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OFFICIAL REPORT
(HANSARD)

Wednesday, May 7, 2003

Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Wednesday, May 7, 2003

The House met at 2 p.m.

Prayers

● (1400)

[*English*]

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

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

STATEMENTS BY MEMBERS

● (1405)

[*English*]

MULTIPLE SCLEROSIS CARNATION CAMPAIGN

Ms. Paddy Torsney (Burlington, Lib.): Mr. Speaker, an estimated 50,000 Canadians have multiple sclerosis, a disease affecting the central nervous system. The MS Society of Canada is making a difference for individuals and families living with this disease.

I am honoured once again this year to launch the 2003 Multiple Sclerosis Carnation Campaign. As everyone can see from the House, we are off to a great start.

Since 1976 the MS Carnation Campaign has raised over $37 million to help support MS research and to provide services for people with MS and their families. On Mother's Day weekend right across the country volunteers in over 280 communities will be selling carnations to help find a cure for MS.

I encourage all members and all Canadians to join me in supporting this wonderful initiative. I ask everyone to wear a carnation, make a donation and help find a cure. Let us support the people living with this illness.

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CROW'S NEST PASS

Mr. Grant Hill (Macleod, Canadian Alliance): Mr. Speaker, this year is the 100th anniversary of the Frank slide in Crow's Nest Pass, Alberta.

Coal mining was a huge enterprise in southwest Alberta at the end of the 19th century and still is today. The peace, however, was shattered 100 years ago, April 29, 1903, by an enormous rock slide, destroying homes, lives and transportation in the thriving town of Frank.

Turtle Mountain had a reputation among the native tribes for moving slowly. That day the mountain moved like lightening. The lives lost, the mourning of loved ones and the heroic rescue efforts still are legendary.

On this anniversary of the momentous tragedy, I salute our heroic pioneers and remember their struggles against nature, the unknown and personal fears.

Today the Crow's Nest Pass is a jewel in the Rocky Mountains. I am proud to represent that jewel here in Ottawa.

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ELIZABETH FRY SOCIETY

Mrs. Karen Redman (Kitchener Centre, Lib.): Mr. Speaker, I was honoured to represent the Government of Canada at the grand opening of the Elizabeth Fry Society's new transitional housing in Kitchener Centre.

The Elizabeth Fry Society provides the basic needs and supports for women who have been in conflict with the law as they move forward to rebuild their lives. The federal government is proud to support these efforts by contributing $75,000 to this project, which will address the specific needs of women who risk coming into conflict with the law as a result often of homelessness, poverty and inadequate social supports.

I want to commend the Elizabeth Fry Society for its commitment to provide this home for the women in my community and the work that it does right across Canada. I ask the House to join me in thanking them for their hard work.

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NORTH AMERICAN OCCUPATIONAL SAFETY AND HEALTH WEEK

Mr. Gurbax Malhi (Bramalea—Gore—Malton—Springdale, Lib.): Mr. Speaker, the week of May 4 to 10 marks the annual North American Occupational Safety and Health Week. Every year this special week gives us a unique opportunity to promote awareness of the importance of preventing injury and illness in the workplace.

On average, four workers are killed every working day and someone is injured every nine seconds on the job. This year the theme is "prepare young workers for the future". The objective is to encourage young workers to become aware of the critical importance of working in a safe and healthy manner.

Many special events are being held this week across the country to draw attention to workplace safety issues. I hope everyone will join me in wishing the participants a very successful week.

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EASTERN ONTARIO WARDENS

Mr. Joe Jordan (Leeds—Grenville, Lib.): Mr. Speaker, recently the eastern Ontario wardens caucus released a report entitled "Future Directions" in which they created a blueprint regarding how they would like to see government at the provincial level interact with the municipalities in their region.

Today the federal eastern Ontario Liberal caucus held a meeting with the wardens to discuss their report and to open a fresh dialogue with our municipal counterparts on the important issues facing their local governments.

I would like to welcome the wardens to our nation's capital and praise them for the foresight that they have demonstrated in putting this report together and for taking the time to meet with their Liberal caucus colleagues.

All members of our caucus look forward to continuing our work together on this key initiative.

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MENTAL HEALTH WEEK

Mr. Rob Merrifield (Yellowhead, Canadian Alliance): Mr. Speaker, this week is National Mental Health Week. It is time for Canadians to become more aware of the effects of mental illness and to gain a better understanding of those who are affected.

The effects of mental illness are far reaching. Twenty per cent of Canadians are directly affected and the remaining 80% will be indirectly affected by illnesses of family members, friends or colleagues.

Awareness campaigns are currently taking place across the country to educate Canadians. This evening the Canadian Mental Health Association is hosting an art exhibition featuring works created by Canadians affected by mental illness. On May 4, Rick Cassey, of Victoria, B.C., embarked on a cross country bike trip to increase awareness of the need for community support.

On behalf of the Canadian Alliance, I ask members of the House to join me in acknowledging the courageous Canadians who daily battle mental illness, as well as the important people who work as mental health workers, the volunteers and the families throughout this great country.

● (1410)

[*Translation*]

MENTAL HEALTH WEEK

Ms. Liza Frulla (Verdun—Saint-Henri—Saint-Paul—Pointe Saint-Charles, Lib.): Mr. Speaker, I am pleased to inform the House that, in addition to May being Multiple Sclerosis Month, this is Mental Health Week. I take this opportunity to acknowledge the exceptional work accomplished by the professionals at the Institute of Neurosciences, Mental Health and Addiction at the Douglas Hospital in Verdun, in my riding, and in particular, the work of its scientific director, Dr. Rémi Quirion.

It is also worth mentioning that one Canadian in five will be personally affected by mental illness, and the costs of such illness are estimated at $14 billion. In order to mark the occasion, the Canadian Mental Health Association, the INMHA and the Canadian Institutes for Health Research have organized an art exhibition here, in Room 200 of the West Block.

This is a wonderful project and I invite all parliamentarians to support this exhibit.

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LES INVASIONS BARBARES

Ms. Christiane Gagnon (Québec, BQ): Mr. Speaker, the Ottawa preview of the new film by Denys Arcand, *Les invasions barbares*, cast a spell of enchantment and generated passionate discussions among the members of the Bloc Quebecois who attended the screening.

The actors, including Rémy Girard, Stéphane Rousseau, Dominique Michel and Dorothée Berryman, give riveting performances. The film is full of emotion and so was the audience, moved to both laughter and tears.

This film questions the meaning of life and takes a deep look into the relationships we create during our lives and their evolution as death approaches.

We are pleased and proud that this film was selected for the official competition at Cannes, the first feature from Quebec to receive this honour since *Léolo* by Jean-Claude Lauzon in 1992. *Les invasions barbares* once again confirms Denys Arcand as a great director and Denise Robert as a producer with great insight.

The Bloc Quebecois congratulates the artists and technicians who created this feature film and Denys Arcand for his brilliant production which, once again, demonstrates the impressive development of cinema in Quebec.

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[*English*]

ANTARCTICA

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, the 1961 Antarctic Treaty dedicated Antarctica to science and peace. It prohibits military activity, promotes scientific research and suspends sovereignty claims.

The Antarctic Treaty System includes two conventions and a protocol. Canada acceded to the treaty in 1988 and to the conventions on marine resources and seals in 1988 and 1990.

The protocol on environmental protection entered into force in 1998. Canada signed it, that is, agreed to it in principle, in 1991, but we have never ratified it. It is now time to do so. With all our cold weather expertise, we have a moral obligation to take more responsibility in Antarctica. As a cold weather nation, we stand to benefit more than most from active cooperation in science and technology with the almost 30 nations active there.

Let us ratify the environmental protocol to the Antarctic Treaty. It is the right thing to do.

* * *

PERTH—MIDDLESEX

Mr. Monte Solberg (Medicine Hat, Canadian Alliance): Mr. Speaker,

Monday is the byelection
So let me give voters some direction.
For Conservative voters it's really the pits
Four Tory MPs have now crossed to the Grits.
So if you vote for either you'll be sorry
Cuz Liberal-Tory, same old story.
And now the Tories are even more confusing
Their candidate in Perth has been wildly musing.
He must be a very interesting man
Because he's accused the Alliance of a very strange plan:
To send secret messages during debates
To the Alliance candidate.
Tory tinfoil hats must be on too tight
And now more strange Tory things are coming to light.
Tories say they aren't guilty of the firearms mess
All those Tory senators were forced, I guess,
To vote for Bill C-68.
Their votes were vital but now it's too late,
Their record on guns is the same as the Libs,
They can't hide that fact with Conservative fibs.
Vote for either and you'll be sorry
Cuz Liberal-Tory, same old story.
Voters heed this advice and show defiance
On Monday vote Canadian Alliance.

* * *

● (1415)

THE ENVIRONMENT

Mr. Joe Peschisolido (Richmond, Lib.): Mr. Speaker, On Monday, May 5 in Victoria, B.C., Environment Canada launched "Let's Drive Green", the 18th season of its voluntary vehicle emissions inspection clinic program.

This is an opportunity for motorists to bring their vehicles into our voluntary vehicle emissions clinics for testing. Results will come minutes later, along with suggestions on how to keep the vehicle operating at peak performance levels in order to help reduce greenhouse gas emissions.

The "Let's Drive Green" program helps individual Canadians do their part to achieve Canada's commitments under the Kyoto protocol. It complements other transportation related initiatives in our climate change plan, such as the 25% vehicle fuel efficiency improvement target and the one tonne challenge.

"Let's Drive Green" will be visiting 35 cities across Canada. I encourage support for these wonderful events.

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MENTAL HEALTH WEEK

Mr. Svend Robinson (Burnaby—Douglas, NDP): Mr. Speaker, my New Democrat colleagues and I join in recognizing this week as National Mental Health Week. We pay tribute to those working on the front lines to educate Canadians about the importance of recognizing that mental health is part of everyone's health.

I want to also acknowledge the significant contribution made by Roy Romanow in his landmark report in bringing greater awareness to the importance of mental health issues. He noted that it is time to deal with this issue and bring mental health into the mainstream of public health care. Roy Romanow is being honoured today by the International Foundation of Employee Benefit Plans with the Canadian public service award, a well deserved award.

During National Mental Health Week we want to point out that mental illness affects everyone, that all Canadians are likely to be affected through a mental illness in a family member, friend or colleague, and that it is essential that we respect, not reject.

Finally, I join in paying tribute to those who are working on the issue of multiple sclerosis and that we certainly do everything we can to find a cure and—

The Speaker: The hon. member for Laurentides.

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[*Translation*]

LABOUR DISPUTE AT CARGILL

Ms. Monique Guay (Laurentides, BQ): Mr. Speaker, after three long years of lock-out, the workers of Cargill Grain in Baie-Comeau will be able to return to work this week at last.

I salute the courage and determination of these workers and their family members, who have been the victims of the federal government's laissez-faire attitude as far as labour relations are concerned. The Liberal government ought to be ashamed of encouraging the use of strikebreakers, and ought to be prompted by the Cargill dispute to amend the Canada Labour Code so no similar situations ever occur again.

The best way to prove its good faith will be to vote in favour of the anti-scab legislation I have introduced in the House, the intent of which is to encourage civilized negotiations, industrial peace and an equitable employer-employee relationship.

The bill I introduced does not belong to me, nor to the government, nor to the members of this House. This anti-strikebreaker bill belongs to the workers of Quebec and of Canada.

[*English*]

NATIONAL MICROBIOLOGY LABORATORY

Mr. John Harvard (Charleswood—St. James—Assiniboia, Lib.): Mr. Speaker, in the recent SARS outbreak a great deal of attention has been paid to medical professionals, public health officials and scientific researchers.

I think it is also very important that we acknowledge the many unsung heroes at Health Canada's National Microbiology Laboratory in Winnipeg, Manitoba. These people have been working tirelessly. They are the "behind the scenes people", sample processors, laboratory technicians, database managers, scientists and biosafety personnel, who have been working around the clock to see that thousands of samples are correctly processed, analyzed and reported in an accurate and timely fashion to the decision makers and epidemiologists who are at the front lines of SARS.

