. I am sorry but, under the constitution, it is merely the federal government and should act as such, respecting the jurisdictions of other governments. Quebec has jurisdiction over personal information, and it has exercised that jurisdiction quite well for 15 or 20 years, because it has legislation in place and has enforced it.

In Quebec, we passed a first version of this legislation, and then a second one in which the protection of personal information was included.

When we look at the whole situation, it must be understood that the position the Bloc Quebecois is fighting for is the result of a consensus in Quebec. It is supported by all kinds of organizations. For example, we have a letter from the Chambre des notaires to Mr. Manley, dated April 7, 1999, that reads—

• (1530)

The Acting Speaker (Ms. Thibeault): The hon. member knows very well that he cannot name a minister or a member.

Mr. Paul Crête: It is an unfortunate oversight on my part, and I apologize.

The Minister of Industry of Canada received that letter on April 7, 1999. In his letter, the president of the Chambre des notaires—he is not a member of parliament so that I can name him—,Denis Marsolais, said ''For all these reasons, among others, we believe that an amendment is necessary in order to exclude professionals, notaries as well as any other person or organization otherwise subject to Quebec's legislation from its application''.

Can it be any clearer? And it is the president of the Chambre des notaires who is speaking. He represents people who deal every day with this act. These people draft contracts; they are in regular contact with governments and private corporations when they sign contracts. They know Quebec's law also applies to the private sector, and the president of Quebec's Chambre des notaires says that this bill cannot be adopted without an amendment excluding Quebec from its application on its territory.

When Liberal members present this bill in the House, I agree they can defend its validity. I have nothing against the fact that they are saying it could be good legislation. They have the right to say those things, but they do not have the right to say that we are against it just because we are always against everything the federal government does.

As far as reasonable and interesting measures are concerned, we have a support rate very similar to that of all other opposition parties. However, we withhold support when Quebec's interests are at stake and must be defended, when we must ensure that all Quebecers are covered by legislation. This also means that this coverage must not be too extensive, because we have seen many instances of both governments legislating in the same areas of jurisdiction.

Members need only think of the administrative nightmare and the extra operating costs incurred by an insurance company that has its headquarters in Quebec but does business in other provinces, when two acts based on different sets of basic principles apply. The costs could be prohibitive.

It will also create problems for people affected by these two acts. All this because the federal government is determined to pass what

it considers national legislation. It seems that the government cannot recognize that there can be solutions that are not all inclusive. It must always include all of Canada. For the government, all problems must be addressed the same way, be it in Vancouver, St. John's or Quebec City.

But that, however, is not the reality. In Quebec we have a particular civil code. The Liberal members should know that. Especially those from outside Quebec. I hope that those from Quebec have known this for a very long time. However, I do not see why they cannot be here in the House to say that it makes no sense to vote in favour of this bill.

Why do they not rise and say ''As members for Quebec, we are federalists, but in this instance, Quebec legislation must be respected''. I simply cannot understand why party discipline is involved in it.

I will conclude on this point. The federal government has been trying to have us swallow a bill on the protection of personal information for over a year. We are defending here all the interests of Quebecers with respect to the matter of personal information. We will defend them to the end. We will insist on our point until we get satisfaction from the government. Should the House pass this bill, it will be like all the other measures taken by the federal government that constitute the main reasons we want to leave this country, which does not understand us, and most importantly, which does not want to understand us, because of its invasive action.

[*English*]

Mr. Rahim Jaffer (Edmonton—Strathcona, Ref.): Madam Speaker, I am happy to speak to this bill, now called Bill C-6. In our last session before we rose for the summer this bill was Bill C-54.

As the previous industry critic, I spent a lot of time on this bill in committee and also talking to industry and other members of the public especially involved in privacy issues. I am happy to be able to speak to it today.

I also want to note that my colleague from Peace River, who is now the industry critic and I think well deservedly, will do an excellent job of representing the Reform Party on industry issues. I want to congratulate him on all the hard work he did in his prior post of international trade. I look forward to working closely with him as we continue down the road of creating a legal framework around electronic commerce.

● (1535)

I had many concerns, as does the Bloc, on this issue, especially on the issue of jurisdiction and how privacy specifically falls under the provincial jurisdiction of powers. Through my discussions in committee and with people in Alberta, I have come to realize that maybe there is not the conflict that the Bloc identifies on these issues.

As I speak on the motions in Group No. 1, I want to clarify that we are opposed to the Bloc motions in this group. We do in fact support the direction of the government on this legislation. My colleague from Peace River will reiterate that as we move to Group No. 2.

To summarize specifically what this bill is trying to accomplish, Bill C-6 creates a legal and regulatory framework that will be applied to the commercial use of sensitive and private information in all areas of business. Reform supports this initiative to protect privacy. Reform supports limited government and free enterprise, but recognizes the important role of government in creating an economic climate in Canada with fair and transparent rules that protect both consumers and businesses.

This is also exactly where my second concern came up during the course of dealing with this legislation, especially in committee. Is the government in creating this legal framework and formulating this legislation going to be too heavy handed on the businesses that are engaging in electronic commerce and respecting privacy currently, thereby actually putting a disincentive on industry to continue with the work it has done to allow electronic commerce to flourish in this country?

This is where we have to separate the two areas of privacy and electronic commerce. Often that gets confusing because both are very important. They have to be treated as equally important, but there are distinct differences between electronic commerce and privacy.

One of things brought to my attention while sitting on the committee was that if one looks at how electronic commerce has developed and begun to flourish, a lot of this has been done with relatively no government intervention until now. Over $1 billion of trade is being done through electronic commerce, whether it is through the Internet or other forms of electronic commerce. This consumer confidence in electronic commerce has begun with almost entirely no government intervention, which is quite phenomenal if one thinks about it.

That is one of the reasons we have to be very concerned, as I mentioned, about being too heavy handed on industries as we develop legislation that tries to encourage electronic commerce to continue. This was one of the points I tried to bring up in committee.

As I said, one of the things we cannot take lightly is the issue of privacy. Some of the companies that have been doing business on the Internet have taken privacy very seriously. That is why customers, consumers who are currently engaging in trade on the Internet, feel confident enough to disclose information on the Internet and purchase services and goods. That is a positive thing because obviously industry is doing its part.

Privacy extends far beyond the provincial jurisdiction, particularly when one starts to use mechanisms of trade that go beyond the national scope and into a global scope. Therefore, there needs to be some sort of legal framework in place which shows that Canada has certain standards when it comes to privacy that the rest of the world has to take seriously.

[*Translation*]

This is why I would like to share with my dear colleagues in the Bloc Quebecois my opinions and those of my party with respect personal information.

The provincial and federal governments should work together in this area and share responsibilities, because e-commerce is not limited to the provinces, it goes beyond provincial and national borders. It is truly a global matter.

• (1540)

[*English*]

That is the reason I wanted to bring it up specifically in my meetings with the privacy commissioner in Alberta. The Bloc had concerns with how this federal legislation would combine its resources provincially.

The privacy commissioner in Alberta stated that this fall the government is going to be coming up with legislation that is going to deal specifically with strengthening privacy legislation in Alberta. It feels that in doing so it is going to be complementary with the scope of the federal government. The federal government has outlined that once this legislation passes, it will allow a window of three years for provinces that currently do not have privacy legislation to put privacy legislation in place and make it as strong as the provinces wish. The federal government will work with the provinces to respect that.

Even if there is provincial legislation that is stronger in certain aspects of privacy than the federal legislation, it will take precedence over the federal legislation. This is actually encouraged by the federal government which often does not respect much provincial jurisdiction, but in this case there is a bigger scope and I commend the minister on this.

That is where we have to try to focus specifically on this issue. I encourage my colleagues from the Bloc to look at this because if there are strong privacy laws, and I know Quebec is very proud of its current privacy legislation, it will be complementary to the federal legislation. This is one of the big reasons that the Reform Party supports this. Even in Alberta we have the privacy commissioner and others involved with this particular legislation who say it is going in the right direction and we should support it in its current form.

When I spoke about other groups that are looking at this legislation, whether it is industry groups or privacy groups, the general consensus is that there has been a balance reached so far, especially through our deliberations in committee and through the amendments that have been proposed in the House here today. There is balance so far in taking seriously privacy concerns and those of electronic commerce. The focus has to be not so heavy handed. The Reform Party will support this legislation, until we see that the government is turning its tide and becoming too heavy handed in the process.

I will not speak to the Group No. 2 motions yet but we hope at this report stage the government will consider some of the things the Reform Party has put forward when it comes to amending the privacy area especially in the areas of health services and health information. I think most Canadians agree that is very important information and should be treated as such.

I am hoping the amendments I have put forward on behalf of the Reform caucus will be taken seriously. Now that I will be working with my colleague from Peace River we hope we will be taken seriously because we would like to see that area of privacy strengthened.

Bill C-6 includes a two year phase-in timetable after which those provinces that do not have comparable legislation would fall under the federal legislation. Currently only Quebec has this kind of comprehensive privacy protection. Alberta will be coming on board this fall. Other provinces have determined that they neither have the resources nor the inclination to create their own provincial privacy protection legislation and prefer that this be included under the broad federal legislation. The Bloc would like total exemption for any province that has or creates privacy legislation. Under this legislation that concern is taken care of.

The difficulty with provincial privacy protection legislation is that for international and interprovincial trade purposes there should be a national standard for privacy protection. Canadian businesses have asked for this in order to simplify trade rules.

Those are the most important points to mention during this debate on the Group No. 1 motions. We are not really opposed to the fact that there needs to be a balance. This legislation is achieving that. But we need to keep our minds open to look at electronic commerce in a global perspective and see how legislation can be created that works positively with the provinces. This legislation does this and I would encourage my colleagues from the Bloc to consider that and look at ways to strengthen that relationship, especially when it comes to electronic commerce.

Mr. Jim Jones (Markham, PC): Madam Speaker, on behalf of the PC Party of Canada, I am pleased to speak on the Group No. 1 amendments to Bill C-6, the personal information protection and electronic documents act.

Before I begin my comments I would like to thank the many witnesses who took time to make submissions either in person or in

writing to the Standing Committee on Industry. Their representations were extremely helpful with respect to bringing new issues to light.

● (1545)

I pay tribute to all my colleagues who were on the industry committee and the new colleagues who are coming on board because this is definitely a very important area. I compliment the government for bringing forth in committee an amendment to clause 18 of the bill which was identical to the one I had sponsored.

We in the PC Party believe in the need for personal privacy legislation, but we do not feel the government has adequately taken into account the views and concerns of the Ontario and Quebec governments.

We do not feel it has adequately considered the cost impact of the new regulatory regime in Bill C-6 on the private sector. We do not see the need to pass a law to meet a European Union directive when our number one e-commerce and overall trading partner has adopted a diametrically different approach. Ninety per cent of all the e-commerce traffic in this country is in trade with the U.S. Therefore I cannot see the need to rush to beat the Americans in this regard because down the road they could adopt a different standard and we would have to change.

I will speak to the specific amendments tabled in Group No. 1, all of which were sponsored by the member for Témiscamingue. To be fair to the member I note for the record that the industry committee and a Bloc member at the time presented the following motion:

> Whereas witnesses were recently heard by the Standing Committee on Industry, on Bill C-54 concerning the major problems in implementing this legislation; and took into account the big application difficulties of this bill,
>
> Whereas the Quebec government has repeated its demand that Bill C-54 be withdrawn,
>
> That the Committee suspend Clause by Clause consideration of Bill C-54 and ask the Industry Minister to undertake negotiations with all the provinces, to forestall any constitutional challenge that might impair the attainment of its objectives.

This motion was defeated by seven to four. It was basically the Liberal majority that won the day and it was supported by all opposition members of the committee.

Having heard many concerns from witnesses the Liberals had the choice to take their time to consider meaningful changes to Bill C-6. The Bloc, the Reform and the Conservatives were ready to work together to draft a better bill. To their credit the Liberals allowed some minor tinkering to Bill C-54 which is now Bill C-6. For example, they supported two of the sixteen amendments I brought forward, but on the major question of overall regulation in the form of excessive power granted to the privacy commissioner and provoking battles with the Ontario and Quebec governments, they refused to budge. They refused to co-operate. They refused to compromise.

On behalf of the PC Party I refuse to blindly support Bill C-6 for the sake of getting a law, any law, on personal privacy and e-commerce. One glaring example of the defects in the legislation is subclause 18(1) which would give the privacy commissioner the right to audit a company based on disputes regarding recommended business practices listed under schedule 1 of the bill.

Recommended business practices are just that, recommendations. They are not laws and should therefore not be enforced as such. The privacy commissioner should be allowed to conduct an audit only when there are reasonable grounds to believe the law has been violated. Audits are intrusive and place a heavy administrative burden on the business operations of Canadian companies. The audit power under Bill C-6 should only be used to cover alleged violations of mandatory obligations set out in the bill.

The privacy commissioner should not be permitted to micromanage whether a company complies with recommended business practices such as what types of passwords or encryptions are being used by a company. Therefore subclause 18(1) as presently drafted is not necessary since Bill C-6 already provides the privacy commissioner with the tools needed to ensure the compliance of schedule 1. For example, section 11 allows an individual to file a complaint if he or she feels an organization is contravening the legislation or not following a recommended business practice.

Further, clause 12 gives the privacy commissioner the power to investigate all complaints including a complaint that an organization is not following a recommended business practice.

I reiterate the longstanding objections of a variety of witnesses to the far-ranging powers granted to the privacy commissioner under clauses 12 and 18. While I do not object to extending search and seizure power to the privacy commissioner under Bill C-6, it is in the best interest of all concerned that his office be required to obtain prior judicial authorization.

● (1550)

The lack of any obligation for the privacy commissioner to obtain the approval of our courts before exercising search and seizure power is deeply troubling.

Clauses 18 and 12 of Bill C-6 create a fundamental conflict by allowing the privacy commissioner both to determine whether to exercise search and seizure powers and execute those same powers. The authorization should be granted by a neutral third party as in the case of criminal investigations.

Bill C-6 already provides the privacy commissioner with broad investigative and audit powers. The commissioner may summon

and enforce appearances of persons under oath, converse with any person, comply with the production of documents, and receive and accept any evidence in the same manner and to the same extent as the superior court.

It is for these reasons that additional safeguards are needed in Bill C-6 as it relates to the privacy commissioner or to his delegate actually entering the premises of a private organization and seizing records.