They deserve our thanks and support as they continue to work around the clock in support of Health Canada's mandate to preserve and protect the health of Canadians. I ask that all members join me in congratulating these very valued individuals.

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MCKENZIE SEEDS

Mr. Rick Borotsik (Brandon—Souris, PC): Mr. Speaker, April showers bring May flowers and:

Roses are red,
Violets are blue.
Here's a little ditty
About McKenzie Seeds for you.

McKenzie Seeds in Brandon is now the top packaged seed company in Canada, but like the beautiful petunias hanging on front porches everywhere, it needed a little sunlight, a little pruning and a little tender loving care.

Just three years ago, McKenzie Seeds was experiencing some difficulties. There was a lot of weeding that needed to be done. McKenzie Seeds was like a wilted flower: Does one try to bring it back to life or pull it up and start over again?

Michael Fearon and Ken Robinson were not about to let the company wilt. The two Johnny Appleseeds, then executives in the company, rolled up their sleeves and took over McKenzie Seeds, saving 100 jobs in Brandon and 100 more across Canada.

Mr. Fearon and Mr. Robinson recently picked up the business persons of the year award in Brandon. I would like to congratulate them, and I suspect that with their green thumbs McKenzie Seeds will continue to grow beautifully.

ORAL QUESTION PERIOD

● (1420)

[*English*]

FOREIGN AFFAIRS

Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance): Mr. Speaker, yesterday the Prime Minister seemed surprised to be answering questions from the Alliance on missile defence. I would remind the Prime Minister that we have been asking questions on missile defence for years now, but more importantly, this proposal with missile defence actually began seven years ago under the guidance of President Clinton.

My question is, after seven years and yet another cabinet and caucus meeting today, does the government have plans to even have a discussion with the United States on this issue?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, as I said yesterday, we discussed it in cabinet yesterday and there was a discussion in the caucus this morning. We are consulting everybody. It is a problem. As I said, the situation changed when the ABM treaty was abrogated by the Americans. That changed the situation. There is a quasi-agreement with the Russians on that. As it is covering the North American continent, it is in our interest to look into the matter. We are discussing that at this moment. There will be a decision. I am happy that the opposition is discussing this too.

Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance): Mr. Speaker, typically these guys have no policies, just communications strategies. A few months ago it was to be anti-American. Now apparently they want to have a little bit of a different strategy.

What is the government's assessment of Canada's actual national interest? In recent months, both the Deputy Prime Minister and the foreign affairs minister have suggested that missile defence is not really necessary. Does the government now believe that Canada faces a potential threat of missile attack?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, at this moment I have no assessment that there is an immediate danger that we would be attacked, but governing is making sure that the situation is understood for years to come. It is why we are having a discussion within the government and the party.

Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance): Mr. Speaker, from that answer, I am not sure whether or not the government thinks there is a potential threat of missile attack.

Let me ask another question about Canada's national interest. We are being left out of the evolution of air defence in North America. It is clear that Canada will become increasingly irrelevant in Norad if this goes ahead and it is clear that the United States will go ahead whether or not Canada participates.

Does the Prime Minister believe it is essential for Canada to be involved in the continental air defence of North America?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Through Norad we are involved, Mr. Speaker. The question is, should we be involved in the next step, which is the missile element of the defence, but we have been involved in Norad for 50 years and Norad is working very well.

NATIONAL DEFENCE

Mr. Leon Benoit (Lakeland, Canadian Alliance): Mr. Speaker, yesterday the defence minister said it is no big deal that 25 Canadian soldiers in Afghanistan are not allowed to carry weapons, but I think it is a big deal and I want the government to explain why it has allowed that to happen. Was it a deliberate decision on the part of the government to deny our Canadian soldiers the weapons they need to protect themselves or was it an oversight?

Hon. John McCallum (Minister of National Defence, Lib.): Mr. Speaker, yesterday I said it was a non-issue and I repeat that. While the government has every concern, of course, for the safety of our troops, a small reconnaissance mission was unarmed, as is often the case and as was also the case with a small unarmed NATO mission. Is the hon. member accusing NATO of incompetence?

This is normal. Indeed, in the general line of questioning of the Alliance members, what are they trying to do, make the families worry? Suggest that the Canadian Forces are incompetent? With friends like the Alliance, the Canadian—

The Speaker: The hon. member for Lakeland.

Mr. Leon Benoit (Lakeland, Canadian Alliance): Mr. Speaker, the families are worried. This is a serious issue and the minister should treat it as a serious issue.

Afghanistan in case he does not know it is a very dangerous place. Just 11 days ago, two American soldiers were killed in Afghanistan in a surprise attack.

How can the minister fail so badly in his obligation to our Canadian serving men and women

● (1425)

Hon. John McCallum (Minister of National Defence, Lib.): Mr. Speaker, with all due respect, the hon. member is talking nonsense. This group is very well protected by the Germans who are currently deployed. The same was true for a small group of NATO soldiers.

It is the opposition which is causing unnecessary worry for the families. It is the opposition which by raising these non-issues is casting aspersions on the fine work done by the Canadian Forces.

I would suggest the opposition support our forces and talk about their fine achievements rather than raising these non-issues.

[*Translation*]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, while the government is leaving parliamentarians and citizens completely in the dark when it comes to the American missile defence shield, the Prime Minister is already talking about the need to negotiate the terms of the shield with the Bush administration.

Before deciding and negotiating, will the Prime Minister acknowledge that the government has a responsibility to explain its position to the country and to debate the details of the missile defence shield project in the House?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, if the hon. member would like there to be a debate on the issue, that would be just fine with us. There are opposition days that are specifically designed to discuss this type of problem. We are in the processing of discussing it within our party and our government, and we would be very happy, if the opposition deems it important enough, to use one of their days to debate it in the House. The ball is in the member's court.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, it is the government that grants opposition days. There will be one next week, and we will see about it then. However, until that time, rather than saying any old thing, why is the Prime Minister in such a hurry to proceed on this without a debate? Is this not putting the cart before the horse? Before the federal government invests hundreds of millions—even billions—of public dollars in anything, the public has the right to know exactly what the missile defence shield is. People need to be able to decide if this shield is a priority for them.

Once the facts are made public, does the government plan to consult with citizens to determine if the missile defence shield is one of their priorities, or if they have other priorities?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I understand that the member may not be up to speed. However, if he had been in caucus this morning, he would have seen that the members of my party are very well informed of what is involved. Some of them have their opinions on the matter. I would remind the member that there is an opposition day that he can use, and I would invite him to learn about this for himself here in the House at that time. The ministers will be very happy to inform him, because it seems that the members opposite are a bit in the dark these days.

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, I just want to remind the Prime Minister that the members of the Bloc Quebecois cannot sit in the Liberal Party caucus, nor can members of the public. It is important to keep this in mind.

The government members must understand that they have no right to take hundreds of millions in taxpayers dollars for a defence system after merely discussing it amongst themselves, as the Prime Minister has just stated, without there being any debate on the matter.

That is why we are demanding that the Prime Minister tell us how much he intends to invest in the missile defence shield project.

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, when the government decides to allocate funds, they are included in the estimates and must be approved by the House of Commons, at which time there is a discussion. The debate is not about how much it will cost, but where we stand after the changes made to this American project, which is not new but existed under President Clinton and which is evolving with each passing month. It is time for us to reflect and invite the House of Commons and Canadians to make a decision, which will be in—

The Speaker: The hon. member for Saint-Jean.

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, when the army has helicopters that are so old they have trouble getting more than ten feet off the ground without crashing onto a ship's deck, would it not be better, before hundreds of millions are poured without debate into a star wars program, to figure out what kind of defence system we actually want?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I would simply like to point out to the hon. member that the helicopters to which he is referring are the same kind and from the same era as those used by the President of the United States to travel from the White House to Camp David.

* * *

● (1430)

[*English*]

FOREIGN AFFAIRS

Mr. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Speaker, I am not able to ask the American ambassador a question. I am not able to ask the member for LaSalle—Émard a question. So I thought I would ask a question of the person who is supposed to be running the country and making foreign policy decisions, the Prime Minister.

Why is the Prime Minister in such a rush to make a decision with respect to star wars? Is repudiating decades of Canadian commitment to multilateral arms control worth a weekend at the ranch in Texas?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, we are not rushing. We are debating among the Liberal members and the cabinet. I am happy that the hon. member is speaking but I would just like to tell him that yes, we are very strong for multilateralism. We have always been.

In the case of Norad, it has existed for 50 years and Norad is a bilateral agreement with the Americans.

Mr. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Speaker, does the Prime Minister not see that this American proposal has to be taken in context? That context is an American repudiation of multilateral arms control agreements of all kinds.

Why is it that the Prime Minister is considering being part of this? Why is he considering making a decision by next week and not involving Parliament or the Canadian people as he once promised to do?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, who told the hon. member that it will be next week that a decision will be made? We are having a debate. There might be some consultation with the Americans and it will take months before we will be in a position to be obliged to make a decision.

Right Hon. Joe Clark (Calgary Centre, PC): Mr. Speaker, the government is now considering the American system because the Prime Minister says that unspecified conditions have changed.

We know that CSIS has just created a new counter-proliferation branch to focus on terrorist groups or states with weapons of mass destruction.

I am not asking the Prime Minister to disclose information that should be secret, but could he tell us whether the government has received information which leads it to believe that there is a significantly more serious threat of attacks by weapons of mass destruction? Is that among the reasons he is considering a change in Canada's traditional policy?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, I replied earlier that the situation has not changed in the last six months in relation to a threat of that nature. There is not the urgency that the hon. member, who likes to create anxiety, suggests. He will fail because he has no reason to try.

Right Hon. Joe Clark (Calgary Centre, PC): Mr. Speaker, the Prime Minister has received no proposal from the United States. He says there is no significantly more serious threat of attacks by weapons of mass destruction. He has no realistic idea of the costs. He has no scientific proof that a missile shield would work, yet he is rushing to a decision on this issue.

Will he tell the House of Commons and the people of Canada just why is he doing this? What does he know that he is not telling the people of Canada about this missile defence system and pressures being imposed by the government of the United States?

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, we are replying to questions every day in the House of Commons. We are not rushing. We are studying at this time. We discussed this in the cabinet yesterday and in the caucus today. Members of the caucus will discuss this.

I invite the hon. member in his last week as leader, if he has an interest to have a caucus himself, a committee of his caucus to study the problem.

* * *

NATIONAL DEFENCE

Miss Deborah Grey (Edmonton North, Canadian Alliance): Mr. Speaker, our defence minister knew months ago that Afghanistan would be a tough and dangerous mission. He has had plenty of time to prepare for it yet today he tosses it off again as a "non-issue". Now he tells our advance troops that they cannot be armed because the "diplomatic paperwork has not yet been signed". That excuse is paper thin.

If the defence minister will not commit today to stand behind our troops, is he willing to stand in front of them?

Hon. John McCallum (Minister of National Defence, Lib.): Mr. Speaker, unlike the Alliance members who stand behind our troops when it is politically expedient for them to do so, I have done so day after day after day since becoming defence minister. I have said from the beginning that Afghanistan is a difficult and risky mission, at the same time that the Canadian Alliance members denigrated this as a second tier mission. They have never retracted that insulting suggestion vis-à-vis our troops.

We are proud of our mission. We are getting ready for it and Canadians will be proud of it.

● (1435)

Miss Deborah Grey (Edmonton North, Canadian Alliance): Mr. Speaker, I suspect the military and the Canadian Alliance are embarrassed by the minister who is willing to send our Canadian soldiers into a deadly combat zone without any weapons to protect themselves.

Today the wife of one of our soldiers said that she expects her husband to defend himself by saying "Stop. I'm a Canadian, don't shoot me". You can bet she is worried, Mr. Speaker.

Let us answer this question, Mr. Minister. How does he expect our troops to defend themselves—

The Speaker: No, no, she meant Mr. Speaker, I think, but she said Mr. Minister. The hon. member knows she must address the Chair.

Miss Deborah Grey: Thanks, Mr. Speaker. Maybe I would get a better answer from the Chair.

How does he expect our troops to defend themselves when the bullets fly, by waving the Canadian flag at the enemy?

Hon. John McCallum (Minister of National Defence, Lib.): Mr. Speaker, it has become a tradition on this side of the House to preface an answer by saying that I will speak very slowly.

This is a reconnaissance mission, a small group of soldiers who are not armed because the agreement has not been signed, who are extremely well protected by the Germans who are currently deployed there. A small group of NATO soldiers is in precisely the same situation. NATO is not incompetent. The Canadian Forces are not incompetent. Perhaps the Alliance could understand this.

* * *

[*Translation*]

GASOLINE PRICES

Mr. Paul Crête (Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, BQ): Mr. Speaker, yesterday in committee the Minister of Industry admitted that the act gives him the power to demand a thorough investigation into oil company profits. That is fortunate, because that is what we are asking for: a thorough investigation. We do not want the minister to tell us about provincial jurisdictions nor about retail prices—that is not what we are talking about here.

What is the minister waiting for in order to use the power vested in him by law to demand an investigation into the huge profits that all the oil companies, without exception, have pocketed at the same time, at the refining stage?

We are talking about refining here, not retail prices.

Hon. Allan Rock (Minister of Industry, Lib.): Mr. Speaker, the Competition Bureau is studying the oil company situation very closely. As the commissioner testified before the committee on Monday, they have said that there is not enough information to conclude that there has been anti-competitive behaviour.

Mr. Paul Crête (Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, BQ): Mr. Speaker, what the minister has failed to mention is that the commissioner of competition recognizes that his powers are very limited. The minister must have heard his evidence in committee on Monday.

Therefore, what is stopping the minister from giving the commissioner of competition the tools he requires in order to shed light on this question once and for all?

Hon. Allan Rock (Minister of Industry, Lib.): Mr. Speaker, since there has been no anti-competitive behaviour, the federal authorities have no role to play. The next step is to look at retail prices. Retail price regulation is an exclusively provincial jurisdiction. And I do not accept the Bloc Quebecois position that the federal government should step into exclusively provincial territory. That is completely unacceptable.

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[*English*]

FISHERIES

Mr. Grant Hill (Macleod, Canadian Alliance): Mr. Speaker, the fisheries minister yesterday invited me to go to the east coast to meet with the ministers of the five provinces involved in the crab fishery to find a solution.

I would like to tell him that is supposed to be his job. Last month the Ontario minister of health went to Geneva as the federal minister sat here and watched and today we have the New Brunswick premier going to Shippagan as the fisheries minister sits here.

When will federal ministers start taking responsibility for their blunders?

Hon. Robert Thibault (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, it is interesting that during the Standing Order 31 statements we heard a nursery rhyme about why we should vote Alliance. Now we have the fable of going to the Atlantic, meeting with the fisheries ministers and coming out with a plan that all will support. We might as well wave a wand, turn the water into wine and we will all enjoy wine-pickled herring.

Mr. Grant Hill (Macleod, Canadian Alliance): Mr. Speaker, the carnations in the House are for multiple sclerosis. That response was more like atherosclerosis.

The fisheries minister talks of consultation yet he acts through confrontation. His actions have prompted Newfoundland's fisheries minister to announce that Newfoundland is considering taking Ottawa to court over the cod moratorium and to make more policies at home.

I will again ask the fisheries minister, will he start devolving more responsibility for fisheries to the provinces where they can handle it properly?

● (1440)

Hon. Robert Thibault (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, the member will recognize that managing the fishery is a federal responsibility. It is our responsibility to manage it in a manner to protect the fishery for the future and to protect those stocks. We take those decisions very seriously. They are not easy decisions. They are very difficult to make. We do not take them lightly. When we take away the livelihood of people for a period of time, it is because it is in the long term interests of the stocks and, by extension, the communities that depend on them.

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[*Translation*]

GASOLINE PRICES

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, the Minister of Industry has all the authority required to demand a more thorough investigation of the gas and oil companies by the Competition Bureau. On the one hand, we have the companies and their tripled profits for refining, and on the other we have the consumers, who feel they are being taken advantage of and whom the minister refuses to protect.

I am asking the Minister of Industry why he is so lacking in courage that he cannot make use of the powers conferred upon him by the legislation to call for a more thorough investigation. The legislation allows him to do so, but he lacks the courage to use it.

Hon. Allan Rock (Minister of Industry, Lib.): Mr. Speaker, the hon. member is obviously not up to speed on this. The Competition Bureau has already closely examined the situation. As well, it has recently received the report of the Conference Board of Canada. In all of this information there is nothing to indicate anti-competitive behaviour by the oil companies.

Retail prices are a provincial matter. The provinces are the ones who now need to demand answers.

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, when the competition commissioner himself says that the minister has the power to broaden his mandate in order to clarify the issue, and when he also says that the minister could also mandate an outside body to investigate in order to prove there has been no collusion, why is the minister so lacking in courage as to refuse to assume his responsibilities and protect the public?

Hon. Allan Rock (Minister of Industry, Lib.): Mr. Speaker, the commissioner also said there is no justification for such an investigation. They have already looked into this and concluded that there is no anti-competitive behaviour.

* * *

[*English*]

FIREARMS REGISTRY

Mr. Garry Breitkreuz (Yorkton—Melville, Canadian Alliance): Mr. Speaker, yesterday the fourth minister of the firearms fiasco maintained his government's track record of keeping Parliament in the dark. It is clear from his feeble responses that even he does not know how much the gun registry has cost so far.

Newspapers reported that shortly after the government gave $380,000 to the Coalition for Gun Control, it went out and hired two paid lobbyists to lobby the government to spend even more on the billion dollar gun registry.

Why is the government using tax dollars to make it look like it has more support for its fiasco than it really does?

Hon. Wayne Easter (Solicitor General of Canada, Lib.): Mr. Speaker, I know the member for Yorkton—Melville has done a lot of research into the gun control issue. I know he has a certain mindset and it is all negative toward trying to make the streets and communities safer.

However it amazes me that with all the research he has done that he would be so much in the dark as to the benefits of this program and to the efficiencies we are trying to bring into the program with the passage of the bill yesterday.

Mr. Garry Breitkreuz (Yorkton—Melville, Canadian Alliance): Mr. Speaker, I have had to put in over 260 access to information requests to try to piece together this stupid fiasco the government is pushing on us. That is not open and accountable government. That is keeping Canadians in the dark.

I would like the minister to answer the two questions that I posed to him yesterday and that he ducked. How can he justify funding the Coalition for Gun Control to the tune of almost $400,000 and at the same time cut $65,000 from an effective firearms safety training program? How many more types of guns did he promise the coalition he was going to ban?

● (1445)

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, what is really interesting about the member for Yorkton—Melville is that he only tells the Canadian public and the House half the story.

The fact of the matter is what access to information should have told the hon. member, and I assume it may have, is that the contract for safety training was for one year. It was worked out with the province of Saskatchewan. Those people did a good job of training individuals on the gun safety program.

* * *

[*Translation*]

ALGERIA

Mr. Bernard Patry (Pierrefonds—Dollard, Lib.): Mr. Speaker, my question is for the Secretary of State for Latin America and Africa and the Francophonie. Last week, the secretary of state led a trade mission to Algeria along with representatives of a number of Canadian businesses.

Can the secretary of state advise us of the outcome and results of this visit?

Hon. Denis Paradis (Secretary of State (Latin America and Africa) (Francophonie), Lib.): Mr. Speaker, Algeria is our primary trade partner in Africa and the Middle East. We discussed contracts and partnerships with Canadian businesses.

I also announced the participation of Algiers in the sustainable cities initiative. We talked about NEPAD, the new partnership for Africa's development, and congratulated the Algerians who, in turn, congratulated our Prime Minister and Canada on our role with regard to Africa.

We addressed the Francophonie, and we encouraged Algeria to become a full member of the Organisation internationale de la Francophonie.

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FISHERIES

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, the Minister of Fisheries and Oceans' inaction with respect to the crab fishery has fuelled the rage in the fishery and heightened anxieties for the plant workers and communities involved. The minister stated that there were still 4,000 tonnes available. Currently, more than 1,800 plant workers have been affected by this crisis.

My question is for the Minister of Fisheries and Oceans. Rather than using the excuse that he is being detained in Ottawa, when will the minister take his responsibilities seriously, go to Shippagan, and take some action on these 4,000 available tons of crab?

Hon. Robert Thibault (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, if the member had held discussions with the midshore fishery industry in his region, he would know that in order to raise the catch any higher than what we announced, it is necessary to have a co-management agreement with a good soft crab protocol in place to keep from jeopardizing the state of these stocks. He would know this, and he would also know that for several months, we have been having these discussions with the industry and we are prepared to discuss the matter further at any time.

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, if he does not want to discuss it and would rather stay in Ottawa, why does he not resign, and someone else can be sent to solve the crisis in the fishery?

My question is for the Minister of Human Resources Development. More than 1,800 plant workers have been affected by this crisis and find themselves without work. There is a $44 billion surplus in the EI fund. What plan of action has the minister come up with to help the provinces affected, like New Brunswick and Quebec, to compensate workers for loss of income?

[*English*]

Hon. Jane Stewart (Minister of Human Resources Development, Lib.): Mr. Speaker, it is because the employment insurance fund is in such good shape that the benefits will be there, no only for fishers but for fish plant workers.

I would remind the hon. member that every year the Government of Canada transfers $90 million to the jurisdiction of New Brunswick so that it can deal with issues precisely like this one.

Mr. Norman Doyle (St. John's East, PC): Mr. Speaker, the current troubles in Shippegan and Newfoundland and Labrador show just how desperate fishing communities in eastern Canada have become.

The Minister of Health was absent from the SARS crisis. The Minister of Fisheries and Oceans is trying to absent himself from the growing crisis in Newfoundland and Labrador and New Brunswick. The current unrest is a sign that people feel Ottawa just is not listening.

Again, let ask the minister if he is going to go to the areas affected and listen to the people who want to tell him in no uncertain terms that the east wants in?

Hon. Robert Thibault (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, the member will recognize that when we announced the crab management plan, it was not for one area, not for one province, but for the Gulf of St. Lawrence. It is to promote stability for the long term and to promote maintenance and stability for the midshore, the anchor of that industry. We want that to increase again. It maximizes the employment and economic benefits.

On those terms, I would be happy have discussions with them at any time.

* * *

● (1450)

PUBLIC SERVICE

Mr. Bill Casey (Cumberland—Colchester, PC): Mr. Speaker, the Prime Minister is quoted today in the media as dismissing allegations that Ottawa ignores the west. We often hear the Liberals say that it is very important to hear from the people in the west and that it wants their input in Ottawa.

There are five jobs on the government's website this morning paying up to $58,000, from five different departments. Who can apply for them? Only those people in eastern Ontario and western Quebec; eastern Ontario and western Quebec; eastern Ontario and western Quebec; and eastern Ontario. No one from the west can apply for any of these jobs.

How does the Prime Minister justify the contradiction when he says that Ottawa wants to hear from people in the west but they just cannot work here?

Hon. Lucienne Robillard (President of the Treasury Board, Lib.): Mr. Speaker, I have a problem with the question asked by the member. He has himself contacted the Public Service Commission. He has himself asked questions to the president of that commission. He has himself looked at the pilot project that is going on in the country right now. He has himself asked the Public Service Commission to report to Parliament.

It will do that at the end of this month and parliamentarians will be able to make a decision about it.