These are not just the concerns of allegedly self-interest companies. Indeed, Blair Mackenzie from the Canadian Newspaper Association told the industry committee that the provisions within Bill C-6 are ''frightening''.

Other witnesses have alluded to the provisions in the bill prompting challenges under the charter of rights and freedom if the privacy commissioner acted upon clause 12 or 18.

I am also troubled the government did not bring forward any study or reports on the cost impact of Bill C-6. From a legal, constitutional and economic standpoint these unfettered audit powers constitute a tremendous defect in the legislation.

Sadly the Liberal majority decided to ignore the fears of free speech advocates, to ignore the pleas of the private sector and to chose to defeat my amendments to oblige the privacy commissioner to obtain a court order before exercising search and seizure.

If there is any reluctance I have in supporting the Group No. 1 amendments, it is due to Motions Nos. 56 and up which deal with parts 2 through 5. Most of my objections pertain to part 1 of Bill C-6.

Unfortunately the familiar double dose of Liberal arrogance and heavy-handedness has left me with no choice but to support the Group No. 1 amendments on behalf of the Conservative caucus.

The Liberals had their chance to co-operate at committee to make a substantially better bill and they chose not to do so.

[*Translation*]

Mrs. Christiane Gagnon (Québec, BQ): Madam Speaker, I am very pleased to take part in today's debate on Bill C-6, an act to support and promote electronic commerce by protecting personal information that is collected, used or disclosed in certain circumstances, by providing for the use of electronic means to communicate or record information or transactions and by amending the Canada Evidence Act, the Statutory Instruments Act and the Statute Revision Act.

The bill that we are debating today at report stage is the old Bill C-54 which, in spite of being the most significant step taken by the federal government since 1983 to protect personal information, does not fulfil its primary objective of protecting citizens. It falls short of our expectations.

The minister has failed to put forward a bill whose real objective would be to protect people's private lives in the private sector. In a technological world where this basic right is threatened, the Minister of Industry is proposing a fragile and confusing act whose core element is a schedule that repeats verbatim the principles set out in the code of the Canadian Standards Association.

The minister's bill is one that gives huge discretionary powers to the governor in council, while not giving any authority to the privacy commissioner. This is a bill that puts the emphasis on electronic commerce at the expense of the basic concept of the right to privacy, that ignores Quebec's unique experience in the area of personal information protection in the private sector and which, ultimately, could create problems for Quebec's current legislation.

Before dealing specifically with some of the major flaws of this bill before us, I want to say a few words about the concept of privacy, which is at the core of this bill, in the context of the Canadian and Quebec legislation.

• (1555)

The right to privacy is a human right along with the right to equality and justice. The United Nations Universal Declaration of Human Rights, which is celebrating this year its fiftieth anniversary and of which Canada is a member, clearly states that everyone has the right to life, liberty and security of person. The declaration also states that ''No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation''.

In Canada, this protection is provided under sections 7 and 8 of the Charter of Rights and Freedoms. Moreover, in 1983, the Canadian government passed legislation respecting the protection of personal information that applies to over one hundred government agencies under its jurisdiction.

Since then, the federal government has promised an umbrella act to force the private sector to protect personal information. Bill C-6 is the sad outcome of all this.

In Quebec, the right to privacy is explicitly recognized in the Quebec Charter of Human Rights and Freedoms and in the Quebec Civil Code.

Furthermore, the Quebec government is the only government in North America to have passed laws to govern the protection of privacy in the public sectors in 1982 and in the private sectors in 1994. Experts agree that Quebec's act governing the private sector is probably one of the best in the world.

The federal government is once again causing confusion, and this act will give a different meaning to the Privacy Act, just as Bill C-68 will with respect to the young offenders legislation. This is

contrary to what Quebec has put in place. This bill has many flaws, it is a weak bill whose essence is in its schedule, a small one at that. Most of the provisions that will govern the protection of personal information are set out in the schedule to the bill.

Moreover, this schedule is nothing more than the model code for the protection of personal information developed by the private sector and consumers as a framework to protect personal information on a voluntary basis.

By not going beyond this text, the minister endorsed neither the consumers' recommendations nor those of the privacy commissioners, who recognized that the model code proposed by the Canadian Standard Association was a good basis for reflection, but that it should be reviewed and improved if it ever were to be incorporated in the act.

This shows beyond any doubt that the minister gave precedence to economic values over social values, at a time when this fundamental right is so threatened by the expansion of electronic commerce.

This bill gives huge discretion to the governor in council. Under paragraph 27(2)b), the federal government gives itself the right to amend the act through a simple order in council, without consulting parliament.

We know that the Liberal government has mastered the art of not being accountable to parliament. Therefore, it will be possible to amend the act under the pressure of lobbying efforts on behalf of the large companies that fund traditional political parties in Canada. The Liberal Party knows what I mean.

This bill gives no power to the Privacy Commissioner. Although the other Canadian provinces followed Quebec's model, giving the commissioner the power to issue orders, the federal act does the exact opposite. Thus the commissioner will not be able to issue orders, which will make access to the act difficult for consumers and cause it to have no effect on business.

This bill ignores Quebec's unique experience. It ignores its unique experience in the protection of personal information in the private sector.

Here are some examples: the objectives of the act are better defined in the Quebec legislation because the purpose is to protect privacy independently of any commercial consideration; the Quebec legislation clearly covers all undertakings, whether for-profit or not-for-profit, whereas the federal calls for the protection of personal information only for commercial transactions; Quebec's act allows a group of individuals to appoint a representative in a class action case. There is no such provision in the federal bill.

• (1600)

It is therefore obvious that this is a bill with the potential to make life difficult in Quebec. In addition to all the flaws that have been pointed out, there is one still greater area of concern. The only guarantee Quebec has that it will be exempted from this legislation is a timid statement by the Minister of Industry. Its mistrust is in large part motivated by Quebec's past experience with certain formal commitments made to it, about which the federal government has too often kept mum or which it has denied.

For example, I will remind this government if I may of the present Prime Minister's promises made within days of the 1995 referendum in the Verdun auditorium.

The stakes are clear, then. For the Minister of Industry, it is a question of ensuring that Canada participates fully in the rapidly expanding e-commerce without inordinate concern about peoples' worries about their privacy. Nor does the Minister of Industry hesitate to adopt a centralizing position that runs counter in a number of respects to what should be done in the provinces of Canada, and could have served as a model to Quebec in particular.

As the Deputy Premier of Quebec so aptly put it, ''If Quebec were to participate fully in the concert of nations, its culture and the protection of its policy on the privacy of personal information, as concretized in its charter, its Civil Code and its two pieces of privacy legislation, would have been advanced by its government at the Ottawa OECD meeting in Ottawa''.

The Bloc Quebecois calls for immediate withdrawal of Bill C-6.

ROUTINE PROCEEDINGS

[*English*]

COMMITTEES OF THE HOUSE

TRANSPORT

Mr. Derek Lee (Scarborough—Rouge River, Lib.): Madam Speaker, I think you will find unanimous consent in the Chamber to the following motion dealing with the televised hearings of the transport committee. I move:

> That the House, pursuant to Standing Order 119.1(1), authorize the Standing Committee on Transport to televise the meetings between October 20, 1999 and December 19, 1999 during its study on the future of the airline industry in Canada, in accordance with the guidelines pertaining to televising committee proceedings.

The Acting Speaker (Ms. Thibeault): Does the hon. member have the unanimous consent of the House to move the motion?

Some hon. members: Agreed.

(Motion agreed to)

GOVERNMENT ORDERS

[*Translation*]

PERSONAL INFORMATION PROTECTION AND ELECTRONIC DOCUMENTS ACT

The House resumed consideration of Bill C-6, an act to support and promote electronic commerce by protecting personal information that is collected, used or disclosed in certain circumstances, by providing for the use of electronic means to communicate or record information or transactions and by amending the Canada Evidence Act, the Statutory Instruments Act and the Statute Revision Act, reported from the committee (with amendment), and of motions in Group No. 1.

Mr. Bernard Bigras (Rosemont, BQ): Madam Speaker, I am pleased to rise today on Bill C-6, which affects a fundamental value in our society, privacy protection.

The debate goes beyond these walls. On November 2, 1998, parliamentarians, as well as Quebecers, had the opportunity to read in *Le Devoir* an article entitled ''Pressure is mounting for consumers' privacy protection''.

The article talked about threats against our privacy and the need for citizens to be well informed of their rights. It also talked about the bill and some aspects of it that we are discussing today in the House. This article clearly specified that provinces that will not pass legislation in this area will have to comply with federal legislation within three years.

Yet, the need for legislation protecting personal information and privacy is not new.

• (1605)

Most provinces already have such legislation. In this instance, the federal government has long been delaying taking its responsibilities by introducing a bill that would apply only to corporations under its jurisdiction.

In fact, we were expecting something from this government, that it take its cue from provincial laws already in place to introduce a consistent, efficient and clear bill, one that is in keeping with those provinces' jurisdictions. Unfortunately for all Quebecers and Canadians, this bill fails miserably.

Instead of protecting privacy, the bill limits itself to protecting the right of big business to make profits with as few restrictions as possible. This is totally unacceptable. The federal government must get the bill back to the drawing board as quickly as possible. It must introduce a bill really aimed at protecting privacy.

If the government is not yet convinced that it is urgent to act, that the situation is urgent, it should get in touch with the president of the Quebec access to information commission. The Minister of Industry would soon find that every month the Quebec government receives 2,000 calls from people concerned about the protection of their privacy.

The Liberal Party fuels the public's cynical attitude toward politicians by using this empty and confused measure to try to convince our fellow citizens that it is concerned about the protection of privacy. The government does not say, however, that it has introduced a bill that only favours commerce, one that is predicated on voluntary compliance by businesses with its provisions to protect privacy.

What the minister responsible is not saying is that the bill is riddled with loopholes and leaves many sectors without any protection. Those sectors that are covered by this bill are conditionally covered. This means that businesses are told to take care, if possible, of their clients' privacy. This is totally unacceptable.

I want first to stress the fundamental nature of the right to privacy. It has been said before, but it is important to remind this House that the Liberal Party is putting the right to make profits before the right to privacy.

Experts consider the right to privacy as a human right, the same as the right to equality and the right to justice. Thus, the Universal Declaration of Human Rights—as cited by several colleagues before me—which was adopted 50 years ago by the United Nations and which Canada adhered to, specifies that everyone has the right to life, liberty and security of person and provides that:

> No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation.

In Canada, the charter of rights and freedoms also protects privacy, although not in so many words.

In this connection, I would mention that, in Quebec, as members are undoubtedly aware, this right to privacy is recognized explicitly in Quebec's 1975 charter of rights and freedoms. Article 5 is unambiguous where privacy is concerned:

> Every person is entitled to privacy.

• (1610)

This right is also recognized in chapter III of Quebec's Civil Code entitled ''Respect of Reputation and Privacy''. I draw particular attention to article 35. This is not just something the Bloc Quebecois is pushing. I remind members that last April 7 the Chambre des notaires du Quebec wrote a letter to the minister responsible, mentioning this provision in Quebec's Civil Code.

Article 35 is clear. It says:

> Every person has a right to the respect of his reputation and privacy. No one may invade the privacy of a person without the consent of the person or his heirs unless authorized by law.

That seems clear to me. Respect of privacy is a fundamental right, which is recognized internationally, as well as in Canada and in Quebec. It is ridiculous for the federal government to be introducing a bill that does not protect this fundamental right.

Earlier, I mentioned a *Devoir* article I tabled. I see I have the House leader's attention. That article clearly said that the Government of Quebec was the only government in North America to have passed legislation protecting personal information in the public and private sectors. In addition, many experts say that Quebec's act regarding the private sector is one of the best in the world. This is a far cry from the federal act, which covers only the public sector.

It is not so surprising that the federal government did not draw upon the Quebec legislation. That would have been killing two birds with one stone. On the one hand, it would have ensured consumers of the exemplary protection of personal information, and, on the other hand, it would have avoided the loopholes and violations which are inescapable when enforcing federal and provincial laws which have not been harmonized.

This leads us to believe that the real object of this bill is not protection of privacy, but a pitiful public relations exercise. The government would like to use this legislation to show that it is finally taking heed of people's concerns. Nothing could be further from the truth. This bill does not meet the expectations of those who wish for privacy. It simply serves the interests of big business.

Even Canada's privacy commissioner observed that the discussion paper proposed by Industry Canada and the Department of Justice focuses mainly on commerce, not on privacy.

That is why we categorically oppose Bill C-6. The federal government refused to draw from Quebec's legislation, even if it is recognized as exemplary in this respect. This is not surprising, as the Quebec legislation focuses mainly on the protection of personal information, while the federal bill aims essentially at pleasing big business.

BILL C-6—NOTICE OF TIME ALLOCATION MOTION

Hon. Don Boudria (Leader of the Government in the House of Commons, Lib.): Madam Speaker, an agreement could not be reached under the provisions of Standing Orders 78(1) or 78(2) with respect to the report stage and the third reading stage of Bill C-6, an act to support and promote electronic commerce by protecting personal information that is collected, used or disclosed in certain circumstances, by providing for the use of electronic means to communicate or record information or transactions and by amending the Canada Evidence Act, the Statutory Instruments Act and the Statute Revision Act.

Under the provisions of Standing Order 78(3), I give notice that a minister of the crown will propose at the next sitting a motion to allot a specific number of days or hours for the consideration and disposal of proceedings at these stages.

• (1615)

Mr. Réal Ménard: Mr. Speaker, I rise on a point of order. I ask for guidance. Are we to understand—and that is what we would like Canadians to realize—that the government is trying to do something that will certainly gag the opposition?

Please give us guidance, Mr. Speaker. Is that what is happening and do you think that this procedure is democratically acceptable?

The Deputy Speaker: It is not for the Chair to decide whether something is democratic or not, but only to determine whether it is in order or not.

Obviously, what the leader of the government has indicated is perfectly in order as far as procedure is concerned. This is a notice of motion. Maybe the motion will be moved, and maybe not. One never knows. The debate could be concluded this afternoon. One never knows.

[*English*]

Mr. Charlie Penson: Mr. Speaker, I would like the House leader to clarify if this is the 65th or 66th time that they have used closure since coming to power in 1993.

The Deputy Speaker: I am not sure the hon. member has a point of order. It may be a matter of great interest that I am sure could be determined by someone.

[*Translation*]

Mr. Réal Ménard: Mr. Speaker, just to make sure we understand fully what is going on, could you confirm for the benefit of the members and the viewers that, as parliamentarians, we will be denied our right to speak on a important bill dealing with privacy?