* * *

CANADA ELECTIONS ACT

Mr. Vic Toews (Provencher, Canadian Alliance): Mr. Speaker, in the upcoming byelection in Perth-Middlesex a prisoner has been placed on the voters list who has been convicted of stabbing his wife to death while their children watched.

Canadians are outraged that murderers and violent criminals take part in the democratic process for which they have shown contempt.

The minister promised to review the decision last fall. Why is he allowing this person to vote on Monday?

Hon. Don Boudria (Minister of State and Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I hope the hon. member is not suggesting that ministers personally decide who goes on the voters list and who does not by way of his question. Heaven forbid that would ever be the case.

On the issue that he has raised specifically, he will know, and if not he can discuss it with his House leader and other members of the procedure and House affairs committee, I referred the matter to the procedure and House affairs committee some time ago. He should ask that committee, once it completes its review of the redistribution and other matters before it, if it wants to provide a forum and then make recommendation in regard to the issue which he has raised.

Mr. Vic Toews (Provencher, Canadian Alliance): Mr. Speaker, that minister promised to review the decision and come back with a decision and he has done nothing. That minister has been silent on this issue because he knows the only way to change it is through a constitutional amendment. Because the Liberals refused to act, the Canadian Alliance put forward a constitutional amendment in the House of Commons last December and the minister refused to support it.

Why does the minister continue to support the right of murderers to vote?

Hon. Don Boudria (Minister of State and Leader of the Government in the House of Commons, Lib.): Mr. Speaker, that is sheer and utter nonsense. The Supreme Court of Canada made the decision to which the member is referring. He is asking the House for a constitutional amendment to overrule the Supreme Court and to revoke the right to vote. If that is the contribution he intends to make before the committee, I am sure all members have heard it now and they will give it due regard.

* * *

[*Translation*]

SOFTWOOD LUMBER

Ms. Jocelyne Girard-Bujold (Jonquière, BQ): Mr. Speaker, the situation in the softwood lumber market is the worst the industry has seen in years. Poor exchange rates, falling prices and stalled negotiations do not make things any better.

What more will it take before the Minister of Industry wakes up and sees that his plan is inadequate to deal with the situation? And what is he waiting for before announcing the second phase of his plan?

[*English*]

Hon. Herb Dhaliwal (Minister of Natural Resources, Lib.): Mr. Speaker, the Government of Canada announced $356 million to support the workers and the communities. In fact we are now asking for proposals for community programs that can ensure that we diversify the economy of small communities which have been affected, and we are working together.

Also my colleague, the minister of trade, is working very hard to ensure that we get a resolution to this issue. It is the government's priority to resolve the softwood lumber issue with the U.S.

[*Translation*]

Ms. Jocelyne Girard-Bujold (Jonquière, BQ): Mr. Speaker, workers in the softwood lumber industry are still waiting for the second phase of the plan that the minister promised.

Does the government realize that its laissez-faire is tantamount to abandoning the regions to their fate, since the first phase of his plan is inadequate, as well as impractical to implement?

● (1455)

[*English*]

Hon. Herb Dhaliwal (Minister of Natural Resources, Lib.): Mr. Speaker, we are monitoring the situation very closely across the country and, yes, if we need to do more, we have said right from day one that we will. However what we really need to do is resolve this issue to ensure that we have a long term agreement so we can benefit from free trade and so our lumber products can go to the U.S. without any duty. That is what we intend to do.

* * *

JUSTICE

Mr. Kevin Sorenson (Crowfoot, Canadian Alliance): Mr. Speaker, the justice minister's tweaking of the Criminal Code sadly did not include changes to provisions regarding conditional sentences. The government's coddling of rapists and other sadistic criminals is resulting in case after case of violent offenders serving out their sentences in communities.

When will the government make protection of society the guiding principle of the justice system and limit conditional sentences to non-violent offenders?

Mr. Paul Harold Macklin (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, the reality is that the minister has taken action and has referred the matter to the Standing Committee on Justice and Human Rights. It is continuing its study and when it is complete the committee will report back on what appears to be an excellent program. There have been exceptions to the rule, but we will wait and see, and then we will act.

Mr. Kevin Sorenson (Crowfoot, Canadian Alliance): Mr. Speaker, the government's philosophy is to always wait and allow the victims to suffer.

In May 2002 John Wilson was convicted of manslaughter. This violent offender was given a two year conditional sentence. In other words, he was told to take 24 months and stay at home. This for the brutal murder of his own daughter.

Again, when will the justice minister amend the Criminal Code to ensure that murderers such as John Wilson are not safe at home but behind bars?

Mr. Paul Harold Macklin (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, as I have clearly stated, this matter is before the Standing Committee on Justice and Human Rights. It is being studied. The committee will come back before the justice minister and the House. We will then be able to see if there are changes needed, and if so, they will be made.

SMART REGULATION STRATEGY

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, the government committed to a smart regulation strategy in the Speech from the Throne. We have heard little of this since the government House leader addressed the House on the appointment of Hugh MacDiarmid as chair of the external advisory committee.

Could the minister update us on this very important matter?

Hon. Don Boudria (Minister of State and Leader of the Government in the House of Commons, Lib.): Mr. Speaker, indeed this is a very important issue because it is another example of our Prime Minister delivering on a throne speech commitment, as he does with all throne speech commitments.

Not only has the chair of the committee been appointed, but on May 1 the Prime Minister also appointed the 10 member blue ribbon panel of Canadians from coast to coast who will be charged with the mandate of making smart regulations for the 21st century in a very modern country.

* * *

JUSTICE

Mr. Myron Thompson (Wild Rose, Canadian Alliance): Mr. Speaker, Gary Gillingwater was charged with possession and distribution of child pornography. There were over 1,400 images of children and many of these pictures depicted men with three year old and four year old boys. In March, Gillingwater received a four month conditional sentence to be served in the community.

Will the minister explain why these men are still receiving such insignificant sentences?

Mr. Paul Harold Macklin (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, when it comes to sentencing, it is done by the courts that are closest to the situation. They are able to assess all of the evidence before them and to make what we hope are the right decisions. We trust that the judges in these cases have made the right decision. We trust those judges to make the right decisions and we will rely upon them.

Mr. Myron Thompson (Wild Rose, Canadian Alliance): Mr. Speaker, Canadians know that the courts are doing a very poor job on this particular issue. For example, Bill C-20 does not close the loophole for artistic merit and does not create tougher sentences for these predators. However, the Liberals are ramming it through with the help of a Tory justice critic who spoke in favour of it, saying we have no choice. We do have a choice.

When will the Liberal government finally get tough, close all the loopholes, and put child predators behind bars so our children will be safe?

● (1500)

Mr. Paul Harold Macklin (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, obviously this party would like to simply choose to put people behind bars, throw away the key, and walk away. We believe in the process of rehabilitation of those who we are bringing before the courts. It is very important. We will simply not accept the logic of that party.

[*Translation*]

FISHERIES

Mr. Ghislain Fournier (Manicouagan, BQ): Mr. Speaker, the crisis hitting the crab fishers is spreading now to the plant workers, such as those in Chandler and the Lower North Shore. More and more workers will soon find themselves out of a job.

What concrete measures does the federal government intend to implement to assist workers experiencing not only a financial catastrophe, but also an unparalleled human catastrophe? All the fishers on the Lower North Shore are out of work.

Hon. Claude Drouin (Secretary of State (Economic Development Agency of Canada for the Regions of Quebec), Lib.): Mr. Speaker, at the same time that decisions had to be made in collaboration with our colleague, the Minister of Fisheries and Oceans, we announced short-term measures of $14 million for Quebec to assist people earning their living from the fisheries, and we immediately took steps to consult the public about long-term measures.

I can assure the House that we on this side are working very hard to support those in difficulty at this time, and we will be there for them.

* * *

[*English*]

CITIZENSHIP AND IMMIGRATION

Mrs. Diane Ablonczy (Calgary—Nose Hill, Canadian Alliance): Mr. Speaker, true to his track record of using Canada's court system to full advantage, Ernst Zundel is starting a long process to challenge the constitutional validity of the minister's slow moves to deport him.

Will the minister continue to allow Zundel to stay in Canada, at taxpayers' expense, while his constitutional challenge winds through the courts?

Hon. Denis Coderre (Minister of Citizenship and Immigration, Lib.): Mr. Speaker, I will not comment on a case that is in the hands of the federal court. She is a lawyer. She knows exactly how the process works. We should provide the opposition with some questions in order to talk about serious questions.

* * *

[*Translation*]

GENETICALLY MODIFIED ORGANISMS

Mr. Bernard Bigras (Rosemont—Petite-Patrie, BQ): Mr. Speaker, last week, in Ottawa, there was an international meeting to discuss world standards for labelling GMOs. As we know, Canada still does not have mandatory labelling and the voluntary federal labelling process is collapsing.

Given that people like to know what they are eating, is the federal government planning on paving the way for making GMO labelling mandatory?

[*English*]

Hon. Anne McLellan (Minister of Health, Lib.): Mr. Speaker, quite clearly, the government recognizes that labelling genetically modified foods to support consumer choice is an important issue for those consumers. Health Canada will continue to work with the standards board committee to develop a standard for the voluntary labelling of foods derived from biotechnology.

* * *

CANADA POST

Hon. Lorne Nystrom (Regina—Qu'Appelle, NDP): Mr. Speaker, my question is the newest minister, the minister responsible for Canada Post.

In 1994 the Liberal government announced a commitment that not one single small town or rural post office would close. I have been told by Canada Post that the closure of the Hubbard post office in my riding and two others in Saskatchewan is likely to occur.

Will the minister make a commitment to the people of Hubbard and the people in other Saskatchewan communities that their post offices will remain open and that the moratorium will stay in effect, yes or no?

Hon. Steve Mahoney (Secretary of State (Selected Crown Corporations), Lib.): Mr. Speaker, I want to assure the member that Canada Post, which of course is an arm's length crown corporation with an obligation to all Canadians, is committed, along with its employees, to maintaining a high level of service to Canadians living in rural Canada.

Canada Post is also proud to have recently reached a new collective agreement with the Canadian Postmasters and Assistants Association. I would be pleased to work with the member on his specific case to see if we can satisfy his concerns.

* * *

FOREIGN AFFAIRS

Right Hon. Joe Clark (Calgary Centre, PC): Mr. Speaker, there are news reports that the Minister of National Defence has made a commitment to Liberal MPs that he will give them as much information as possible on what is at stake under the missile defence plan.

Would the Prime Minister care to make that same commitment to all members of Parliament? Would he also commit to a full debate and a vote on any Canadian contribution to missile defence before Canada makes any commitments abroad?

● (1505)

Right Hon. Jean Chrétien (Prime Minister, Lib.): Mr. Speaker, there is an opposition day tomorrow and there is one next week. The minister will be in the House and this debate will continue and information will be given.

However, I am very pleased that members of Parliament on my side, long before the Tories, have shown interest in that file.

BUSINESS OF THE HOUSE

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

> That this House call upon the government to bring in measures to protect and reassert the will of Parliament against certain court decisions that: (a) threaten the traditional definition of marriage as decided by the House as, "the union of one man and one woman to the exclusion of all others"; (b) grant house arrest to child sexual predators and make it easier for child sexual predators to produce and possess child pornography; and (c) grant prisoners the right to vote.

This motion standing in the name of the hon. member for Provencher is not votable.

[*Translation*]

Copies of the motion are available at the table.

ROUTINE PROCEEDINGS

[*English*]

FOREIGN AFFAIRS AND INTERNATIONAL TRADE

Hon. Bill Graham (Minister of Foreign Affairs, Lib.): Mr. Speaker, pursuant to Standing Order 32 I have the honour to table, in both official languages, the government's response to the report of the Standing Committee on Foreign Affairs and International Trade entitled "Partners in North America: Advancing Canada's Relations with the United States and Mexico".

The committee, when it prepared this report and had it printed, initiated an interesting and innovative policy. The committee had it published not only in French and English but in Spanish as well since it addresses our Mexican colleagues. It shows how interested the members of our committees are from all parts of the House in working to advance our interests throughout all of the Americas.

* * *

GOVERNMENT RESPONSE TO PETITIONS

Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, pursuant to Standing Order 36(8) I have the honour to table, in both official languages, the government's response to 10 petitions.

* * *

INTERPARLIAMENTARY DELEGATIONS

Ms. Sarmite Bulte (Parkdale—High Park, Lib.): Mr. Speaker, pursuant to Standing Order 34 I have the honour to present to the House a report from the Canadian Branch of the Commonwealth Parliamentary Association concerning the bilateral visit to Guernsey from March 23 to March 28, 2003.

* * *

COMMITTEES OF THE HOUSE

CITIZENSHIP AND IMMIGRATION

Mr. Joe Fontana (London North Centre, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the unanimous third report of the Standing Committee on Citizenship and Immigration regarding our provincial nominee agreements.

I want to thank the witnesses and the hard work of the committee as we travelled across the country to ensure that immigration benefits all parts of the country, small town Canada as well as urban centres. We look forward to working with the provincial governments and other communities to ensure that this objective can be reached.

[*Translation*]

BILL C-17

Mr. Bob Kilger (Stormont—Dundas—Charlottenburgh, Lib.): Mr. Speaker, I have the honour to present to the House, in both official languages, the First Report of the Legislative Committee on Bill C-17, Public Safety Act 2002.

I would like to thank, in particular, Jean-Michel Roy, committee clerk and his administrative assistant, Nancy McKnight.

[*English*]

Also, I wish to thank Susan Baldwin, legislative clerk, Richard Rumas, committee clerk, and Margaret Young and David Goetz, analysts from the Library of Parliament. And, of course, all the officials and the witnesses who made our work so efficient and effective, and particularly members of Parliament from all parties who worked very hard to make this report possible at this time.

* * *

● (1510)

CRIMINAL CODE

Mr. Jim Pankiw (Saskatoon—Humboldt, Ind.) moved for leave to introduce Bill C-434, an act to amend the Criminal Code (consecutive sentence for use of firearm in commission of offence).

He said: Mr. Speaker, this bill is otherwise known as the 10-20 life law for the simple reason that what it would do is require a judge to add 10 years to the sentence of someone who commits an indictable offence by brandishing a firearm while doing so.

Second, if the firearm is discharged in the commission of that offence, the judge would be required to add 20 years to the sentence and if someone other than the perpetrator of the crime or an accomplice is injured by the discharge of that firearm the judge would be required to add a life sentence.

This is an effort to target the criminal use of firearms instead of targeting law-abiding farmers, hunters, sport shooters, and collectors of firearms which the Liberals are doing through the firearm registry.

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

* * *

PETITIONS

STEM CELL RESEARCH

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, Canadian Alliance): Mr. Speaker, I am pleased to present a petition on behalf of the people of eastern Ontario who state that hundreds of thousands of Canadians suffer from debilitating diseases such as Parkinson's, Alzheimers, diabetes, cancer, muscular dystrophy and spinal cord injury; and that Canadians do support ethical stem cell research, which has already shown encouraging potential cures and therapies for these illnesses; and that non-embryonic stem cells, which are also known as adult stem cells, have shown significant research progress.

The petitioners call upon Parliament to focus its legislative support on adult stem cell research to find the cures and therapies necessary to treat the illnesses and diseases of suffering Canadians.

RIGHTS OF THE UNBORN

Mr. Janko Peric (Cambridge, Lib.): Mr. Speaker, pursuant to Standing Order 36 it is my privilege to present to the House a petition signed by close to 100 concerned citizens of my riding of Cambridge.

In Canada one out of four children dies before birth from induced abortion. More than half of all Canadians agree that human life needs protection prior to birth and yet there is still no law protecting unborn children.

The petitioners pray and request that Parliament enact legislation that would provide legal recognition and protection of children from fertilization to birth.

FREEDOM OF RELIGION

Mr. John Williams (St. Albert, Canadian Alliance): Mr. Speaker, I am pleased to present a petition signed by a number of my constituents who are concerned that sexual orientation as an explicitly protected category may be added under sections 318 and 319 of the Criminal Code and its effect on religious freedoms.

The petitioners call upon Parliament to protect the rights of Canadians to be free to share their religious beliefs without fear of persecution.

CANADIAN INSTITUTES OF HEALTH RESEARCH

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I have three petitions to present today. The first petition deals with the funding of the Canadian Institutes of Health Research.

The petitioners would like to draw to the attention of the House that it is unethical to harm or destroy some human beings in order to benefit others, and also that adult stem cell research holds enormous potential.

The petitioners request that Parliament ban embryonic research and direct the Canadian Institutes of Health Research to support and fund only promising ethical research that does not involve the destruction of human life.

● (1515)

CHILD PORNOGRAPHY

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, the second petition is on the subject matter of child pornography.

The petitioners would like to draw to the attention of the House that the creation and use of child pornography is condemned by a clear majority of Canadians, and that the courts have not applied the current child pornography law in a way which makes it clear that such exploitation of children will always be met with swift punishment.

The petitioners call upon Parliament to protect our children by taking all necessary steps to ensure that all materials which promote child pornography are outlawed.

STEM CELL RESEARCH

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, the final petition I wish to present today is on the subject of stem cell research.

The petitioners draw to the attention of the House that Canadians do support ethical stem cell research which has already shown encouraging potential. They also point out that non-embryonic stem cells, also known as adult stem cells, have shown significant research progress without the immune rejection or ethical problems associated with embryonic stem cells.

The petitioners call upon Parliament to focus its legislative support on adult stem cell research to find the necessary cures and therapies for ailing Canadians.

MARRIAGE

Mr. Maurice Vellacott (Saskatoon—Wanuskewin, Canadian Alliance): Mr. Speaker, I am pleased to present a petition signed by several hundred petitioners from Saskatoon and area with respect to the defence of marriage.

Being that the majority of Canadians believe that fundamental matters of social policy should be decided by elected members of Parliament and not the unelected judiciary, the petitioners ask Parliament to do all it can to ensure that the current legal definition of marriage as the voluntary union of a single male and a single female, as so defined and as it has always been known and legally affirmed, be preserved and protected, and that all measures, even to the point of invoking section 33 of the charter, the notwithstanding clause, be used to preserve and protect the current definition of marriage as between one man and one woman.

Mr. Pat O'Brien (London—Fanshawe, Lib.): Mr. Speaker, pursuant to Standing Order 36 I am pleased to present a petition from a number of my constituents and other Londoners.

These petitioners call upon Parliament to pass specific legislation to recognize the institution of marriage in federal law as being the lawful union of one man and one woman to the exclusion of all others. I am happy to add my signature to this petition before I turn it over to the officers.

Mr. Rahim Jaffer (Edmonton—Strathcona, Canadian Alliance): Mr. Speaker, I too have a petition of approximately 100 names calling upon Parliament to recognize the institution of marriage in federal law as being the lifelong union of one man and one woman to the exclusion of all others.

CHILD PORNOGRAPHY

Mr. Alex Shepherd (Durham, Lib.): Mr. Speaker, I have a petition from my constituents concerning child pornography. They call upon Parliament to protect our children by taking all necessary steps to ensure that all materials which promote or glorify pedophilia or sado-masochistic activities involving children are outlawed.

MARRIAGE

Mr. Richard Harris (Prince George—Bulkley Valley, Canadian Alliance): Mr. Speaker, I am proud to present four petitions. The first two petitions deal with the traditional meaning of marriage and contain several hundred signatures of people throughout Prince George—Bulkley Valley.

The petitioners pray that Parliament legislate an opposite sex requirement for the institution of marriage and that marriage be restricted to being between one man and one woman.

STEM CELL RESEARCH

Mr. Richard Harris (Prince George—Bulkley Valley, Canadian Alliance): Mr. Speaker, the other two petitions deal with the issue of stem cell research. The petitioners are very fearful that the government will some day pass legislation that will allow embryonic stem cell research.

The petitioners point out the fact that adult stem cells show significant research progress and accomplishment and that there is no need to go to embryonic stem cells. Therefore they call on Parliament to focus its legislative support on adult stem cell research to find the cures and therapies necessary to treat many diseases.

Mr. Speaker, I understand members cannot support a petition publicly but if I could, you know I would.

THE ENVIRONMENT

Mrs. Karen Redman (Kitchener Centre, Lib.): Mr. Speaker, I am pleased to table a petition in the House today that has in excess of 500 Kitchener and area residents' signatures asking Parliament to enact legislation to enable businesses and corporations to supply public transit passes to their employees as a tax exempt benefit, similar to free parking space.

Taking advantage of public transit and reducing personal automobile reliance are excellent ways that we can reduce greenhouse gas emissions and contribute to a cleaner, healthier environment.

The petitioners call on Parliament to acknowledge that a parking space is an allowable tax incentive for businesses and of comparable value to a tax exemption for public transit passes.

MARRIAGE

Mr. Jim Pankiw (Saskatoon—Humboldt, Ind.): Mr. Speaker, I have a petition here from M. J. Hertz of Saskatoon. He and other signatories to this petition ask that Parliament use all possible legislative and administrative measures to ensure that the current legal definition of marriage remains unchanged, and that is the union of one man and one woman to the exclusion of all others.

* * *

QUESTIONS ON THE ORDER PAPER

Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, the following questions will be answered today: Nos. 169 and 190.

[*Text*]

Question No. 169—**Mr. Loyola Hearn**:

> Can the Department of Fisheries and Oceans confirm that a Portuguese Trawler was caught, with a significant amount of codfish onboard, inside Canada's 200-mile limit in early December of 2002, and, if this is the case, what measures did the Department take upon apprehension of this vessel by the Canadian Coast Guard?

Hon. Robert Thibault (Minister of Fisheries and Oceans, Lib.): No Portuguese vessels were apprehended inside Canada's 200-mile limit in 2002.

Question No. 190—**Mr. Garry Breitkreuz**:

> With respect to the following statement in paragraph 10.67 of the Auditor General's 2002 Report to Parliament, "In February 2001, the Department told the Government it had wanted to focus on the minority of firearms owners that posed a high risk while minimizing the impact on the overwhelming majority of law-abiding owners.": why then does the Firearms Act require all law abiding, licenced firearms owners to report their change of address within 30 days or face criminal penalties of up to two years in jail but not require high risk individuals, such as: (*a*) persons who have been prohibited by the courts from owning firearms; (*b*) persons who have had their firearms licence refused or revoked; and (*c*) violent persons who are under active court restraining orders; to do the same?

Hon. Wayne Easter (Solicitor General of Canada, Lib.): The goals of licensing and registration include making every individual responsible for his or her firearms and providing police with information with respect to firearm ownership and registration. Those goals can only be achieved by keeping the registry up to date, including the current addresses of licensees.

Persons who have been prohibited or who are unlicensed for whatever reason cannot own or register firearms. The updated addresses of such individuals are thus not personal information that is necessary to manage the firearms program. The Privacy Act only authorizes the collection of personal information by a government institution that is directly relevant to the management of its programs and activities. It is sufficient, in the case of prohibited individuals or unlicensed individuals, for the police to be advised that these individuals cannot lawfully possess firearms.

● (1520)

[*English*]

Mr. Geoff Regan: Mr. Speaker, I ask that the remaining questions be allowed to stand.

The Speaker: Is it agreed that the remaining questions stand?

Some hon. members: Agreed.

* * *

MOTIONS FOR PAPERS

Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I would ask you to be so kind as to call Motion No. P-28 in the name of the hon. member for South Shore?

Motion P-28

> That an Order of this House do issue for copies of all Treasury Board loans similar to the loans used to finance the Gun Registry Program made to all department and agencies for the years 1994 to 2001.

Mr. Geoff Regan: Mr. Speaker, the documents requested cannot be released pursuant to section 69 of the Access to Information Act. I normally would ask the hon. member to withdraw his motion but I think you might find the consent of the Minister for International Trade to put the matter over for debate.