Could you tell us whether eventually parliamentarians could be denied that right? Could you tell us under which Standing Order the government can do this, and do you think as our Speaker who should uphold our rights that this is acceptable in a democracy?

I would like to receive some guidance from you on this, Mr. Speaker.

The Deputy Speaker: The hon. member for Hochelaga—Maisonneuve knows full well that it is almost impossible to deny members of Parliament the right to express their point of view. However, under the Standing Orders, the government can put an end to a debate after a certain time.

As a servant of the House, the Speaker has to ensure that the Standing Orders are respected and that the procedure applied by

the government or the opposition is in accordance with the Standing Orders. That is all the Speaker can do and is asked to do.

Maybe we could proceed with the debate to avoid wasting time and ensure that the hon. members keep their right to speak and address this important issue.

Mr. Réal Ménard: Mr. Speaker, I rise on a point of order. Would you be kind enough to remind the House that, when the House leader sat in opposition on this side of the House and was part of the so-called ''rat pack'', he would never have accepted such a tactic? Well, today, we want to let him know that we do not accept it either.

The Deputy Speaker: This may be an argument, but it is not a point of order.

REPORT STAGE

The House resumed consideration of Bill C-6, an act to support and promote electronic commerce by protecting personal information that is collected, used or disclosed in certain circumstances, by providing for the use of electronic means to communicate or record information or transactions and by amending the Canada Evidence Act, the Statutory Instruments Act and the Statute Revision Act, as reported from the committee (with amendments), and of motions in Group No. 1.

Ms. Jocelyne Girard-Bujold (Jonquière, BQ): Mr. Speaker, with what the leader of government has done to us today, namely gagging us, it is with sadness that I am taking part in the debate on report stage of Bill C-6, Personal Information Protection and Electronic Documents Act.

This bill is nothing more that a reincarnation of the bill presented by the Minister of Industry as Bill C-54 during the first session of this Parliament, and which was unanimously rejected in Quebec.

● (1620)

Since the federal government refuses to withdraw its bill, the Bloc Quebecois and its representative on this issue, the Member for Témiscamingue, are presenting today an amendment motion whose intent is to suppress clauses of the bill which would represent a setback in the field of personal information protection in Quebec. Let us not forget that the Minister of Industry tabled his bill on personal information without waiting for the results of a consultation that he had himself launched.

The minister tabled his bill in October 1998 without waiting for the comments of his provincial counterparts to whom he had just sent a proposal of bill. However, at a meeting held in Fredericton in June of 1998, the ministers in charge of information highway agreed to consult each other on the opportunity to adopt a legislation concerning personal information protection in the private sector.

Once again, the federal government adopted a unilateral and paternalistic approach and imposed its point of view to the provinces. That is not very surprising.

The Bloc asked that the bill be withdrawn for reasons of principles, including the fact that it had been introduced without consultations and that the bill is an encroachment on provincial jurisdiction over civil law. The Bloc also asks for the withdrawal of the bill because it would represent a major weakening of the legal provisions concerning personal information protection in Quebec. The bill contains many legal deficiencies and its implementation in Quebec would cause many duplications and a lot of confusion. This is not the first time the liberal government duplicates legislation since I have been elected in this House.

Quebec's legislation is based on the charter of human rights where the protection of personal information is declared a basic right. As a matter of fact, section 5 of the Quebec Charter of Human Rights and Freedoms says that: ''Every person has a right to respect for his private life.'' This right is also defined and framed in the Quebec Civil Code, which states the basic principles governing the collection, retention and use of personal information.

The personal information of Quebecers is also very well protected under two laws. The first one, adopted in 1982, deals with the protection of privacy in the public sector, and the second one, adopted in 1994, extends that protection to the private sector.

It seems the federal government cannot accept the fact that Quebec has the best system in Canada and is adamant about imposing its legislation even if it means reducing the protection now enjoyed by Quebecers.

And yet, we heard the federal Minister of Intergovernmental Affairs say in one of his speeches in May 1998 that we had to, and I quote:

> —stop using the easy way out by claiming that a government initiative responds to too much of a pressing need to be stifled by jurisdictional issues—jurisdictional conflicts create confusion that diminishes the quality of public policies.

Obviously, the minister does not do as he says or he does not talk often enough to his colleague, the Minister of Industry, who says it is urgent to legislate to protect the rights of Canadians and uses that as an excuse to interfere in areas under provincial jurisdiction and to impose a system that is criticized by Quebec's society as a whole.

When the committee held public hearings regarding this bill, every professional, business, labour and consumer organization in Quebec expressed its preference for the system already in place in that province. This is why these organizations unanimously requested that Quebec be excluded from the application of the bill we

are debating today so that the federal government does not impose upon them, with regard to the protection of personal information, a system that is different from the one that has been in place in Quebec for five years.

● (1625)

In a letter to the industry minister dated February 4, the Barreau du Quebec wrote:

> Privacy falls under provincial jurisdiction over property and civil rights—Generally, we believe that the federal access to information and privacy system is not efficient enough—the bill—should be amended in order to provide explicitly that the federal act does not apply to private sector businesses subjected to the Privacy Act.

For its part, the Chambre des notaires du Québec, which represents over 3 000 legal professionals, wrote to the industry minister on April 7 to denounce the duplications that would result from this bill being imposed on Quebec, and ask that it be amended to avoid such a situation. I will quote from its letter:

> We believe the overlapping of systems will result in undue complications and misunderstandings both for consumers and organizations subject to two different sets of rules in the same area—we believe an amendment is necessary to exclude from its application professionals, notaries, and any individual or organization subject to the Quebec legislation.

Finally, the Conseil interprofessionnel du Québec, with 260,000 members from 43 Quebec professional organizations, also wrote to the Minister of Industry on March 23 to tell him the following:

> Quebec professionals are already governed by a specific and structured set of acts and regulations tailored to the values of the Quebec people—We believe that superimposing several systems with the same intent can only cause confusion and uncertainty about citizens' rights—The emergence of another comprehensive system might unduly complicate citizens' life.

Also of concern is the fact that the second part of the bill, which deals with electronic documents, could deprive the provinces from their right to define concepts such as signature, contracts and other procedures that are now covered under civil law.

Given all the deficiencies in Bill C-6 and the threat it poses to the system now in place in Quebec, the Bloc Quebecois has proposed an amendment to limit damages that this bill, if passed, could cause by explicitly excluding from its scope provinces that already have legislation on the protection of personal information in the private sector.

Another amendment is designed to maintain the privacy protection afforded to Quebecers by provincial legislation when dealing with federal companies doing business in Quebec.

I am afraid that, once again, the federal government is not listening to Quebec's will and putting it in a yoke. I condemn the domineering attitude of the federal government, which wants to dictate its will to all the provinces by imposing, from sea to sea, measures that are ''made in Ottawa'', without any concern for effectiveness and without taking into consideration their negative impact on citizens' rights.

Ms. Hélène Alarie (Louis-Hébert, BQ): Madam Speaker, it is a pleasure for me to speak to this bill. In light of the notice of motion for time allocation, I even consider it a privilege to be allowed to speak at the report stage of Bill C-6, also known as the Personal Information Protection and Electronic Documents Act.

This bill is identical to Bill C-54 brought forward in the last session of Parliament.

I am adamantly opposed to this bill that the industry minister introduced without any consultation with the provinces and which constitutes an unacceptable intrusion in provincial areas of responsibility with respect to civil law.

Incidentally, the provincial and territorial governments met on October 29 and 30 of last year and exposed the extraordinary intrusion in the provincial and territorial jurisdictions created by Bill C-54. The government is somehow attempting to recycle it as Bill C-6.

● (1630)

The motion in amendment before us today would delete a number of sections in this bill, which, if adopted, would mark a backward shift in the matter of protection of personal information in Quebec. This bill is very weak from a legal point of view and, without any harmonization with Quebec's legislation, its enforcement would cause confusion.

As it now stands, the bill much too flawed, from a constitutional, democratic and legal point of view. Far from improving the protection of personal information, it in fact threatens it.

This is why we are asking, and have asked already numerous times, that the federal government withdraw its bill and resume consultation with the provinces in order to table a bill that respects provincial jurisdictions.

I would take advantage of this debate to remind the Minister of Industry and the hon. members on the government side that my colleague from Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques had made a motion during the 35th Parliament calling for the government to make Crown agencies subject to the Privacy Act. This motion was passed unanimously with the support of all of the Liberal members, including the ministers.

Unfortunately, the government did not follow up on it. Yet now we have that same government wanting to interfere in areas of provincial jurisdiction while incapable of first putting its own house in order.

In light of the federal government's refusal to withdraw its bill, the Bloc Quebecois called for modifications in order to have it not

apply in Quebec, where personal information is already adequately protected.

In 1982, the Government of Quebec passed legislation protecting privacy in the public sector, and Quebec is the only state in North America to have legislation protecting personal information, which it has had since 1994.

The Quebec charter of rights and freedoms, which dates from 1975, stipulates that everyone is entitled to the protection of his or her privacy. The Quebec Civil Code also addresses the protection of privacy, placing it within a framework that addresses the fundamental principles governing the gathering, retaining and use of information relating to an individual.

The two acts to which I just referred complete the Quebec legislative framework by stating the rights, obligations and rules of public and private organizations in the matter of privacy.

Quebec is obviously a leader regarding the protection of personal information, but this bill could reduce the protection provided to Quebecers. Indeed, contrary to what one might have expected, Bill C-6 does not even extend to the private sector the principles governing the protection of personal information in the federal public sector. The bill does not go nearly that far. Let us look at a few flaws in this legislation.

Under the existing act, federal institutions are required to inform individuals that they collect personal information that concern them, and they must also specify how that information will be used. Under Bill C-6, this is merely a recommendation, not a requirement. The Quebec act is much more specific and strict, since it provides that any agreement relating to such disclosure or use of personal information must be expressed clearly and freely, and must be given in an informed manner and for a specific purpose.

Bill C-6 relies on the voluntary CSA code, whose purpose is not to protect privacy. Also, the notion of personal information is not as well defined in that code, and the definition of consent is vague. Thus, it seems that the bill primarily seeks to promote electronic commerce, at the expense of privacy protection in the private sector. This is not surprising, since the Minister of Industry has always ignored the part of his mandate that concerns consumer protection.

Moreover, the remedies provided in the bill are time-consuming, costly and ineffective because the federal commissioner cannot issue orders, but can only write reports. Canadians will have to go to the federal court to settle disputes, but only after the privacy commissioner will have issued a non-binding opinion, and only after all other recourses will have been exhausted. Finally, unlike the Quebec act, the bill does not provide for criminal penalties when the principles governing the protection of personal information are breached.

Given all the flaws of Bill C-6 and the step backward it represents for Quebec, the Bloc Quebecois has presented several amendments aimed at limiting the damage that may result from its overlapping the existing legislation.

● (1635)

The Bloc Quebecois has presented several amendments which aim to limiting the damage that may cause its superimposition on the existing legislation. One of these amendments aims to explicitly exclude of the application of the bill the provinces that already have a legislation that protects personal information in the private sector.

Another amendment that we tabled will eliminate the power of the governor in council to unilaterally decide to whom the federal law applies.

Another amendment presented by the Bloc Quebecois aims at maintaining the right to privacy insured to Quebecers by the provincial legislation in their relations with federal businesses operating in Quebec.

Finally, an amendment presented by our party aims at avoiding the establishment of new rules concerning the legal definition of signature and rights to a contract for the electronic sector because these questions fall under the provincial jurisdiction in matters of property and civil rights.

The Bloc Quebecois and the Quebec government are far from being the only ones in Quebec to oppose the passing of Bill C-6. They have the support of the Quebec Bar which wrote on February 4th on the then Bill C-54:

> The Quebec legislator's approach seems preferable because it specifies even more the rights and duties in a legislative text that is relatively clear and simple to apply. We believe the Quebec plan to protect the personal information in the private sector is better than the one which is provided by Bill C-54.

As for the Chambre des notaires, on April 7, they wrote this:

> We submit that overlapping systems will, in our opinion, cause undue misunderstandings and complications both for consumers and for organizations subjected— We believe an amendment is needed in order to exclude from its application professionals, notaries as well as any person or organization otherwise subjected to Quebec legislation.

Finally, on last March 23, the Quebec Interprofessional Council, which regroups all 43 professional corporations in Quebec and some 260,000 members, wrote this:

> We believe that Bill C-54 and the system it is proposing are highly inappropriate within the Quebec context, and we ask you to amend it in order to specify that it does not apply to persons or organizations already subjected to Quebec legislation in that regard.

In the wake of the 1995 referendum, the Prime Minister presented his motion on distinct society and said that he would take this notion into account when bills were passed. On June 2, the Minister of International Trade stated in an article published in *La Presse* that:

> Canada decided not to eliminate differences, but to base its future on a system of accommodation between majorities and minorities.

The minister added that Canada did not want a single legal system for everybody.

Therefore I ask the Prime Minister to respect Quebec society and withdraw this bill, which, in its present form, is not acceptable to Quebec.

Mr. Claude Bachand (Saint-Jean, BQ): Madam Speaker, it strikes me has a bit odd that a bill dealing with the protection of personal information has already been put under gag order, as we are just beginning.

Here we are in the high forum of debate and democracy, and as soon as we begin it, because our electors have asked for it—301 members have been elected to this House to speak on behalf of the voters—the Liberal government has the annoying habit of trotting out a gag order immediately, a time allocation order, and put an end to debate.

We must look very seriously at this strategy. The Liberal government has become the champion of the guillotine. Some of my colleagues in the Reform Party have raised this point. This concerns us very much. There a lot of things that concern us about parliamentary democracy.

Without revealing caucus secrets, I can say that we wondered about this type of expeditious and often time wasting measure, in which the government says ''Into the closet with this debate. We have decided to put an end to it at a certain point''.

So we ask ourselves: is this where we are to express the views of the voters, yes or no? I would point out that the right to speak is not just allowing someone to speak for ten minutes. It is also how long the debate will last.

• (1640)

In fact, I recall the Liberals criticizing such proceedings with the Progressive Conservatives, when they were in power. Today, they are in power and are applying the same principle, if not doing worse.

There are a lot of other things that bother us too, debates without votes for example. I realize that there are what is now called exploratory debates. Members have a fundamental right, the right to vote. Instead of asking members to speak and to vote, the government will say ''You can speak now for three or four hours, for two days, but there will be no vote following''.