Hon. Pierre Pettigrew (Minister for International Trade, Lib.): Mr. Speaker, I ask that this Motion for the Production of Papers be transferred for debate.

The Speaker: The motion is transferred for debate pursuant to Standing Order 97(1).

Mr. Geoff Regan: Mr. Speaker, I ask that the remaining Notices of Motions for the Production of Papers be allowed to stand.

The Speaker: Is it agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS

[*English*]

INTERNATIONAL TRANSFER OF OFFENDERS ACT

The House resumed from May 5 consideration of the motion that Bill C-33, an act to implement treaties and administrative arrangements on the international transfer of persons found guilty of criminal offences, be read the second time and referred to a committee.

Mr. Norman Doyle (St. John's East, PC): Mr. Speaker, I am pleased to speak today to Bill C-33, an act to implement treaties and administrative arrangements on the international transfer of persons found guilty of criminal offences.

On behalf of the member for Pictou—Antigonish—Guysborough, in whose name I am making these comments today because he could not be present, we will support the bill in principle, but closer examination will have to take place on the bill.

As with all legislation that passes through the chamber, there is always room for improvement.

As a party, we have clearly stated that we are not opposed to the proposal in the bill and at this stage we can support it in principle. However we are cognizant of the fact that changes to the legislation will be needed. There can be no doubt that we will introduce amendments to the legislation at committee stage.

I am disturbed by the lack of consideration the government has given to victims of offenders. I would draw members' attention to clause 8 of the legislation which seeks to ensure the consent of those involved in a transfer.

Subclause 8(1) defines the parties involved as "the offender, the foreign entity and Canada" but it does not mention victims.

Once again the government has done everything possible to ensure the rights of the criminal but nothing to denote the importance of the victim.

All too often government seems more concerned with the incarcerated than with those who have suffered at their hands. At the very least, the minister should be directed to consider the wishes of the victims, or their families, when instituting the initial stages of a transfer.

Official recognition of those who have been wronged should be included in the bill, and the portion of the legislation that deals with consent actually presents the obvious opportunity to do so.

The general perception out there of our correction system is that it is soft on criminals, and this impression is not without merit. In fact, there have been a number of extremely high profile cases in which offenders have been released early on parole only to reoffend, committing the most heinous of crimes.

As of this time last year, the government was facing over 30 lawsuits based on cases where offenders had been released early only to reoffend almost immediately.

While this does not speak directly to the bill before us now, it should be put on the record that the government is willing to spend over $100 million a year on a long gun registry that does not save lives, yet remains remiss in establishing a victims' rights office.

Not only does the legislation completely ignore the rights of the victims and their families, but it allows the offender the ability to stop the transfer should he or she not wish to be moved.

Subclause 8(2) states:

> A foreign offender—and, subject to the laws of the foreign entity, a Canadian offender—may withdraw their consent at any time before the transfer takes place.

This could present long term problems for our already over-burdened correction system. It is hard to imagine someone facing a life sentence for murder in this country who would want to be transferred to a prison in a foreign land where the conditions of incarceration may not be as desirable.

When discussing this clause the minister stated:

> The prospects for an offender's successful institutional adjustment, rehabilitation and community reintegration would likely be compromised if an offender were forced to transfer against his or her will.

● (1525)

Again I would draw attention to the fact that the government seems overly concerned with the rights of the offender. While all benefit when rehabilitation occurs, we have to recognize that in some cases the goal of rehabilitation is not attainable and we must therefore concentrate our efforts on the protection of society.

If we are to consider the rights of the offender, at the very least we should give equal weight to the rights of the victim and his or her family.

On the surface, setting up legislation that would allow for a quick transfer of Canadian criminals abroad to serve their time in our own institutions does not seem to be without its merit. I would like to draw to the attention of the House clause 33, which defines what a foreign entity is. The clause reads:

> In sections 31 and 32, "foreign entity" means a foreign state, a province, state or other political subdivision of a foreign state, a colony, dependency, possession, protectorate, condominium, trust territory or any territory falling under the jurisdiction of a foreign state or a territory or other entity, including an international criminal tribunal.

What this clause does is attempt to define any and all entities which Canadian officials may or may not be interacting with in terms of seeking a transfer. This clause is defining the definition of acceptable authorities with which the Minister of Foreign Affairs can deal in terms of seeking a transfer. However, it is clauses 31 and 32 that compel the minister to act.

Clauses 31 and 32 essentially provide the minister with the ability to supersede the recognized authority of a sovereign state should he or she find a willing accomplice at a local or what we may term a municipal level, should that country not have an official agreement with our country.

To clarify that point, this legislation allows the Minister of Foreign Affairs to enter into an administrative arrangement with a foreign entity for the transfer of an offender in accordance with the act. The ability of one person to interact in an official capacity with another official from another country is one which should be closely looked at. Upon cursory examination, it seems this legislation gives the minister an unprecedented, unbalanced amount of power.

I cannot stress enough the importance the nature of the offence carries in terms of what is acceptable or unacceptable. In order to fully comprehend what it is that needs to be done, we will need to accept the societal norms or at the very least a sense of shared values in terms of sentencing duration. Justice in one country does not equal the same measure of justice in another country and this I do not believe to be transferable.

But while differences of opinion will ultimately vary, there are those who will be pleased that Canadians serving sentences abroad will now have the opportunity to serve out their sentences within the confines of our own system and with all of the rights afforded Canadians.

With the bill the government is attempting to introduce legislation that would allow Canadians convicted in jurisdictions such as Hong Kong to return to Canada to serve their foreign sentences.

An hon. member: Taiwan.

Mr. Norman Doyle: Taiwan. The media release states, "Foreign nationals from such jurisdictions convicted in Canada would be able to serve their sentences in their home countries".

● (1530)

The wording of clause 30 is also very interesting. Subclause 30(1) states:

> A Canadian offender shall benefit from any compassionate measures—including a cancellation of their conviction or shortening of their sentence—taken by a foreign entity after the transfer.

On the surface, this portion of the act would seem to suggest that if an offender found guilty of murder in another country was transferred and then that country reviewed the case and found the offender not guilty, he or she would be notified and released. However, closer examination of the wording reveals that this clause under "Compassionate Measures" really allows the Canadian government to take action on compassionate grounds after the prisoner has been returned, the key phrase in this subclause being "any compassionate measures".

Without a clear definition of the clause the interpretation is left open to those who would determine the sentence duration of the criminal. If the intent of this portion of the bill was to make sure an offender transferred to his or her home country was kept abreast of any reduction of their sentence in the place where the crime occurred, the clause would have read: A Canadian offender shall benefit from any foreign compassionate measures. It is a subtle difference in wording, but one which clearly defines the purpose of the clause.

When dealing with foreign entities I believe we need to be clear and this portion of the bill needs to be re-examined. If what we are saying is that we are going to determine who should or should not be punished or if we are going to be determining the duration of a sentence, regardless of what the country in which the crime was committed has determined, then we need to be up front. We should also define clearly what "compassionate measures" means. Do we include the wishes of the family? Do we consider the circumstances in which the prisoner has served his or her time?

Once again I believe it is important to have measures in place to allow us to deal with this situation, namely, the transfer of prisoners from one country to another, but I also believe we need to act in the best interests of Canadians. While we support the legislation in principle, we need to be cognizant of the fact that regardless of what the government passes this type of legislation only works if we have reciprocal agreements.

Mr. Jim Karygiannis (Scarborough—Agincourt, Lib.): Madam Speaker, I am pleased to rise today to participate in the discussion of the government's initiative to update the Transfer of Offenders Act. It is somewhat surprising that we are continuing to debate on this matter, as the proposals appear to be both necessary and straightforward. Nonetheless, I have reviewed the speeches of the hon. members opposite to see if the concerns they have raised are valid. Those that are well founded could be instructive to the parliamentary Standing Committee on Justice and Human Rights in conducting a closer examination of these measures when we pass them along.

As I have said, Bill C-33 is also important and necessary but routine legislation. Transfers between Canada and other countries are not numerous. Every year about 85 Canadians are transferred to Canada under a treaty or a multilateral convention for transfers of offenders. However, the comfort that transfers provide to offenders and their families and the greater opportunity that is given to offenders to be safely and gradually reintegrated into their communities by being allowed to serve their foreign sentence in their home country cannot be denied. It will impact upon the international correctional and criminal justice communities in positive ways in which we as Canadian legislators can take pride.

The proposals continue the spirit of the original Transfer of Offenders Act in applying the rule of law in a balanced way. The new act will respect foreign laws and practices while holding up an example of fairness and humanity. It will not, I must emphasize, alter the Canadian correctional system. Members of the official opposition seem to see any initiative involving corrections as a threat to their blanket, get tough approach to all offenders. While the measures currently before us have nothing to do with the administration of sentences in Canada, these hardliners insist, against all evidence provided by thorough research, that longer sentences served in more punitive conditions will somehow turn offenders into productive citizens.

In their recent remarks, they appear to be saying that it would be somewhat beneficial to society if Canadians who are convicted of offences abroad are forced to serve out their sentences in foreign jails where conditions may be inhumane. I must ask them how exactly the denial of transfer of offenders to the Canadian system, where they may benefit from programming, guidance and family support, would better serve Canadians than the return of these offenders, uncontrolled and untreated at the end of their foreign sentences.

The proposed bill maintains most of the purposes and principles of the Transfer of Offenders Act as proclaimed in 1978. Upon due consideration, it might be seen that it is more comprehensive than its predecessor in dealing with a variety of circumstances not foreseen when the original statute was drawn up.

It is apparent from the remarks that my hon. colleagues are confusing extradition and deportation with transfers under the Transfer of Offenders Act. That is why I think that at this juncture it is important to explain the differences.

Extradition can be defined as the giving up of a person by a state where he or she is present at the request of another state where the person is accused of having committed or has been convicted of a crime. International law has developed this procedure as a means of extraditing fugitives from justice to the requesting state to be tried or punished for crimes they have committed against its laws.

Extradition to or from Canada is carried out under the Extradition Act. In most circumstances, extradition is not an alternative to transfer under the Transfer of Offenders Act. The person is not necessarily an offender or a foreign citizen of a country where he or she is present, but rather is simply wanted by another jurisdiction for the purpose of criminal proceedings or enforcement of a sentence.

Deportation involves the removal of a non-Canadian citizen from Canada under the Immigration and Refugee Protection Act. A non-Canadian citizen serving a custodial sentence in Canada for a crime committed in Canada may be deported to his or her country of citizenship if the requirements of the act are met.

● (1535)

Additionally, the offender cannot be deported until the sentence is completed or deemed completed by the way of release on full parole or statutory release. This process is an alternative to the proceedings under the Transfer of Offenders Act. However, unlike offenders transferred under the Transfer of Offenders Act, deported offenders are not subject to the Canadian sentence upon return to their country of citizenship. As such, risk management and gradual reintegration of the offender into the home community do not apply to deportation cases. This is why transfers of offenders under the Transfer of Offenders Act are generally considered preferable to deportation.

The Transfer of Offenders Act came into force in 1978. Only technical amendments have been made to the act since that time. There was a need to identify substantive issues and find ways to address them.

As a result, federal officials carried out consultations with 91 private sector and government agencies and then conducted a thorough review of the Transfer of Offenders Act. The review and consultations gave rise to proposals to amend the act that would incorporate traditional international treaty principles, close identified gaps in the act and ensure agreement with other legislative provisions and improve efficiencies.

All treaties that Canada has signed reflect the principles of verified consent. For example, most treaties include a standard provision that requires the sentencing state to give the receiving state an opportunity to verify, prior to the transfer, that the offender's consent is given voluntarily. This is important because, as I said earlier, the prospects of an offender's reintegration into the community would likely be compromised if he or she did not willingly transfer. This is why Bill C-33 would set out the requirement that all reasonable steps be taken to determine whether an offender's consent has been given voluntarily.

Also, treaties signed by Canada reflect certain obligations which are considered essential from a legal perspective. For example, treaties generally include a requirement that countries inform foreign nationals in their respective jurisdictions of the existence and substance of a treaty. This duty is linked to the principles of natural justice and is fundamental to give effect to the treaty. Without knowledge about a treaty, the offender would not be in a position to request a transfer to his or her home country.

Currently, there is no legislation to compel Canada to meet this obligation with respect to foreign citizens sentenced in Canada. To address this gap, Bill C-33 would require that a foreign offender under federal or provincial jurisdiction be informed of the existence and substance of an international transfer treaty between Canada and the offender's country of citizenship.

The rule of dual criminality is satisfied where an act is criminal in one state and has the same general qualification in the other. This is the rule of customary international law and a requirement of most treaties signed by Canada because the enforcement of a foreign sanction for an offence that does not exist in Canada such as adultery could violate essential constitutional principles or contravene protected fundamental human rights. Bill C-33 would set out dual criminality as a condition of transfer.

Continued enforcement, which is recognized in most transfers of offenders treaties, is a method used to make foreign sentences compatible with domestic ones. It is an administrative procedure which allows continuing the enforcement of a foreign sentence in the receiving state according to its domestic laws. This means that although the receiving state is bound by the legal nature and duration of the foreign sentence, the receiving state's conditional release rules apply to the offender. For example, an offender serving a determinate foreign offence in Canada could be eligible for parole after having served one-third of the sentence. Bill C-33 would explicitly incorporate this important procedure in the new international transfer of offenders act.

● (1540)

Currently, there is no legislation requiring that a foreign offender in Canada be informed of the decision not to grant his or her request to transfer to his or her home country. It is vital that the offender be advised of the reasons of a negative decision and given the opportunity to present observations to have the decision reversed. By setting out this requirement, Bill C-33 would ensure consistency with the Corrections and Conditional Release Act, the common law "duty to act fairly" and the Charter of Rights and Freedoms.

No provision is made in the current Transfer of Offenders Act or any other Canadian statute for the international transfer of persons adjudged not criminally responsible on account of mental disorder or unfit to stand trial. Bill C-33 would address this issue by authorizing the negotiation of administrative arrangements with the authorities of a foreign state for the transfer of mentally disordered persons to and from Canada. This change would also further the humanitarian purpose of the transfer of offenders scheme, and provide an example of enlightened practice to other countries. Further, Bill C-33 would ensure that due deference is shown to our provincial partners by making it clear that their consent would be required in all cases under their jurisdiction over mentally disordered persons.

The harshness of imprisonment is greater for citizens incarcerated overseas. At times, correctional systems abroad are ill-adapted to advance the goals of reintegrating foreign offenders into society. In many instances, foreign states cannot accommodate basic needs such as the practice of religion or family contacts.

The government is making every effort to obtain humane treatment for its citizens incarcerated abroad. Such efforts are consistent with the policy of protecting and promoting human rights in Canada and the international community. By providing for the negotiation and implementation of administrative arrangements in addition to regular treaties, Bill C-33 would further contribute to the promotion of human rights. Moreover, there is no doubt that by broadening the category of states and non-state entities with which Canada could transfer offenders, Bill C-33 would better serve the objectives of public protection through rehabilitation and cooperation between states in the enforcement of sentences.

There are many facets to these measures that I have characterized as straightforward. There are other aspects of Bill C-33 to explore but I believe that we have been quite thorough in our consideration of the proposals, and should now leave these matters to the parliamentary standing committee.

● (1545)

Mr. John Bryden (Ancaster—Dundas—Flamborough—Aldershot, Lib.): Madam Speaker, I thank my colleague for his excellent remarks. One of the interesting features of this legislation that is new to the legislation is provision to transfer prisioners who may have been terrorists in their original homeland and to negotiate with that homeland to have them transferred back to that homeland. Conversely, when people who have Canadian citizenship are arrested in foreign lands, the bill provides that while they can be brought back to Canada under this legislation, the governor in council has the option of not returning them if there is a security risk, the idea being that the unfortunate reality every country is faced with is the danger that their own nationals may participate in terrorist activities in other lands holding our passports.

I draw my colleague's attention to the situation just recently involving two British individuals who held British passports and who were engaged in a bombing in Israel. That could have been people holding Canadian passports.

Does my colleague agree that it is prudent of the government to insert measures into legislation that protect Canada from inadvertently acquiring an unfair share of people who have committed terrorist acts abroad by bringing them back to Canada to be kept in our jails?

Mr. Jim Karygiannis: Madam Speaker, it is important that we realize the post-9/11 scenario. The world has changed its way of thinking, has changed our attitudes and the way we conduct business, be it in this House or in other areas.

There is the possibility that Canadian citizens might be involved in acts about which we should not even be thinking. However, if Canadian citizens are involved in such acts abroad, it is our responsibility to ensure that there is due diligence done and that they are brought home to face the consequences here.

However, as I said, consideration has been given and this is why we should take this bill to the parliamentary standing committee to discuss such items, as brought forward by my colleague, and other ideas that can arise.

● (1550)

Mr. John Bryden: Madam Speaker, I am delighted to have a second opportunity to pose a question. One other feature of the bill that I certainly have been impressed by is the fact that it has made adjustments in the legislation to the recent youth criminal justice law which has finally come into force in Canada after much debate in the House.

I wonder if the member could comment on the principle of applying the ideas in our youth criminal justice legislation, which basically is designed to try to rehabilitate youth at the same time as protecting the interests of the public, and applying these principles to those young people who may be arrested in foreign countries, and the bill provides for returning them to Canada so they would be subject to Canadian punishment.

Mr. Jim Karygiannis: Madam Speaker, I cannot but forget a few years ago a picture of two young ladies in their early teens who had committed a crime in the Caribbean and they had to undergo a prison sentence. This legislation would give the opportunity for us to bring our children who have committed crimes, which are minuscule crimes in other countries, back to Canada so we can assist them and put them on the right track.

Mr. Alex Shepherd (Durham, Lib.): Madam Speaker, it gives me great pleasure to enter the debate on Bill C-33, the international transfer of offenders act.

The founding purpose of the Transfer of Offenders Act , or TOA, is essentially humanitarian. It authorizes Canada to implement treaties with other nations for the return of offenders to their countries of citizenship while still under a sentence for a conviction in a foreign state.

The TOA allows Canada to enforce foreign sentences of Canadian offenders transferred to Canada. This is particularly important where foreign standards of justice and conditions of confinement impose severe hardships on Canadians.

The Transfer of Offenders Act came into force in 1978 following a United Nations meeting at which member states agreed that international transfers were desirable in light of increasing global mobility of individuals and the need for countries to cooperate on criminal justice matters.

The act is based on the humanitarian principle of returning foreign offenders to their home countries to serve their sentences. It authorizes the implementation of international transfer treaties for this purpose.

Since the act's proclamation, Canada has ratified bilateral treaties with countries such as the United States in 1978, Mexico in 1979, Peru in 1980, France in 1984, Bolivia in 1985, Thailand in 1988, Venezuela in 1996, Morocco in 1998, Brazil in 1998 and Egypt in 2000. Negotiations are ongoing to enact treaties with many other countries.

Under the act Canada is also a party to three multilateral conventions, the Council of Europe Convention on the Transfer of Sentenced Persons, 1983, the Scheme for the Transfer of Convicted Offenders within the Commonwealth, 1990, and the Inter-American Convention on Serving Criminal Sentences Abroad, 1993, which allow for transfers between Canada and over 40 countries.

Canadians incarcerated in foreign countries often find themselves facing serious problems coping with local conditions. Cultures are different. There are language barriers. Diets may be poor and there can be inadequate medical care and rampant disease in prisons.

In some countries it is even common practice for the family to be responsible for providing food, clothing and items for personal hygiene. A Canadian serving a sentence under such conditions would be doubly punished by not having access to the basic necessities of life.

Consular officials provide all the assistance they can, but their ability to help is often limited to ensuring that the offender's rights under local laws are protected. Clearly, some of these jurisdictions in some of these places are rural and there may not necessarily always be consular officials close at hand. That is another reason people would find themselves very much isolated in a foreign country.

In addition, offenders imprisoned far from home are isolated from their families and access to the communities to which they will one day return.

The legislation before us today updates the 1978 legislation. It brings it in line with established treaty principles and recognizes current international conditions. In the years since the legislation was passed, only minor technical amendments have been made. But as we all know, the world has changed and we have obligations to ensure that our laws keep pace with the new realities.

At the same time, these proposals will ensure that Canadians who are transferred under the TOA and related instruments will be treated fairly and equitably, according to Canadian values and legal principles, while not being allowed to escape accountability for their offences committed on foreign soil.

● (1555)

To this end, principles that are now expressed only in treaties will be captured in the international transfer of offenders act to ensure that they are respected in future treaties and in individual cases.

One of these principles is the non-aggravation of a sentence. A transfer cannot be used to increase the punishment that has been handed down by a foreign court. Treaties generally provide that the receiving state shall not interfere with a finding of guilt and sentence imposed by the sentencing state. Where modifications in sentence administration need to be made in order to comply with domestic legislation, on no account must the transfer result in aggravation of the length of a sentence. This legislation will reflect this important obligation.

Another important principle is dual criminality. That means an offender can only be transferred if the act for which he or she is sentenced is considered to be criminal both in the country where he or she is convicted and in Canada. We do not incarcerate people in Canada for certain things that are considered illegal in other countries. One example would be adultery. While hardly admirable behaviour, we in Canada do not imprison people for adultery. We would therefore not imprison someone who was found guilty of adultery in another country.

This legislation also clarifies issues related to consent. All parties to an international transfer must consent. The country where the person was sentenced has the right to be aware of how the sentence will be served. The receiving country must of course consent to take over the administration of a sentence. In Canada this also means that where a sentence is to be administered by provincial authorities, they must consent as well. The offender has the right to consent to be transferred to his home country knowing how that sentence will be administered.

This brings to mind another critical element, which is ensuring that offenders are aware of their right to access a transfer. Foreign citizens must be informed of the existence of an international transfer treaty between Canada and their country of origin. This legislation will require that correctional authorities inform foreign national offenders of their rights under any treaty.

This legislation serves two purposes. It is humanitarian and it also helps to protect the public. Being humane to offenders is not universally accepted. But I would remind everyone of the outcry that takes place when we realize that Canadians are being ill treated due to harsh conditions in the prisons in many countries not as enlightened or as fortunate as we are in Canada.

To enhance its humanitarian nature, the legislation will extend the scope of possible transfers to include young offenders serving community sentences. The current act allows for the transfer of young offenders in custody, but not ones serving community sentences, whereas adult offenders serving both types of sentences may be transferred. This is an anomaly which will be addressed by this legislation.

In addition, the proposal will allow for transfer of children under the age of 12. In many countries children can be held criminally responsible at very young ages. This legislation will allow a child to be returned to Canada but, in keeping with Canadian values and standards, such a child would not be imprisoned.

A further expansion will allow for the transfer of mentally disordered offenders. In this case they could be returned to Canada and dealt with by the mental health system.

These categories of offenders are not currently covered, but we need to ensure that our most vulnerable citizens have the opportunity to be repatriated to Canada.

Recognizing the role of the provinces in dealing with these categories of offenders, the legislation ensures that they have the right to consent to such transfers. Consultations took place with all provinces and they agree with the amendments that are being proposed in this legislation.

An important aspect of the proposals is the recognition that people may be incarcerated in areas where treaties do not currently exist. This legislation will allow the transfer of offenders on an ad hoc basis.

● (1600)

This is important as the negotiation of a treaty may take years and we do not want our citizens languishing in harsh conditions of confinement far from their homes and families while a treaty is being negotiated. To deal with these situations, the international transfer of offenders act will permit the negotiation of an ad hoc arrangement on a case by case basis with a foreign state to allow transfers to take place.