The government members ought to support us and criticize these strategies as well. Without revealing what was said in caucus, I do hope they also had such a discussion. It is a fundamental right.

It is often said that power is entirely centred in the Prime Minister's Office. Here, people learn of the government positions. These are fundamental democratic issues. Today, once again, we saw how the fundamental democratic values of parliamentarians can be violated.

This is totally disgraceful. Strange to say, it happened in connection with a bill dealing with the protection of personal information. This is a fundamental issue in society. People are a bit fed up with their personal information being used and disclosed all over the place.

This is a major concern of our constituents, and today we have just been told to ''Make do with a limited debate on the subject''. This is totally disgraceful. I just had to start by condemning this measure by the government.

I looked at the title. The last time, when we debated old Bill C-54, there were basic differences between it and the title of the Quebec legislation.

I remind the House that the Quebec legislation is entitled an ''Act on the protection of personal information in the private sector''. Obviously, the Quebec government aimed mainly at protecting personal information. This is slightly different, and I would even call it the antithesis of the title of the federal bill being debated today. The title is quite long, but it is also quite revealing.

Here are the first few words of the title of this bill: ''an act to support and promote electronic commerce''. Right from the beginning, it is clear that the main issue is the promotion of electronic commerce. Let me read on: ''by protecting personal information that is collected, used or disclosed''—

I will not read the whole title because it is quite long, but we can readily understand that the purpose of the government is always the same, that is looking after the interests of business. Personal information and human rights are an afterthought. They are not important. We have very often criticized these priorities.

If we look at campaign contributions, it is easy to understand why the federal government would want to protect its friends. Furthermore, it is intruding into Quebec's jurisdictions. Once more, those who make big contributions to campaign funds will get special treatment.

I remind the House that our hands are not tied, because our party is financed through the small contributions of ordinary voters. We do everything we can to keep it like that. We go everywhere in the

countryside and in the towns and cities to collect $5 or $10 contributions. That way, we are free to speak our mind, as we are doing today.

We are also free to disagree sometimes with the federal government. Most of the time, actually. We have a perfect example of that today.

In Quebec, many people have made their position clear on this issue. My colleagues have said a few words about that. The Quebec bar association, through its president, has taken a very interesting and significant stance. It goes like this:

> Quebec's system has been in place for almost five years; it is well known and businesses have made the adjustment. Accordingly, the Quebec Bar Association supports the basic thrust of this recommendation by the access to information commission.

Here is what the commission says:

> In order to avoid any confusion and so as to ensure that Quebecers continue to enjoy a comprehensive system for the protection of personal information, we submit that bill [—]

Today, it is Bill C-6, previously Bill C-54,

> [—] should be amended so as to specifically exclude the federal act from applying to businesses subject to the Loi sur la protection des renseignements personnels dans le secteur privé.

They go further still:

> Furthermore, in our view, the bill should include a reference to Quebec's act, even in federal areas of jurisdiction, so as to avoid confusion, overlap and duplication of legislation in Quebec.

• (1645)

Of course, for the minister and for the federal government, which is just as centralizing and paternalistic as ever, what is happening is exactly the opposite, given the sequence of events. On June 12, 1998, there was a meeting in Fredericton of ministers responsible for the information highway. At this meeting, ministers from all provinces agreed that they wanted to be advised about any protection of personal information issues.

I will explain what the federal minister understands by advising the provinces. On September 21, two or three months after the meeting, the minister sent the bill in essentially the same form as it is today to the ministers concerned. On October 1, a few days later, he tabled his bill, thus bypassing completely the jurisdiction of each of these provinces, as well as the very explicit jurisdiction of Quebec, where the law has obviously proven its worth.

The president of Quebec's bar association was not the only one opposed. Other organizations spoke out as well. There was the Commission d'accès à l'information, which made a very positive assessment of the Quebec legislation five years after its enactment.

When a province passes legislation in one of its own areas of jurisdiction, Ottawa always tries to interfere and impose a federal policy coast to coast. Several members even add the third coast.

This is another thing that is working fine in Quebec, just like the millennium scholarship fund. We have implemented some remarkable practices in Quebec. The federal minister now wants to go over Quebec's head and do things his own way.

We are getting a bit tired of the way this government's approach, and our critic in this matter is right to say that the federal minister needs to step back and withdraw this bill.

But once again, we have seen how the government operates. Not only does it not intend to withdraw the bill, but it wants to limit debate on a bill that concerns directly all voters.

The way the government is dealing not only with Bill C-54 but with all the issues I mentioned earlier is most disgraceful.

This is why I join with my colleagues to ask the government to withdraw this bill and let the provinces handle the protection of personal information.

We are doing just fine in Quebec. The federal government should act in good faith and withdraw from this area. We will deal later with the government's attempts to undermine democracy and muzzle the opposition, which we cannot tolerate.

The Acting Speaker (Ms. Thibeault): It is my duty, pursuant to Standing Order 38, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Vancouver East, child care; the hon. member for New Brunswick Southwest, fisheries.

Mr. Yvan Bernier (Bonaventure—Gaspé—Îles-de-la-Madeleine—Pabok, BQ): Madam Speaker, it is always with sadness that we rise in this House when we feel it is the last time the government will allow us to speak on a given bill. First of all, let me say that I too feel it is an outrage.

I believe the protection of personal and private information in a bill regarding electronic commerce is something that obviously concerns us all because it very deeply affects all Quebecers and Canadians. One might wonder whether the government has something to hide.

• (1650)

I will remind this House that the difficulty in developing a legislation is to identify the problem and to propose a bill that is so clear that it can also be implemented easily.

First of all, the minister is trying to create dissension because he disregards this first principle. Some of my colleagues just mentioned that, in the summer of 1998 or at a meeting held in the spring

of 1998, the minister discussed this issue with his colleagues. However, he presented them with a draft of the bill in September and, if my memory serves me right, he introduced his bill in this House on October 1, 1998. So much for the discussions.

Just like a game or electronic commerce that the minister is getting ready to do, he is making things appearing or wandering at his will. This could instil fears into people.

The second point I wish to raise—and members will say that I am a member of the Bloc and that I am always sensitive to this question—is the issue of jurisdiction.

Of course, when the British North America Act was first enacted, the issue of the protection of personal or private information in electronic commerce was surely not a concern in the legislators' mind. However, we must say that Quebec's Act respecting the protection of personal information in the private sector is a good one. It is applied in its jurisdiction. It is fully in force.

What I do not understand is that the federal government, by the back door, through its Minister of Industry, wants to pass an act on electronic commerce. By saying in clause 4 that the act applies everywhere in Canada, he is looking for trouble.

I said in my speech that the most difficult task was to find a justification for the enactment of a law and then to define so clearly the issue that the act can be very easily applied.

Because the minister is looking for trouble, I must say, if the bill is passed and if he continues to reject all amendments suggested by the Bloc, we will have two different jurisdictions regulating the same thing.

Since everybody knows that electronic data travels very fast, merchants will have to ask themselves if the data they received or collected on a given day on their customers must be dealt with according to the Quebec act or the federal act.

If they have to transfer data to another province or elsewhere, they will have to clarify the situation before sending it.

The other issue I want to raise relates to the good faith of the Minister of Industry. In the speech he gave when he introduced the bill—I do not remember the date—he said that ''Where a province adopts substantially similar legislation, the organizations covered by the provincial legislation will be exempted from the application of the federal law within that jurisdiction. Quebec already has privacy legislation similar to the bill entitled Personal Information Protection and Electronic Documents Act, so the province will be exempted from the application of the federal Bill''. That is what he said at the beginning of the debate, but I do not see anything in his bill that would confirm such a statement.

• (1655)

The government will have to amend the bill because the present wording does not allow for such an exemption. The only provision concerning exemptions is found in paragraph 27(2)(d). That provision allows the exemption of an organization, an activity or a category from the application of the part of the bill concerning the collection, use or disclosure of personal data inside a particular province.

In that definition of the power conferred to the governor in council, organizations and activities are mentioned, but it cannot be used to exempt everything that is done in a particular province. We already know that the legislation will have to be changed or amended accordingly.

In light of the bill's flaws, considering that electronic commerce is just beginning and will become much more prevalent in the future, and that this is a sensitive issue for Quebecers and Canadians, why did the minister not accept the Bloc Quebecois' proposal to withdraw the bill and to go back to the drawing board to harmonize this legislation with the Quebec act while also taking into account the need for legislation in the rest of Canada?

It would have been easy for the minister to do that, particularly since the government postponed the beginning of the session. In the process, former Bill C-54 died on the Order Paper. In the new parliament, it has now become Bill C-6. It moved up in terms of its number, but not much has moved in the minister's head or, I should say, in the department.

Why rush things now? Could it be that after this thundering and daring throne speech, the legislative agenda is such that the government must reintroduce old bills that are flawed and must rush them through parliament? I find it hard to understand. Perhaps this is what the throne speech was all about: do nothing, introduce old bills as new ones, come up with bills that we did not have time to finish debating during the last parliament. One wonders what kind of government we are dealing with.

Madam Speaker, you are indicating that my time is almost up. This is unfortunate, because I would have liked to continue. I would like all parliamentarians who are here to understand—and I must point out the number of members opposite who are here on a Tuesday evening. It is remarkable to see the government benches full—

The Acting Speaker (Ms. Thibeault): Order, please. I must interrupt the hon. members to tell him that we cannot refer presence or absence of members.

Mr. Yvan Bernier: Madam Speaker, I did not refer to anyone's absence, at least I do not believe I did. But you will excuse me for being so enthusiastic on a Tuesday night. I want to be sure the government is responsible enough to consider the amendments since it refused to take the opportunity it was offered to redraft the

bill from scratch. The government must stop interfering in areas under provincial jurisdiction, and everything will be fine.

Mr. Benoît Sauvageau (Repentigny, BQ): Madam Speaker, I take this opportunity to wish us good luck in this new session.

Like my colleagues, I am pleased, following the excellent work done by the member for Mercier on Bill C-54 in the previous session, to support the work of my colleague from Témiscamingue, which I am sure will be just as excellent, on this new bill now referred to as Bill C-6.

I listened carefully to my colleagues' speeches, and a particular remark made by one of my colleagues led me to slightly change my introduction to talk to you about a motion.

• (1700)

I had forgotten to mention it in my speech. I think the motion has been adopted in early 1996 by the government party. It said that the government in its politics and decisions, should take into account the fact that Quebec is a society distinct from other Canadian provinces, motion we opposed to, need I remind you.

At the time, we opposed the motion not because of non recognition but because of the pathetic aspect of the motion or its role.

We have an outright proof of the unfounded grounds and the lack of seriousness of a parliamentary motion when such a serious subject is discussed. And the government does not take into account this same motion in the application or analysis of the bill before us.

My voters were saying ''Why did the Bloc Quebecois vote against this motion, since you were being recognized.'' I gave them an example and please allow me to give you the example I used with my fellow citizens, who, by the way, were laughing a lot, to illustrate the role or importance of a motion. I expressed it in the following way: When we entered the House of Commons in 1993, several members had little or no experience. We passed two bills. In 1994 or 1995, legislation was passed recognizing hockey as Canada's national sport. I myself had always thought that was the case, but they had just found it out, so we voted hockey to be the national sport.

Then somebody realized that a group had been left out, and everyone must always be thought of. The aboriginal people had been forgotten, so a national sport had to be found that included them. The motion was therefore changed to read that hockey was the national winter sport, and that a summer one would be determined later.

If people do not know, the summer sport of Canadians is lacrosse. That is what the motion passed in this House states. A motion is something very important.

The following year, I was the critic for amateur sport, and I got a call from the national lacrosse team, informing me that their budget had been cut to zero.

The government had just passed a motion that this was our country's national sport. They came up with that in 1994 or 1995. I am not familiar with the statistics on participation to this sport, but in my riding I know they are relatively low. The people that play this sport are not percentages. There are few people practicing this sport. The very same year, the budget of the national team was reduced to zero.

If you want to know what a motion is worth, I have two examples: that of national sport and that of Bill C-6. In both instances, a motion was passed. I think that the Prime Minister does not perhaps recall having voted on it. However, we can see the consideration that is accorded a motion when it is time for decisions to be made.

That said, I return to Bill C-6. Often, in cavalier fashion, the government thinks, when a bill is analyzed, that we are wicked separatists and do so from a separatist standpoint. As a result, it covers its ears and does not bother to listen. It prefers to read other things, like ''Awake'', perhaps.

So, in this presentation, I will draw not on a Bloc Quebecois document, but on a document by the Quebec Access to Information Commission. Even though the word ''Quebec'' is part of its name, the commission is not dangerous. It analyzed Bill C-54—now, Bill C-6.

I know that my colleagues have used a lot of documents and committee briefs to present another vision, another aspect of Quebec's unanimous objection to this bill.

I remind members that the title and the intent of the bill are based on the constitutional power of the federal government to establish a climate of trust among Canadians in the way industry gathers, uses and transmits personal information to allow e-commerce to flourish. This sector is indeed growing vigorously and must be protected.

However, a little further along—and I will repeat the name of the group—the Quebec Access to Information Commission has said, and I quote, even if it is a bit long, but I have to quote it: ''For nearly five years now, the act respecting the protection of personal information in the private sector affords all Quebecers a means of protecting personal information, has proven its mettle and its usefulness''.

• (1705)

I read on:

> Based on Quebec's constitutional powers in the area of property and civil rights, Quebec's act is meant to complement Quebec's Charter of Rights and Freedoms, and its Civil Code. Quebec's legislation, which includes an act respecting access to documents held by public bodies and the protection of personal information, shows how important privacy is to the lawmaker.

Further it says:

> The Protection of Personal Information in the Private Sector Act does not apply only to commercial activities, but also to personal information likely to be gathered, used or disclosed through electronic means.

What the Commission d'accès à l'information explained in its brief was that, on the basis of Quebec's constitutional powers, its Civil Code, its values and customs, and also, as my colleagues explained earlier, Quebec's experience with an act which has been working well for five years, it was saying no, as we are doing now, to Bill C-54, the current Bill C-6.

Why? Because clauses 4 and 27(2) of the bill define the scope of the future federal legislation and provide that organizations or activities might be exempted from federal rules regarding the protection of personal information.

As the commission understands it, the federal legislation will apply to businesses based in Quebec or to part of their activities, unless an exemption is granted by the governor in council, which is not very likely.

Even if an order was made for a Quebec business operating outside of Quebec, the federal legislation would automatically apply to 28% of Quebec businesses involved in electronic commerce with other Canadian provinces.

Further on in its submission, the Commission d'accès à l'information said:

> Moreover, several Quebec businesses will certainly be forced to apply both the federal and the provincial legislation at the same time, unless they have no commercial activities or none of the personal information they have is collected, used or disclosed outside Quebec.

This would limit many Quebec businesses which are open to electronic commerce but would have no contact with businesses outside Quebec.

It clearly states:

> We have to oppose this proposal because every business in Quebec will have to deal with two jurisdictions, while the Quebec jurisdiction that has been existing for five years is in keeping with the standards of the OECD that were put forward by industrialized countries experimenting with electronic commerce means, even though Quebec has been demonstrating and applying them well for the past five years.

All witnesses who came before the committee, on which the hon. member for Mercier, who has now been replaced by the member for Témiscamingue, sat, have been able to show this.

In conclusion, in its submission, the Quebec Commission d'accès à l'information said:

> To avoid any confusion and to ensure that Quebecers can still enjoy a comprehensive protection of personal information system, the commission submits that Bill C-54—

This is actually Bill C-6, which was designated as C-54 at the time.

> —should be amended to explicitly provide that the federal act will not apply to businesses subject to the act respecting the protection of personal information in the private sector.

I was made to understand, while following the debate on this issue, that this amendment was rejected by the Minister of Industry and by the government.

That is why we are simply asking for the withdrawal of Bill C-6, so we can go back to square one and put in place a more credible legislation.

Mr. Louis Plamondon (Bas-Richelieu—Nicolet—Bécancour, BQ): Madam Speaker, like my colleagues, I want to condemn the attitude of the government for two reasons.

First, the government tabled the bill hastily, without even bothering to consult the provinces, to the detriment of the most sacred rights that can exist in Quebec. Second, having tabled the bill, the government does not even want it to be debated.

● (1710)

My colleague the hon. member for Hochelaga—Maisonneuve expressed our dismay and disapproval well when he spoke after the government House leader's announcement of the gag order. He basically said ''Speak for a while and then the legislation will be passed, regardless of how well-articulated or useful your arguments may be to improve the bill''.

I have been sitting in this House for more than 15 years now and, after this government took office, I have noticed a loss of what I would call the democratic tradition of this House. In fact, I am reading these days a document on the history of the House of Commons, the first debates held in this place and how well, in the early days, the members of the different parties were listening to each other.

I can say that, when I arrived here in 1984, the tradition had been upheld. Amendments proposed by the opposition were often adopted by the government and consensus was often achieved, not always in the House but following a committee process.

I also remember that the government House leader who imposed the guillotine was part of a threesome called the ''rat pack''. These people were hysterics who tore their shirts. They even had their acronym stamped on t-shirts that they distributed to people on the street to denounce the then conservative government for having imposed the guillotine on one or two occasions. It was unbelievable to see the force and the wisdom with which they defended the principle of the democratic debate in the House.

These people who were then the guardians of democracy are today its embalmers. These members have now become like sheep whereas they were roaring like lions a few years ago.

The heritage minister also, who was by his side, was proclaiming her indignation. There was also a third member, who kept his principles. He is sitting today as the independent member for York South—Weston. He roared, but when his principles were betrayed, what did he do? He left his party, and voters in his riding re-elected him. He is a principled man.

I do not share entirely his views on everything, but I say that at that time he was shouting on that side, and later on he did not bow down like a sheep, he stood up and crossed the floor.

Mr. Réal Ménard: He did not knuckle under.

Mr. Louis Plamondon: He did not knuckle under, as my colleague for Hochelaga—Maisonneuve is suggesting to me very wisely and accurately.

I wonder what those members came to do here if not only to vote when they are told to do so. A little while ago I saw many of them, and I still see some of them, bowing their head. They have been forbidden to speak to this bill. They are ashamed, and I understand why they are looking down. I understand why they are hiding behind the curtains. I understand as well why they made signs to their leader when he came in to put the gag on us.

It is difficult to belong to a party that calls itself democratic and to be told: ''Shut up. You are not here to think, you are here to vote when you are told to do so. We are four or five here to think for you''.

However, when they make speeches in their ridings, this is not what I hear. They say that they will defend firmly the rights of the individuals, associations, businesses, industries and citizens of their ridings. We are speaking of the rights of citizens and what do they do? They do not react. They accept to remain silent about a bill that is so important that it impacts on everyone in Quebec and in Canada.

I appeal to these members. I remember some speeches that the hon. member for Beauce made in his riding when he said ''I will do the same as Mr. Bernier did before me'', but Mr. Bernier would have reacted to a bill like this one.

• (1715)

The hon. member for Beauce should be ashamed of what he said that time. If Mr. Bernier were here, he would rise and say ''I do not accept that the rights of Quebecers are being trampled on in this way by this bill''.

Where is the member from Laval-Ouest? During the last electoral campaign, she engaged in debates and spoke constantly about human rights. She has not said a word about this bill.

The hon. member for Notre-Dame-de-Grâce—Lachine is always lecturing us about human rights in Quebec. But what is she doing today? She remains silent on a bill we are unanimously opposed to in Quebec.

And what is the member for Lac-Saint-Louis, a former Minister of the Environment in Quebec and a great human rights advocate doing? He also is keeping silent.

I call on the member for Pierrefonds—Dollard. He is a physician. He must know what human rights are, what privacy means. But he also is saying nothing.

I call on the member for Anjou—Rivière-des-Prairies, a former unionist and president of the CEQ. How many times has he talked about human rights in his speeches? I was expecting him to rise and say ''No, this bill does not meet the expectations of the citizens of Quebec at all. It contradicts everything that was said by all the Quebec agencies who spoke on the subject''. But no, this public defender, this former great unionist now goes along, as his leader is doing, toeing the party line.

And what of the member for Pontiac—Gatineau—Labelle, who was saying the same thing during the election campaign?

Worst still, where is the member for Brome—Missisquoi, a former president of the Quebec bar association? What does the bar association have to say? It says all that. However, when he was the president of the bar association, what did he do? He said ''Vote for me, I will go and defend the interests of Quebec. I know that the Quebec legal system is different from what exists elsewhere in Canada, first of all because of our Civil Code''.

The organization that he was heading has told us, and the member for Terrebonne quoted it earlier, that this bill was utterly useless, and that if we really wanted to pass it, it would have to be drastically amended. This organization sent a four-page letter to every member of parliament. Where is the former president of the bar association, now the member for Brome—Missisquoi? He also is remaining silent on this bill.

Then there is the member for Brossard—LaPrairie. I heard him in Shawinigan, during the 1993 election campaign, and during the 1992 referendum campaign. Together, we took part in debates. He was a great champion of rights and freedoms. Today, he is being silenced by his leader.

I urge all members from Quebec to rise and uphold the rights of Quebec. I appeal particularly to the famous minister, the member for Outremont, who said ''I will speak out for the rights of Quebec within the Confederation''. The time has come for him to prove he can respect Quebec. Not only Quebec, because other provinces are opposed to this, but Quebec in particular. Five years ago, it was the

first region in the western world to introduce such a bill and to enact it.

I appeal to all the ministers from Quebec, the Minister of Public Works, the Secretary of State for Amateur Sport. If he is now off his diet, is he now free to deal with human rights?

In concluding, I hope that in the last moments of this debate, all members from Quebec, no matter their political allegiance, will rise to tell the minister ''Withdraw your bill''.

• (1720)

Mrs. Pauline Picard (Drummond, BQ): Madam Speaker, I would like to thank my colleague for Bas-Richelieu—Nicolet—Bécancour for his excellent speech. He has reminded us that government members have remained quite silent on an issue related to the protection of personal information.

It is quite something to see that they respect a self-imposed gag order to let a bill be passed, one wonders why, when it has been condemned by just about everybody in Canada and in Quebec, because it will be detrimental to the protection of personal information. It is totally unacceptable, and I hope the people who are watching us will take good note of that.

Why do we disagree with this bill? This bill, which will support and promote electronic commerce by protecting personal information in certain circumstances, was introduced by the industry minister just last week.

It is identical to Bill C-54, which was introduced on October 1, 1998. This bill has already been debated. We were hoping for some amendments when the minister introduced it again as Bill C-6, because it had been so heavily criticized. But the minister is coming back with exactly the same bill as Bill C-54.

Why do we disagree? Because the industry minister has introduced this piece of legislation without any consultation with the provinces or anybody else. This bill is an intrusion into provincial jurisdictions. It will mean less protection for personal information in Quebec. Its implementation in Quebec will be a cause for confusion. If passed, this bill will be the worse administrative nightmare ever. Moreover, this bill is legally flawed.

This bill is not clear enough. All those who have examined it and appeared as witnesses before the standing committee have said so. And the list of those witnesses is impressive. We had members of the Canadian Bar Association, the CSA, the Canadian Life and Health Insurance Association, UQAM professors and one independent expert, Ian Lawson.

I want to quote the Canadian Bar Association. ''The standard was not drafted in strong enough words to make for a set of legislative rules. It does not really help to define the right to privacy or to tell the organizations to which the legislation applies how they should be protecting the people's rights''.

The Life and Health Insurance Association stated that ''other provisions of the legislation are hard to interpret, especially the ones dealing with key issues such as the application and enforcement of the act''.

Professors from l'Université du Québec à Montréal stated ''If one wishes to truly protect the consumer in an area as formidable as personal information, one must adopt some strict rules and not rules written in the conditional tense that, for all useful purposes, do not obligate a company to show anything more than good faith. You cannot expect this to produce that result''.

I do not think one can be any clearer than that.

In Quebec, the right to privacy is explicitly recognized in the Quebec Charter of Human Rights and Freedoms that was proclaimed in 1975. Also, the Quebec government has passed the only act in America to protect personal information in the private sector. This act was enacted in 1994. As I said earlier, this act is considered a model throughout the world and should be used to draft the federal bill.

• (1725)

God knows why the government is disregarding it. It is trying to give its bill precedence over Quebec's legislation, which is considered as a model all over the world. Why is the minister ignoring Quebec's legislation is a model all over the world? Can anyone explain why?

The Minister of Industry acted unilaterally despite his promise to consult all the stakeholders before introducing his bill. He may have done some minor consulting to make things look good, but he did not take anything said into account and proceeded to introduce his bill.

As a matter of fact, on June 12, the ministers responsible for the electronic highway met in Fredericton and decided to consult each other, if necessary, on the advisability of passing legislation protecting personal information in the private sector.

On September 21, the federal Minister of Industry sent his provincial counterparts a draft bill and asked for their comments on wanted the federal government wanted to introduce.

But the minister did not wait for the comments; he introduced his bill immediately, on October 1, 1998. His provincial counterparts received the draft bill on September 21, 1998, but the minister did not wait for their comments and introduced, on October 1, 1998, his legislation which was then called Bill C-54.

The Minister of Industry is also responsible for creating a constitutional dispute that could have been avoided had he agreed to work in co-operation with his counterparts.

The provinces have jurisdiction in the area of personal information under the Constitution Act, 1867, which gives them powers

with regard to property and civil law. Every expert consulted by the Bloc Quebecois recognizes that it is first and foremost a provincial jurisdiction.

However, Bill C-6 says that it will apply to organizations under federal jurisdiction in their commercial activities, to organizations that transfer personal information from one province to another or from one country to another, and to employees whose personal information is collected by an organization under federal jurisdiction.

Moreover, clause 30(1) says that federal legislation will apply to private organizations, even though they are under provincial jurisdiction, if the federal government does not recognize the existence of similar legislation at the provincial level.

If that is not interference in areas under provincial jurisdiction, I do not know what words to use to make members understand.

Bill C-6 will be a big step backwards for Quebecers with regard to the protection of personal information.

Quebec's legislation says, in section 14, that consent to the disclosure or use of personal information must be evident, free, enlightened and given for a specific purpose.

With regard to consent, Bill C-6 puts the consumer at a disadvantage by stating, in various clauses, vague principles that open the door to interpretation.

Unfortunately, I do not have enough time to give a thorough explanation of what is wrong with this bill. In closing, I would like to remind members that this bill was introduced without any consultations with the provinces, that it encroaches on provincial jurisdictions and that it represents a step backwards for Quebec with regard to the protection of personal information.

The enforcement of this legally deficient bill in Quebec will create confusion. This bill is impossible to enforce, it is vague, it causes undue difficulties for Quebec businesses and considerably weakens the right of Quebecers to the protection of personal information.

● (1730)

Mr. Jean-Guy Chrétien (Frontenac—Mégantic, BQ): Madam Speaker, I was going to say that I am rising on Bill C-54, but since the House was prorogued by the government leader, we have to redo our homework today. We also have to rename this legislation Bill C-6.

In spite of the three and a half months the government had to prepare an appalling Speech from the Throne, it begged for three more weeks, and this of course led to all the bills dying on the Order Paper; this is unfortunate since the consideration of these bills was, for the most part, quite advanced in the House.

Bill C-6 is sponsored by the Minister of Industry, the good member for Ottawa South in the federal capital region. When we watch this minister act, we sometimes ask ourselves if his judgment is failing him.

This is the same minister who, a few weeks ago, said of Quebec's minister Bernard Landry that it was stupid of him to have met the mayor of Boisbriand, where GM's plant is located. He said ''Since there is a good dialogue between us, I will help you keep GM's plant'', when everyone knows full well that 95% of Canadian automobile plants are in Ontario.

Quebec only has 5% of them, one out of 15, and the minister would like to close it down. The Minister of Industry would not even help us keep our plant and he has the nerve to introduce Bill C-6, which will violate Quebecers' intimacy and confidentiality.

The title of Bill C-6 reads in part ''an act to support and promote electronic commerce''—everything is fine so far—''by protecting personal information that is collected, used'', etc.

Members can see how twisted and dishonest the government is. They changed the name of unemployment insurance for employment insurance. It means that you pay insurance policy and if your house burns down, the insurance company indemnifies you. In the same way, workers pay part of their wages to have protection against unemployment or lay off. The name of the plan was changed. Employment insurance was so much nicer!

The hon. member for Drummond knows perfectly well that only 42% of people who pay employment insurance premiums qualify for benefits when they lose their job. Why? Because eligibility criteria were hardened.

The minister of Industry tells us that he will protect the privacy of Canadians. If he treats the confidentiality of personal data the same way he treats Canadian workers, there are reasons to worry. The way he treated Bernard Landry, the vice premier of Quebec, shows that the man does not have an ounce of judgement.

The minister is so deprived of judgement that he acted unilaterally when he introduced his bill on personal data protection without waiting for the report of the very consultation committee he had created. I wonder how a man like him can be member of the cabinet. He created a consultation committee, but one week later, he went ahead without even waiting for the report of that committee. Isn't that bright?

There is even worse. On September 21st 1998, 13 months ago, he consulted the provincial ministers. A few days later, on October 1, he went ahead and introduced his bill, Bill C-54.

● (1735)

I am not the only one, and the Bloc Quebecois is not the only one to object to the way the minister is behaving. In Quebec, his critics are unanimous.

There is the government of Quebec, the Conseil du patronat, the CSN, the Chambre des notaires, Options consommateurs, the Barreau du Québec-of which the member for Brome—Missisquoi was president. There was a by-election after Mr. Peloquin, who represented this riding, died. The member who has replaced him said: ''I will go to Ottawa to defend the interests of Quebecers.'' He was then president of the Quebec Bar. Five years later, his former association says: ''Bill C-6 is garbage, it should be thrown out.''

Worse yet, a group of constitutional experts said that Bill C-6 was in violation of the constitution. A little while ago, the member for Drummond said that in 1994 Quebec had passed a bill protecting personal information. In Quebec, we already have an act. A few years later, the federal government is getting ready to destroy, ruin, put the axe to something which is working well in Quebec.

We saw the same thing in the throne speech we heard two weeks ago. In Quebec we have a drug plan which is working well. The federal government now wants to create it own. Once again it is going to cause trouble in Quebec.

The Minister of Industry knows full well that in Quebec we have what we call civil law and in the rest of Canada they have common law. I would like to read section 3 of the Civil Code. It is very short:

''Every person is the holder of personality rights, such as the right to life

Everyone agrees

, the right to the inviolability and integrity of his person, and the right to the respect of his name, reputation

That is, not saying anything against someone

and privacy''.

This is section 3 of the Civil Code and it is from the latest volume that was just published.

Bill C-6 should be put in file 13, shelved and simply be cancelled. We, in the Bloc Quebecois, want that Bill-6 be simply withdrawn for a number of reasons.

First of all, the Minister of Industry has tabled it without consulting the provinces. The bill would interfere with provincial jurisdictions. It would force Quebec to go backwards with respect to the protection of personal information, as the hon. member for Drummond argued so well earlier, because its enforcement in Quebec would produce confusion and because it is lacking on the legal level.

Finally, it uses electronic commerce as an excuse to invade the civil right of Quebecers and of all Canadians.

In conclusion, I wished that the Prime Minister, the hon. member for Saint-Maurice, would try to make the minister see reason, although I sometimes question his intellectual abilities, as he demonstrated about a week and a half ago. If he is not able to do so, he should get rid of him as Minister of Industry and kick him out of the cabinet.

● (1740)

Mr. Jean-Paul Marchand (Québec East, BQ): Madam Speaker, I am pleased to rise after my colleague from Frontenac—Mégantic. I hope to be as eloquent as he was on the subject.

Like my other colleagues in the Bloc, I am somewhat perplexed and concerned by Bill C-6. It concerns me because, as we all know very well—and my colleagues have mentioned this amply today—we already have in Quebec a law governing personal information, a law that has been enacted, works very well and covers the entire field, to the full extent of the law and the powers of the national assembly.

So, the law covers all areas of personal information, and now we have the federal government with another law, Bill C-6, which, in legal terms, is inadequate as it fails to cover all it should. In addition, it causes serious confusion in business and does not even protect individuals.

My colleagues have spoken at length of various aspects of the bill. I would like to focus for a few minutes only on the presentation made by the Quebec Conseil du patronat in March.

It is not a sovereignist organization. It in fact is known to represent primarily big business in Quebec and has traditionally been federalist in its political views.

However, in the case of Bill C-6, formerly Bill C-54, they came up with a very detailed report to show that this bill was totally unacceptable for Quebec businesses because, once again, it creates confusion.

Bill C-6 does not at all take into account the Quebec act, with the result that Quebec businesses will be subjected to two different legal systems.

In its presentation, the Conseil du patronat says that for information collected, used and transmitted in the province, the personal information protection act that will apply in the private sector will be the Quebec act, while the federal legislation will apply to information transmitted outside the province. This is only one of many factors that will generate confusion among businesses.

The Conseil du patronat provides a few examples. For instance, Quebec companies that come under federal jurisdiction and that do business outside Quebec, or that are governed by a Canadian act,

will not know which legislation applies. Indeed, there will be two acts that will put contradictory demands on them and, moreover, that will not adequately protect people.

There is a jurisdictional conflict, with the result that Quebec consumers will not be properly protected, while businesses will have two types of remedy. This is a total contradiction. And these are only two examples provided by the Conseil du patronat du Québec.

Consent is extremely important when we are dealing with personal information. However, the provisions in bill C-6, which is the federal legislation, and in the Quebec act are different.

● (1745)

Under the Quebec legislation, consent must be express, specific and clear. On the other hand, according to the principle set out in section 4, schedule 1 of Bill C-6, consent is required. There is one contradiction.

There are others, for instance the one concerning the collection of information. The Quebec legislation states that the collection of information from a third party cannot be done without the consent of the individual, except in certain very specific exceptional circumstances. Bill C-6 on the other hand states that an organization may collect information without the knowledge and consent of the individual.

How can anyone see his way clear through two pieces of contradictory legislation that are complete opposites in their vision and their application? It is certain that this does not protect the Quebec consumer but, worse still, it places Quebec businesses in an extremely unfortunate position, because they are incapable of knowing whether they should be treating their customers according to federal or provincial legislation. Things will be even more complicated for companies carrying on business with out-of-province companies or those coming under federal legislation.

There are many examples of these. However, I would conclude with a quote from the submission by the Conseil du patronat du Québec:

> These are all questions for which we find no answers at this time, and if Bill C-6 is passed as is, they will mean huge problems for businesses.

This is one of the conclusions by a council that, I would remind you, is not a sovereignist organization. It is one that defends the interests of Quebec business people and often comes across as federalist.

There are so many questions raised by Bill C-6. That is, moreover, the reason I am so concerned. If the Conseil du patronat raises so many questions on Bill C-6, one may well wonder, given the potential conflicts and obvious contradictions, whether this bill is just an unplanned accident or a deliberate act by the federal government.

Does the federal government have the deliberate intention of adversely affecting Quebec with Bill C-6, not only in its law-making powers, but also by harming Quebec businesses? Is this a possibility? I ask you. Does the government deliberately wish to harm Quebec?

In the case of Bill C-6, we are justified to ask this question because it is big and obvious and because the contradiction is also obvious. I wonder if, basically, it could be deliberate. There is no lack of recent examples regarding the federal government and its actions against Quebec, whether against the social union or the provincial powers. We have seen it in the health sector; we have also seen it recently in the education sector with the creation of the millennium fund. What an insult for Quebec. The only thing that could be worst could probably be Bill C-6.

The federal government directly addresses the students on the issue of the millennium fund and even they are outraged to see how it shamelessly holds them hostage.

It does not try to harm Quebec in a hypocrite and hidden way. No, it does it in broad daylight. Once again, Bill C-6 is an example.

● (1750)

Bill C-6 is a good example of this attempt which is probably part of plan B, which is to despise everything that maintains the distinct character of Quebec, that is the privacy legislation for example.

In conclusion, as all my colleagues, I wish that the minister will finally wake up and have the good sense to withdraw this bill.

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Madam Speaker, you can understand how happy I am to take part in this debate, first of all because we are back and I missed you a little, assuming that the reverse might somewhat be true. I want also to wish a good session to all the pages who are joining us for the year ahead.

However it is also with some sadness that we have to join in the debate today. Who in this House could have imagined that the government, whose end of the regime we can already scent, would have the gall to re-introduce a bill that nobody wants?

This bill was unanimously rejected in Quebec. Through you, Madam Speaker, I challenge, not the agriculture minister for at this time he might not be awake, but any other minister to tell us who in Quebec supports a bill like this.

Do you think it has any support in the union community?

Some hon. members: No.

Mr. Réal Ménard: Do you think it has any support in the human rights community?

Some hon. members: No.

Mr. Réal Ménard: Do you think it has any support in the legal community?

Some hon. members: No.

Mr. Réal Ménard: Do you think it has any support in the Quebec government?

Some hon. members: No.

Mr. Réal Ménard: And that government is one of the best that has ever graced the national assembly, as everybody knows.

Everyone who saw the bill rejected, and I would even say thoroughly disliked, it. But today the government, whose single-mindedness is second to none, presents us with a bill like this.

At this time, I think it would be appropriate to express just how much we enjoyed the excellent and absolutely eloquent speech by the member for Frontenac—Mégantic.

Some hon. members: Hear, hear.

Mr. Réal Ménard: Madam Speaker, he reminded us that Quebec has had a law since 1994, in addition to the Civil Code, which you have certainly had occasion to look through in your spare time. The member for Berthier—Montcalm, a lawyer himself, who studied in this city not far from the Hill, made the same point. He also told me, in confidence, that he has wonderful memories of the years he spent studying law.

Anyone looking through the Civil Code will notice article 2, as the member for Frontenac—Mégantic mentioned, and articles 35 to 41. I should perhaps omit article 41, which talks about respect for the body after death, because this might give those who really want to do this bill justice some ideas. We will stop at article 40.

In my view, article 35 is the most important article in the Civil Code when it comes to respect for privacy. I will read it, because it captures the essence of what the legislator was trying to say about privacy. I will dedicate it to the government members.

> The following acts, in particular, may be considered as invasions of the privacy of a person: one, entering or taking anything in his dwelling; two, intentionally intercepting or using his private communications; three, appropriating or using his image or voice while he is in private premises; four, keeping his private life under observation by any means; five, using his name, image, likeness or voice for a purpose other than the legitimate information of the public; six, using his correspondence, manuscripts or other personal documents.

The Civil Code is not a meaningless document. It is not the Liberals' red book. It is the very foundation of our legal system. We are, and I have learned this myself in my law courses, a province, a country—soon, let us hope—with a civil law tradition.

● (1755)

What is the difference between civil law and common law. Let us say that, in common law, judges can make the law, although this could be harshly debated. In our system, legislators and parliamentarians give some direction in a legal system where everything is codified or pass specific legislation.

We have already passed a specific piece of legislation concerning the right of privacy. We led the way, as several of my hon. colleagues pointed out, and we cannot understand why the government is so eager to legislate in this area. Some people might find it easy to believe that I am too partisan, even though I can ensure everyone today as I have in the past that it is not the case.

I think I have always been perfectly impartial and completely objective in this House, and to show my hon. colleagues that the point of view being supported by the Bloc members is not partisan, is not part of the Bloc agenda, I could share with the House the opinion of an authority that has always stayed clear of political partisanship.

I am talking, of course, about the Quebec Bar Association. Has there been a more respectable institution in our society, a more neutral one, up until the day the former president of the bar decided to join the Liberal Party? But we like to think this is the exception to the rule.

On February 4, 1999, not that long ago,the Barreau du Québec, with its recognized legal expertise through its president, Mr Jacques Fournier, not only condemned the lack of vision of this bill, and questioned its rationale, but also pleaded for the Quebec legislation to be extended to areas of federal jurisdiction.

I would like to read you something from Page 2 of the document:

> ''To avoid any confusion and to ensure that Quebecers continue to enjoy a comprehensive system for the protection of personal information, we submit that bill C-54 should be amended so as to specifically exclude the federal act from applying to businesses subject to the Loi sur la protection des renseignements personnels dans le secteur privé, which is a Quebec law. We go further still, saying that, in our view, the bill should incorporate Quebec's act, even with respect to federal areas of jurisdiction, so as to avoid confusion, overlap and duplication of legislation in Quebec.''

I do not know if I should table the document so that it will be available to all parliamentarians. I am prepared to do so. But one thing remains: authorized people of the legal community, the main spokespersons of the lawyers, the president of the bar greatly wished that the Quebec legislation be extended. This is a paradox of this government.

When we read the Speech from the Throne, we expected the government to budge in a number of sectors. I could give you the example of the air transportation sector. We expected the government to do something.

Remember, there has been a cabinet reshuffle. The Prime Minister has recognized that there were quite a few jacks in this government and that he needed some queens. He then has called to the cabinet a number of women and we expected the government to

do something. Even you, Madam Speaker, somewhat wished it deep down inside.

We expected the government to budge in the air transportation sector. We expected it to do something in the area of organized crime, on the issue of money laundering, for example. So many other areas should have retained the attention of the government!

● (1800)

Instead of doing something in areas it was mandated to do something, the government intervenes in an area of pure civil rights tradition, thus compromising, as you can understand, the integrity of the powers of the national assembly.

Then, we have no other choice but to oppose this legislation. All my colleagues will do so with as much determination as our critic for industry and we will fight this bill until it is withdrawn.

Mr. Yves Rocheleau (Trois-Rivières, BQ): Madam Speaker, I am very happy to rise on behalf of the Bloc Quebecois to speak to Bill C-6, formerly Bill C-54.

There are some in the Quebec society and elsewhere who are questioning the role of the Bloc Quebecois here in the House. Madam Speaker, as a representative of a Quebec riding, this is the perfect demonstration of the role played by the Bloc Quebecois in this House, which is, in addition to promoting sovereignty, to speak up for Quebec's interests.

Where are the other members from Quebec? Where are they? Let us imagine what would happen if we were still in the days of Pierre Elliott Trudeau, to whom people are still paying homage today. If out of 75 members in this House we had 74 sheep, as was the case for Quebec in those days, what would they be doing faced with a bill on personal information such as Bill C-6?

It is an obvious intrusion, undue and unbridled, on the part of a minister who is displaying a self-serving attitude we did not think he was capable of. As we will recall, he introduced this bill on October 1st 1998, only days before the opening of the OECD meeting on electronic commerce in Ottawa. The then industry minister, who is the same as today, was hosting the meeting.

He probably wanted to look good to his international counterparts, pretending he was concerned about the real issues in his area, probably to raise his profile although this was going against public interest.

There is a consensus in Quebec according to which the federal government should not intervene in the field of personal information, since this issue is quite well covered by Quebec's law. As my colleagues already mentioned it, it is the bar and the Quebec council of employers, among others, and not only us, who are saying it. These organizations asked the Government of Canada where it was heading with its project.

The bar, through its president, Me Jacques Fournier, wrote on February 14, to my colleague of Hochelaga—Maisonneuve, and said:

> ''First, we are puzzled by the lack of correlation between the title of the act and its contents''.

This is what the president of the bar said. It is normally embarrassing for the government.

> Indeed, the bill has more to do with the protection of personal information in the private sector than with the promotion of electronic commerce.

Yet, the subject of the meeting was electronic commerce. But the government wanted to show itself in the best light. The same thing happens when terms are changed, as my colleague from Frontenac—Mégantic said earlier. ''Unemployment insurance'' was changed by ''employment insurance''. They are changing words to show themselves in a better light in front of the people.

The president of the bar continues to denounce the federal project by saying:

> Quebec's policy has been applied in Quebec for close to five years now. This policy is well known and businesses are accustomed to it''. Consequently, Quebec's bar essentially subscribes to the recommendation made by the information access commission, and I quote: ''In order to prevent all confusion and to ensure that all Quebecers can continue to benefit from a complete policy in matters of personal information protection, we propose that Bill C-54 be amended by providing explicitly that the federal act will not apply to businesses already subjected to the Act respecting the protection of personal information in the private sector''.

● (1805)

Let me continue quoting from the president of the bar:

> We would go even further. We think the bill should be incorporated by reference in the Quebec legislation, even in federal areas of jurisdiction, in order to prevent confusion, overlap, and duplication of legislation in Quebec.

We have been condemning for 40 years this duplication between federal and provincial legislation that makes such a mess in our institutions. That is why we are trying to convince more and more people in Quebec that sovereignty is the solution to all these problems. We should get out in order to be in a better position to deal with the rest of Canada as equal partners.

The president said further:

> We believe the Quebec plan for the protection of personal information in the private sector is better than the one in Bill C-54, now Bill C-6, particularly as concerns rights of appeal and efficiency.

The merits of the bill cannot withstand the serious examination made by the president of the bar or the Commission d'accès à l'information, which has a mandate to speak out, because we are dealing here with personal information.

However, I have been particularly impressed by what I read from the testimony of the Conseil du patronat. This organization is a legitimate advocate for business interests. It certainly has more ties with the Council for Canadian Unity than it does with the Parti québécois executive, for example.

This organization has written a chapter that is as good as many sovereignist speeches. I will read it to you since I still have a little time left; it is absolutely beautiful because it shows, once again, the Canadian mess which becomes more and more institutionalized.

In the brief it submitted to the Standing Committee on Industry, the Conseil du patronat is critical of the communication of information.

I quote the brief on page 5:

> Because of the double jurisdiction, the companies falling under provincial jurisdiction will wonder whether the personal information which is collected from them and consequently protected by Quebec's legislation and which is transmitted to a company falling under federal jurisdiction and carrying business in Quebec will be governed by Quebec's rules or Canada's rules. In addition, within a single file, some information could be subject to both statutes.

It is easy to manage for someone who is in the private sector, who has to do business, who has to deal with a union, who has orders to fill and deadlines to meet—we know how complicated it is—and who is confronted with such legislation that clearly shows the existence of two solitudes.

The fact that nobody on that side of the House nor over there seems to be interested in this bill, with the exception of the Quebec's members, clearly illustrates the Canadian drama, the two solitudes, the fact that something is going wrong.

So, along the lines of Reed Scowen, the government is also addressing Canadians. Maybe the time has come for our country to reflect on where we are all going together. It might be better for each to proceed along its own solidly built road running in the same direction, rather than crashing head on and trying to gain the right of way in an area already governed perfectly well by provinces, and Quebec in particular with an entire culture behind it that is suited to this type of problem.

Now to go on with the disclosure of information, again quoting from the brief submitted by the Conseil du patronat:

> What about the organizations whose activities are connected to federal jurisdiction, for instance loan companies and airports? One could even conceive of different rules applying to one and the same file, depending on whether the information collected, used or held is covered by Quebec or federal law.

This is a constant muddle.

> Moreover, any Quebec business with a branch in another province—such as an insurance company—that is required to send it information gathered in Quebec would have to know whether to refer to the Quebec or the federal legislation on protection of that information. Similarly, if the information in question is stored in a computerized data bank in Quebec but accessible by another company outside Quebec, which legislation would apply?''

Now, coming to the conclusion of this chapter:

> These are all questions for which we find no answers at this time, and ones that will pose huge problems to businesses if the bill is passed in its present form.

This then, is what the business people have to say, the language they use, and these are the ones responsible for added value in our society.

● (1810)

We ought to ask ourselves some questions when people like this speak up so courageously to government. Normally, they are on the same side. It is no secret that these are natural allies. But they are telling the government: ''Stop, do not continue with this bill.'' This is, moreover, the position of the Bloc Quebecois. It is an indefensible bill.

Instead of spending his time on such a bill, the minister should be focussing more attention on the GM affair. He should quit behaving to the Quebec ministers as if he were an Ontario minister and abandon the scornful tone he uses with Quebec's deputy premier and minister of industry and commerce.

Mr. Yvan Loubier (Saint-Hyacinthe—Bagot, BQ): Madam Speaker, it is rare for me not to be pleased to be part of a debate on a bill, as is the case today.

This bill, formerly Bill C-54, which was criticized by most of my colleagues, remains a bill that should be treated as the Bloc Quebecois proposes, that is, it should be set aside. The Minister of Industry should be sent to do his homework so that everyone is satisfied. To this point, one party is totally dissatisfied—Quebec.

It is unanimous in Quebec. Everyone opposes this bill on e-commerce and personal information. Why is everyone opposed?

First, it is as a matter of principle. The federal government has an almost legendary propensity to meddle in jurisdictions other than its own. Every lead taken by Quebec in areas of its jurisdiction is penalized by the federal government with its wall to wall bills.

Over the years, there have been fairly remarkable examples of this. In 1994, for example, we were all newly elected to our first term, and the Minister of Finance started talking about the appropriateness of establishing a Canadian securities commission. Securities are under Quebec's jurisdiction exclusively, and Quebec has worked very hard for the past 30 years to create an effective system with highly interesting areas of jurisdiction that are in fact higher than what is found in most provinces in Canada.

Because Quebec took the lead in the area of securities, in a field the Canadian Constitution recognizes as its own, the federal government decided, because the other provinces were not as well organized as Quebec, to establish a Canadian securities commission, wall to wall, with duplications, overlap and total confusion in this sector so vulnerable to uncertainty. The Minister of Finance paid no attention to the problems this might cause Quebec.

There are other examples, such as that involving provincially chartered insurance companies. Quebec had an inspector general of financial institutions, a Commission des valeurs mobilières to monitor transactions and minimize the risk for shareholders and insured persons. However, that did not stop the Minister of Finance from deciding a few years ago to prevent a provincially chartered insurance company from Quebec, L'Entraide assurances, from acquiring a block of insurance from a federally chartered company. The reason given was that it would create a precedent and other provinces would want to follow suit, although they were not prepared to do so.

Once again, with the levels of protection Quebec has introduced in the financial sector generally, and particularly in the insurance sector, we were penalized because the other Canadian provinces did not show the leadership that Quebec did in this area.

If we go back a little further, we will recall that Bill S-31, in the early 1980s, prevented the Caisse de dépôt et de placement from acquiring a large block of shares in Canadian Pacific. Once again, because Quebec had established an institution like the Caisse de dépôt et de placement starting in the 1960s, which was already a force to be reckoned with in the early 1980s, because Quebec had taken the lead, had opted for modern methods of managing the pension funds of Quebecers, it was penalized. The federal government wanted to stop Quebec from getting ahead, from modernizing.

The millennium scholarships are the same thing all over again. Every time Quebec moves ahead, shows leadership, as we saw with the millennium scholarships, because the other provinces have not put together a system like Quebec's—once again, a coast-to-coast policy—with the millennium scholarships, the federal government is ignoring the consensus in Quebec opposing this project.

● (1815)

In the case before us, it is the same thing. Quebec has had a personal information protection act for five years. That act works well, and everyone is familiar with it now, both the consumers, who can invoke its provisions, and businesses.

Quebec's act protects not only personal information in the province, but also personal information that is sent by a Quebec business, for example, in other Canadian provinces, or personal information that is received in Quebec from other Canadian provinces.

This is such a good act that it enjoys unanimous support in Quebec. It is not perfect. All laws are, in a sense, imperfect. Legislation must adjust to evolving situations. But the Quebec act enjoys the unanimous support of Quebecers. It is a good act with a good middle of the road approach that pleases everyone and that includes provisions to prevent any leak of personal information.

This is so true that, as others have said before me, even the Conseil du patronat finds that it is a good act with which businesses can work, and with which they are now familiar, because it has been in effect for five years. Should Bill C-6 come into effect, it would create total confusion among Quebec businesses.

In fact, the Conseil du patronat refers to the exclusive jurisdiction of the Quebec government in the area of personal information protection, as provided by section 92.13 of the British North America Act. The Conseil recognizes that Quebec has jurisdiction to legislate in that area.

It also feels that this bill will create confusion not only among businesses, but also among consumers, who will not know who to turn to, or to which legislation to refer to protect their rights and the information that concerns them.

In its brief, the Conseil du patronat said ''As for Quebec consumers, they would always have to identify which act applies and to choose between two remedies, depending on whether the information is protected under one act or the other''.

This bill would create total confusion. It has been criticized since it was first introduced as Bill C-54. It has been criticized by everyone in Quebec and particularly by those who take an interest in personal information protection and in the civil code.

As others have mentioned before me, even the Barreau du Québec said that the best way to handle the situation—and one must think that nine Canadian provinces do not have personal information protection legislation—the only way to respect Quebec's choice and to avoid any harm to consumers and businesses who have been operating for five years under Quebec's act would be to enshrine in the bill a reference to that act confirming that it replaces the federal act on Quebec's territory and when personal information is exchanged between a Quebec company and a company from another Canadian province.

This proposal was made by the Barreau du Québec. It may be worth considering. As others have said, it is not that we hate the bill. We consider that it could very well be implemented in the nine other provinces but that, in Quebec, the choice made five years ago should be respected. This could be one of the flexibilities that people across the way like so much to boast about, particularly after the Speech from the Throne read by the Governor General.

It seems to me that that could be a good way to prove that the government wants to improve a little bit the functioning of the system. It may also be advisable for the government, after six years in office, to show that it can respect the choices made by Quebec and recognize that it was a pioneer.

Since our first day here, we have been asking the federal government to take action in its own jurisdictions. For example, it was asked to take action in the transportation industry during the debate on Air Canada, Canadian Airlines and Onex. Just recently, we saw another example of the federal government refusing to co-operate in the transportation industry with the way Quebec's finance minister was treated by the Minister of Industry with regard to the restructuring proposal for the GM plant in Boisbriand.

• (1820)

It is being asked to take action in the area of public safety, an area under federal jurisdiction. It is being asked to fight organized crime, reform our tax system, and give middle income Canadians a substantial tax break as early as this year and this fiscal year. But it refuses to take action in these areas.

It always finds a way to interfere in areas under provincial jurisdiction. It creates conflicts, and the opposition always finds itself in an awkward position when it would have been so easy for the federal government to say that this bill will apply to the other provinces, with a reference to the Quebec legislation regarding the protection of personal information for that particular province.

Therefore, for all these reasons, we will vote against this bill.

Mr. Richard Marceau (Charlesbourg, BQ): Madam Speaker, everybody will understand that it is on a somewhat humble tone that I am speaking today to an issue of such a vital importance, after the many eloquent speeches from my colleagues. I am making reference, among others, to the members from St. Hyacinthe—Bagot, Hochelaga—Maisonneuve, Rosemont, Trois-Rivières and Frontenac—Megantic. All those who rose before me are only adding, if you will, to my nervousness while I am speaking.

Your attention to this debate and your nods of agreement while we speak are only adding to the determination with which I am expressing myself here today.

On October 19, 1999—a few days before the birth of the first child of a couple that are friends of mine and to whom I wish to say hello—we can talk about an obsession of the federal government, the obsession of uniformity.

We can only go back to the origins of this country, Canada, namely the Constitution Act, 1867. This document—until the fast approaching day when Quebecers will decide to leave democratically, and we are working passionately to that end every day—represents the rules we have to follow.

The Constitution, although plagued with defects was nevertheless sometimes reflecting a certain wisdom. All the colleagues who spoke before me mentioned that section 92.13 of The British North America Act gave the provinces exclusive power on property and civil rights.

But another paragraph which remained almost unnoticed until now in the Constitution is section 94. Section 94 allowed the federal government to ensure the uniformity of legislation in the common law provinces at a time when there were four provinces in Confederation, that is Ontario, Quebec, Nova Scotia and New Brunswick. This allowed the federal government to standardize legislation in Ontario, Nova Scotia and New Brunswick, but not in Quebec, because it was recognized explicitly, not only in section 92.13 but in section 94 as well, that the legal system in Quebec was distinct, based on a totally different tradition, a civil tradition.

The recognition of the distinctiveness of Quebec's legal tradition is not upheld by those who want to be the heirs of the Fathers of Confederation, the current government.

Any observer from another country, or even one landing here from another planet, would say ''My goodness, this does not make any sense. The ones defending respect of the Constitution of 1867 are the sovereignists, the ones who want to ensure that Quebec is no longer bound by that document''.

Where are the defenders of federalism? Where are the defenders of the Constitution? They sit opposite, but say nothing. Even those who come from Quebec did not stand up to say ''Wait a minute, we will not allow the exclusive jurisdiction of Quebec to be flouted, put aside, forgotten, and even, as one my hon. colleagues put it so eloquently, scorned''.

• (1825)

It is of course the Bloc Quebecois' position that I just mentioned, but it is widely shared by numerous stakeholders throughout Quebec.

Once again, the Bloc Quebecois is the voice of Quebec in the federal arena, to the great displeasure of my colleague from Chicoutimi, whose speech I did not hear. I do not know if he rose to speak on this subject.

An hon. member: No, he hasn't.

Mr. Richard Marceau: My colleague, the member for Chicoutimi, has not yet been heard. I hope that he will rise and, for once, defend the interests of Quebec in the House and that he will do so in a strong voice, with his friends from the Bloc Quebecois.

I would like to quote Jean-Pierre Bernier, of the Canadian Life and Health Insurance Association. The last time I checked, that

association was not exactly a supporter of the Bloc Quebecois. Mr. Bernier said:

> There is a constitutional issue here, since personal information, in my opinion, comes under provincial jurisdiction, under the heading ''Property and Civil Rights''. Therefore, I think it would be very difficult for the federal government to pass legislation dealing exclusively with the protection of personal information. If you are able to relate personal information protection rules to an area of activity where federal authority is not in doubt, you have more chances to occupy the field, if I may put it this way.

This is rather clear, but he is not the only one who thinks so. There is also Michel Venne, a well known and respected journalist in Quebec, who works for *Le Devoir*, the great newspaper founded by Henri Bourassa in 1910, the motto of which is ''Do what you must''. We are doing what we must by opposing this bill.

He wrote: ''The justice ministers of the provinces and the territories expressed strong concerns about significant invasions of provincial and territory jurisdiction found in Bill C-54—now Bill C-6. They asked the federal government to withdraw the bill and to consult the provinces and the territories. If the resolution passed in the House of Commons in December 1995 and recognizing Quebec as a distinct society by its language, its culture and its civil code meant anything, Mr. Manley should have provided for an exclusion for Quebec in the original bill''.

This is a quote, I am reading it. According to the Standing Orders of the House, we may name a minister.

In Quebec, there is unanimity against the federal bill. Why is that? Because in Quebec, who have been at the forefront of the area for years or even decades, well before we came to this place, the Liberal government of the day, with the support of the Parti québécois, put in place its own personal data protection system in 1994.

That clearly shows that even at that time, the issue escaped partisan politics that is normal in any democratic society. However, the bill passed by the National Assembly in 1994 was only one element of the legal interest for privacy protection that already existed in Quebec.

As was pointed out earlier by my colleague for Hochelaga—Maisonneuve, sections 37 to 40 of the Civil Code already cover the protection of privacy and the Civil Code on which is based all the Quebec legal system is not to be swept aside.

Not only that, but another document which has almost a constitutional value in Quebec, that is, the Charter of Human Rights and Freedoms, also protects privacy. Thus, the Charter, which was adopted in 1974, if I remember well, and the Quebec Civil Code, which has been adopted only recently—we were governed by the Lower Canada Civil Code between 1866 and 1992 or 1993, if my memory serves me right—all demonstrated how important the protection of privacy was for the Quebec legislator.

What is this government doing? Without any consideration not only for the importance that Quebec had given to the protection of privacy but also for the unanimous opinion of Quebecers of all political colours, it has decided to interfere directly in this area. And it is doing it very awkwardly.

● (1830)

I will conclude by saying that the Bloc Quebecois is asking the federal government to withdraw this bill.

I hope that Quebec's members from the Liberal Party of Canada will request the same thing. I hope I will have the opportunity to hear them speaking on this issue.

* * *

CANADA ELECTIONS ACT

The House resumed consideration of the motion.

The Acting Speaker (Ms. Thibeault): Pursuant to order passed earlier today, the House will now proceed to the taking of the deferred division on the referral of Bill C-2 to the committee before second reading.

Call in the members.

● (1900)

[*English*]

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

(*Division No. 5*)

YEAS

Members

Adams	Alcock
Anderson	Assad
Assadourian	Augustine
Axworthy (Winnipeg South Centre)	Bachand (Richmond—Arthabaska)
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	Casey
Catterall	Chamberlain
Chan	Charbonneau
Chrétien (Saint-Maurice)	Clouthier
Coderre	Collenette
Comuzzi	Copps
Cullen	DeVillers
Dhaliwal	Dion
Discepola	Doyle
Dromisky	Drouin
Dubé (Madawaska—Restigouche)	Duhamel
Easter	Eggleton
Finlay	Folco
Fontana	Fry
Gagliano	Gallaway
Godfrey	Goodale
Graham	Gray (Windsor West)

Grose
Harb
Harvey
Hubbard
Iftody
Jennings
Jordan
Kilger (Stormont—Dundas—Charlottenburgh)
Knutson
Lastewka
Lee
Limoges (Windsor—St. Clair)
Longfield
MacKay (Pictou—Antigonish—Guysborough)
Malhi
Manley
Martin (LaSalle—Émard)
McCormick
McKay (Scarborough East)
McWhinney
Mills (Broadview—Greenwood)
Muise
Myers
O'Brien (Labrador)
O'Reilly
Paradis
Patry
Peterson
Phinney
Pillitteri
Price
Provenzano
Reed
Robillard
Saada
Sekora
Shepherd
St. Denis
St-Julien
Stewart (Brant)
Szabo
Thibeault
Torsney
Valeri
Vautour
Wappel
Wilfert—161

Guarnieri
Harvard
Herron
Ianno
Jackson
Jones
Keyes
Kilgour (Edmonton Southeast)
Kraft Sloan
Lavigne
Leung
Lincoln
MacAulay
Mahoney
Maloney
Marleau
Matthews
McGuire
McTeague
Mifflin
Mitchell
Murray
Nault
O'Brien (London—Fanshawe)
Pagtakhan
Parrish
Peric
Pettigrew
Pickard (Chatham—Kent Essex)
Pratt
Proud
Redman
Richardson
Rock
Scott (Fredericton)
Serré
Speller
St-Jacques
Steckle
Stewart (Northumberland)
Telegdi
Thompson (New Brunswick Southwest)
Ur
Vanclief
Volpe
Whelan

NAYS

Members

Abbott
Anders
Bachand (Saint-Jean)
Bellehumeur
Bergeron
Îles-de-la-Madeleine—Pabok)
Breitkreuz (Yellowhead)
Cardin
Chrétien (Frontenac—Mégantic)
Cummins
Davies
Debien
Desrochers
Duceppe
Duncan
Epp
Fournier
Gauthier
Godin (Acadie—Bathurst)
Gouk
Grey (Edmonton North)
Guimond
Hill (Macleod)
Hilstrom
Johnston
Kerpan
Lill

Alarie
Asselin
Bailey
Benoit
Bernier (Bonaventure—Gaspé—
Bigras
Breitkreuz (Yorkton—Melville)
Casson
Crête
Dalphond-Guiral
de Savoye
Desjarlais
Dockrill
Dumas
Earle
Forseth
Gagnon
Girard-Bujold
Godin (Châteauguay)
Grewal
Guay
Hart
Hill (Prince George—Peace River)
Jaffer
Kenney (Calgary Southeast)
Konrad

Loubier
Lunn
Marceau
Mark
Mayfield
McNally
Mercier
Mills (Red Deer)
Nunziata
Penson
Picard (Drummond)
Proctor
Riis
Robinson
Sauvageau
Scott (Skeena)
Solomon
Stoffer
Thompson (Wild Rose)
Venne
White (Langley—Abbotsford)

Lowther
Manning
Marchand
Martin (Winnipeg Centre)
McDonough
Ménard
Meredith
Morrison
Nystrom
Perron
Plamondon
Ramsay
Ritz
Rocheleau
Schmidt
Solberg
Stinson
Strahl
Tremblay (Rimouski—Mitis)
Wasylycia-Leis
White (North Vancouver) —94

PAIRED MEMBERS

Cauchon
Karygiannis
Laurin
Normand
Turp

Dubé (Lévis-et-Chutes-de-la-Chaudière)
Lalonde
McLellan (Edmonton West)
St-Hilaire
Wood

The Speaker: I declare the motion carried. Accordingly the bill stands referred to the Standing Committee on Procedure and House Affairs.

ADJOURNMENT PROCEEDINGS

[*English*]

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

CHILD CARE

Ms. Libby Davies (Vancouver East, NDP): Madam Speaker, what is a national children's agenda without a commitment to a national child care program? What is the practicality of a national children's agenda without any commitment or target and real program to end the poverty of children and the families they are part of? What really is the national children's agenda when there is no sign of federal dollars for meeting the basic needs of housing in our society?

These questions are front and centre and remain unanswered after hearing the Prime Minister's response to the so-called national children's agenda. I wanted to get a clear answer and ask the Prime Minister directly if he understands that the so-called children's agenda is worthless unless it includes child care, especially as the Liberal government still has not fulfilled its promise for 150,000 child care spaces made way back in 1993.

What are the answers to these questions involving the credibility and believability of the national children's agenda? All we got were excuses from the Prime Minister saying that the provinces had rejected the offers he made for child care. The Prime Minister is dead wrong. There is nothing for the provinces to reject because they were not offered any serious initiative that could be characterized as a national strategy and plan for an early childhood development program.

● (1905)

Where are we now? Federal New Democrats, the child care advocacy movement, the labour movement and provincial governments that are eager to see the federal government show real leadership want to see the Liberal government get beyond the platitudes of helping kids and get serious now with a national plan for child care.

Quebec is doing it and B.C. is doing it. Why is the Liberal government not moving on this?

Kids cannot wait. New Democrats are saying to the federal government that if it is serious about ending poverty, if it is serious about the health and well-being of Canada's children, if it truly believes that Canada should be the best place to live for all Canadians, then it should end the vicious attack on Canada's poor, start building housing for families who desperately need it, make sure that the child tax benefit goes to all low income families and fulfil its commitments for child care spaces.

It seems like the Liberals are torn between two paths. It is tempted by the lure of tax cuts, peddled by business elites without offering any real help to low and moderate income families. While there are others within the Liberal caucus who know that after years of crushing cuts by their own government Canadians have as a first priority a reinvestment in programs and services that will help families.

I implore the Liberals to not use the provinces as a smokescreen for their own inaction. I know B.C.'s minister responsible for child care, Mr. Moe Sihota, has gone very strongly on the record that he wants a comprehensive national plan for early childhood development and child care.

Please, do not blame the provinces. Just give us a straight answer. Will the federal government implement with the provinces a comprehensive national child care program?

Ms. Bonnie Brown (Parliamentary Secretary to Minister of Human Resources Development, Lib.): Madam Speaker, the Speech from the Throne clearly indicates that children are the highest priority of the government. Raising the next generation of Canadians is everyone's concern and that is why we are doubling the EI period of parental leave. That is why early childhood development is a key theme in the national children's agenda.

As part of that agenda, we are committed to working jointly with our partners to develop an agreement on early childhood development by December 2000, an agreement with principles, objectives and fiscal parameters and a five year timetable for increased funding to achieve our shared objective.

We recognize that child care and indeed many services for children fall under provincial and territorial jurisdiction but we have already made great strides with the provinces to improve the well-being of children. The centrepiece of our progress is the national child benefit. Thanks to the national child benefit, $2 billion will be going to modest and low income families with children by July 2000, bringing total federal assistance for families and children to almost $7 billion a year.

Through the NCB, provinces and territories are reinvesting in complementary services for children and eight provinces have already invested in child care. The member's own province of B.C. has had $80 million extra to invest in children, some of which they have chosen to invest in child care.

We, the Government of Canada, have also acted on our own through the First Nations Inuit child care program which has created or improved more than 7,000 child care spaces. Through the visions program, we are supporting research projects to improve the quality of child care across the country.

These initiatives are solid contributions to child care in Canada and the Speech from the Throne provides the potential to do much more.

FISHERIES

Mr. Greg Thompson (New Brunswick Southwest, PC): Madam Speaker, on October 14 I rose in the House and asked a question of the minister of fisheries regarding the east coast lobster crisis in relation to the Donald Marshall supreme court ruling.

I held the minister's record up for review. I pointed out the minister's record up to now: no moratorium, homes burned, businesses destroyed, neighbour fighting neighbour, 200 years of harmony between natives and non-natives jeopardized and the fear and uncertainty in this free for all continues as it does today.

I asked the question: Can we expect more of the same from this minister, no leadership, no plan and no hope of a successful resolution?

● (1910)

There has not been a resolution to the problem and there could have been. Today there still can be, but the leadership is lacking.

My concern comes from lobster fishermen who are eighth and tenth generation fishermen. They remind me that today we have a healthy fishery, a lucrative fishery and a good fishery because it is well managed. Fishermen exercise good custodial rights, which is

what we want to see in this ruling. There is no evidence that the minister is going to insist on that.

Today in the lobster fishery we have trap limits. We have areas or zones in which fishermen can and cannot fish. They are designated areas or zones. We have a season and a limit on that season. We have a limit restricting entry into that fishery.

For many years there has been a limit on the effort in that fishery. That is one of the reasons this fishery has been very healthy and able to sustain many livelihoods over the past number of years. That is what the minister has to guarantee those people, that it will be there, that their livelihoods will not be destroyed by mismanagement of the fishery. There cannot be a wholesale entry into that fishery. They have to have some comfort from the minister as to when that will happen. That is part of the solution.

When our livelihood is threatened we react. We understandably react sometimes harshly when we feel as though our way of life is going to be destroyed. That is what the non-native fishermen are experiencing at this very moment.

We want to see leadership from the federal minister. At some point, when this is all laid to rest, the word compensation has to enter the equation. If we have a fishery with no limit on the number of entrants, in other words allowing new players into that fishery, the entire fishery will be threatened. That is what I see happening. I think everyone on this side of the House can see that happening unless the minister takes strong, decisive action.

Perhaps I could ask for another 30 seconds. I do not want to see the minister continually abdicate his responsibility—

The Acting Speaker (Ms. Thibeault): I must interrupt the hon. member. As he knows, the rules are very strict for the adjournment debate.

Mr. Lawrence D. O'Brien (Parliamentary Secretary to Minister of Fisheries and Oceans, Lib.): Madam Speaker, I thank the House for this opportunity to address an important matter in Atlantic Canada which concerns everyone in this country. The Minister of Fisheries and Oceans has taken decisive action on his short term plan as well as a long term plan that all parties will consider fair and reasonable.

Mr. James Mackenzie has been appointed as the chief federal representative to work out practical arrangements on access to fisheries resources that reflect the affirmed treaty right and that are sensitive to the interests of those who rely on the fishery for their livelihood. Mr. Mackenzie has an intimate knowledge of the maritimes and of the importance of the fishery, being from Cape Breton, Nova Scotia, and he has been the lead federal negotiator in comprehensive claim negotiations with the Inuit in my riding of Labrador. I have every confidence that Mr. Mackenzie can find common ground on which we can build long term strategies that will be enduring and successful.

The Minister of Fisheries and Oceans met with both commercial representatives and with aboriginal leaders in the maritimes. He met yesterday, along with the Minister of Indian Affairs and Northern Development and Mr. Mackenzie, with 50 aboriginal leaders. Coming out of that meeting there was agreement to address fish access immediately and there was agreement on certain elements of a process.

Many more conversations will have to take place but we are moving in the right direction. There are no easy answers but I have confidence that there is a long term solution and that constructive dialogue is the way of shaping it.

The Acting Speaker (Ms. Thibeault): The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 2 p.m., pursuant to Standing Order 24(1).

(The House adjourned at 7.15 p.m.)

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