This legislation will allow for transfers to take place with countries or regions that are not recognized as states, such as Taiwan and Hong Kong. The dissolution of the USSR and Yugoslavia highlight the problems in dealing with territories or jurisdictions not yet recognized as foreign states. Several years may pass before the jurisdictions are firmly recognized as foreign states. In the interim, Canada cannot enter into a treaty with them. Canadians incarcerated in these jurisdictions and vice versa are not eligible to apply for an international transfer.

I mentioned earlier that the purpose of the act included public safety. I would like to speak to that issue for a moment.

By allowing offenders to serve their sentences in Canada, they can be gradually released into the community under supervision and control with appropriate assistance and support. Otherwise these offenders would simply be deported at the end of their sentences and arrive in Canada without our having any authority to monitor or control their behaviour.

What happens if the transfer treaty is not used is that the foreign state will often deport the offender back to their country of origin, in that case Canada, at some point. The offender will arrive in Canada and there is no record of his or her conviction nor any legal means of ensuring that he or she is required to serve the balance of the sentence either in an institution or in the community.

By using a transfer, the offender returns to Canada to serve the sentence here. Correctional authorities will have the ability to carry out the foreign sentence in accordance with the way all other sentences are administered here. It also allows us to ensure the safe reintegration of the offender back into the community under supervision.

A Canadian offender returned to Canada will be subject to the same conditions as all other offenders, including having access to treatment programs that will reduce the risk of future reoffending and thus protect our citizens. Canada is well respected for its treatment programs in federal institutions, many of which are accredited by an international panel. This is surely preferable to having someone dumped back in the country with no resources to assist their adjustment back into society.

As I noted, Canada has concluded a number of bilateral treaties and multilateral conventions on the transfer of offenders. In the United States, in addition to the federal authorities, 45 states accede to transfer of offender treaties with Canada. These proposals will enhance Canada's ability to cooperate internationally in the area of criminal justice, particularly with regard to sentence enforcement.

This is not a one way street. Just as Canadian offenders can return to this country to serve their sentences, foreign nationals can also be returned to their countries to serve their sentences. Again, this will allow them to serve their sentences in a place that is culturally appropriate to them and to have access to their families and communities.

This is good legislation that meets important needs. It will bring the existing legislation up to date and reflect important principles of transfer treaties. It will allow Canada to respond to the needs of its citizens who are convicted in other countries and must serve sentences in sometimes extremely harsh conditions.

As I mentioned, while the legislation is predominantly humanitarian, it also serves an important public safety role by requiring offenders to serve out their sentences ordered by a foreign court within Canada.

● (1605)

It is very important that the parole system and those kinds of extensions of the correctional service system are utilized. The statistics are very clear in Canada that offenders who do not go through that process escape monitoring, which sometimes leads to serious consequences for some of our citizens. I think it is important for that to be the foundation of the legislation.

I also ask members to think of the families of those who are incarcerated outside of Canada. The hardship faced by offenders serving sentences in foreign countries is only surpassed by the hardship faced by the families who must worry about their survival.

I urge the speedy passage of the legislation.

Mr. Richard Harris (Prince George—Bulkley Valley, Canadian Alliance): Madam Speaker, the bill is purely a reflection of the Liberal government's most tolerant approach to people who commit crimes. There are many countries around the world whose justice system demands far harsher penalties than we have in Canada. The influence of past Liberal governments has resulted in a very lenient approach to people who commit crimes in this country.

This is a bewildering bill because it does not put any responsibility on Canadian citizens to respect the laws of other countries. If they are visiting other countries and they have no respect for the law, in the sense that they choose to commit a crime there, then the bill would get them off the hook with the penalties that might prevail in that country by allowing them to be returned to Canada and be subject to the Canadian judicial system and the way we treat people who break the laws.

This is just another example of the Liberals' most tolerant approach to people who commit crimes. I would say that this bill could actually serve as an encouragement to criminals from Canada who are in other countries to commit crimes. They would know that if an armed robbery in a particular country gets them life in prison, they could go ahead and commit that crime knowing that under this legislation they would likely be transferred back to Canada, be subject to the laws of Canada and might only serve about five years in prison.

I could never support the bill. I believe that Canadians who are in other countries have an obligation to respect the laws of that country and, if they choose to trespass those laws, then they should be subject to the consequences of that trespass in the country they are in.

The bill is just another example of the Liberals' most tolerant approach to criminals. Some of the sentencing and the punishments were mentioned today in question period, which the Solicitor General and the justice minister just sort of laughed off. A simple slap on the wrist under this government's influence tells criminals in this country to go ahead and break the law. They will still be treated with a whole bunch of respect. They will be showered with rights and be provided with legal aid. If they do get convicted, they are put in some sort of a club fed, but will be released pretty soon because we believe in a very lenient parole system. They are told not to worry, to be happy and to go ahead and commit crimes in this country and abroad because they will be returned home and be treated like good old Canadian prisoners.

● (1610)

Mr. Alex Shepherd: Madam Speaker, I must say that I think the member's hypothesis and his arguments are quite ludicrous. We heard that because of legislation in Canada, people will commit crimes abroad. I really have a lot of problem with that causal relationship.

Looking around the world there are some jurisdictions where the drinking of alcohol is an illegal act and subject to incarceration. As I mentioned in my speech, in some jurisdictions adultery is considered a punishable offence subject to incarceration or worse, as we have seen in Nigeria and other countries.

I would like to assure the member and his party that in those jurisdictions in the United States that have capital punishment, and I am sure they are very in favour of capital punishment, there is no correlation between capital punishment and the reduction in crime. As a matter of fact, I can well remember sitting outside a jail in Houston, Texas, where a Canadian was incarcerated. In fact Mr. Bush finally hung that Canadian, so that person did not have the right to return to Canada.

The reality is that Canada's crime rate is one of the lowest in the world. The reason we have these laws is that we believe people can be rehabilitated. The most important part of the legislation deals with young offenders. Some young offenders in foreign countries have very harsh incarceration and almost torturous penalties for smoking marijuana, or whatever the case may be. That does not mean it is okay. If people break the law they are subject to penalty.

However we in Canada know we can put those people in some kind of rehabilitation program and then, statistically speaking, in spite of that party's constant talk about reoffending, the reoffending rate is actually quite low. The reality is that these programs have been successful. I believe it shows the way we should deal with offenders.

It is not about being soft on crime and it is not about forgetting about the victims of crime.

However, if these people are going to be reintroduced into the community at some point in time, it is important that it be a gradual introduction, that there be a monitoring system and a parole system where people can monitor their activities. I know the member will point out the odd cases where it has failed. There have been failures, there is no question about that, but generally most of the system works.

I disagree with the member's premise. I think this is good legislation. No, it does not promote criminality around the world, as the extreme position that his party would suggest.

● (1615)

Mr. Chuck Strahl (Fraser Valley, Canadian Alliance): Madam Speaker, I would encourage the member opposite, tomorrow when he can think straight, to read in *Hansard* what he just said. I think his argument was that other countries have a tough penalty system for certain crimes and we do not. If I have followed it right, I think his argument is that we should get the people in other jurisdictions who commit crimes, and because the Liberals consider them insignificant crimes in Canada, it is okay.

He should be warning young people. He should let them know that if they are thinking about travelling to another country and thinking about smoking marijuana, they should not do it because other countries do not laugh it off. It is a serious thing. He should let them know that we cannot get them home, that they will be spending a lot of time in a rat infested hole somewhere. He should tell them to take smoking dope seriously when they are in a Muslim country, for example.

We should not pretend that it is no big deal and that we do not have a problem with rehabilitation or reoffending here in Canada. We have a huge problem. The only trouble is that no one is charged and no one has to go to jail for many offences, including, not just smoking dope, but stealing cars, stealing mail and home invasions. A person does not even go to jail for manslaughter, as we heard in question period today. That is why we are offended by the Canadian Criminal Code system.

Certainly the member opposite should send a strong message, in the minute or two he has left, to every Canadian citizen that when they are in another country they must respect the laws of that country because we will not necessarily be able to get them home. He should tell them to obey the laws and to be as pure as the driven snow because they have a good chance of spending a lot of time in a place they do not want to go. He should tell them that it will not be a pleasant experience for them or their families.

Mr. Alex Shepherd: Madam Speaker, I do not think any of us would promote people committing crimes in other countries regardless of their justice system.

We are talking about those people who fall through the cracks, those people who, for whatever reason, commit a crime. We do not promote them to commit crimes. We tell them that if they are in a foreign country they must respect its laws. There is no question about that. However from time to time somebody does commit a crime, even innocuously, like having a drink in Saudi Arabia. My goodness, I forgot about that being a crime. Those members opposite would incarcerate those people. We do not believe in that. We are saying that there is some kind of system here that will give Canadian citizens some kind of justice.

[*Translation*]

The Acting Speaker (Ms. Bakopanos): Is the House ready for the question?

Some hon. members: Question.

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

Some hon. members: Agreed.

Some hon. members: No.

The Acting Speaker (Ms. Bakopanos): All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Acting Speaker (Ms. Bakopanos): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Ms. Bakopanos): In my opinion the nays have it.

And more than five members having risen:

The Acting Speaker (Ms. Bakopanos): Call in the members.

● (1620)

[*English*]

And the bells having rung:

Ms. Marlene Catterall: Madam Speaker, discussions have taken place among all parties and there is an agreement pursuant to Standing Order 45(7) to defer the recorded division requested on second reading of Bill C-33 until Tuesday, May 13 at 3 p.m.

The Acting Speaker (Ms. Bakopanos): Is it agreed?

Some hon. members: Agreed.

* * *

CANADA AIRPORTS ACT

The House resumed from April 29 consideration of the motion that Bill C-27, an act respecting airport authorities and other airport operators and amending other acts, be read the second time and referred to a committee.

Mr. John Bryden (Ancaster—Dundas—Flamborough—Aldershot, Lib.): Madam Speaker, I am pleased to speak to Bill C-27 because as the House is aware I have been a long proponent of increasing transparency and accountability in the financial administration of government and crown corporations. Indeed, it is a principle that I would apply to any kind of institution that is charged with looking after the public trust, whether it is a private corporation, a crown corporation or a government.

This business of transparency and accountability has come to be rather accepted in this day and age, particularly after the public collapses in the United States of large corporations like Enron. The idea that institutions should be foremostly transparent and accountable is somewhat novel in comparison to the situation of just 10 years ago.

When I first came to this House in 1993 and started this crusade to bring transparency and accountability to everything the government touched, part of that crusade was to reform the Access to Information Act and to amend the Canada Business Corporations Act, and do a number of things including bringing transparency and accountability to charitable institutions.

I guess I was a voice in the wilderness originally but as time went on the government, I am happy to say, has bought more and more into the principle that there must be legislated transparency and accountability wherever taxpayers' money is being spent or wherever the public trust is being looked after in a way that involves finances.

In 1994, the first year of the government's mandate, the government took over a program that had been initiated by the former Tory government. It was the implementation of the national airport policy. That involved taking federal airports and transferring them through specific agreements to local authorities who in turn often hired or came into agreements with private operators to run

these airports. This legislation deals with these entities. In the grand sense the entity that runs, for example, Pearson airport is an airport authority in this legislation. There is also a smaller category of airport operator which by and large applies to John C. Munro Hamilton International Airport in my riding in Hamilton.

When those agreements were struck across the country that basically semi-privatized the federal airports, the principle of ensuring that there was a single standard of corporate governance, a single standard of financial reporting, and a single standard of disclosure to the public was not implemented at that time. These airport authorities and airport operators were set up with different types of standards. Over the nine years since these airport authorities and airport operators have been operating, it has become apparent that the level of disclosure and the level of transparency has been uneven across the country. There have been some concerns expressed about the management of some of these airport authorities and airport operators.

● (1625)

In 1996 the government embarked upon a similar program to transfer the federal marine assets over to port authorities. In my riding the Hamilton Harbour Commission was replaced by the Hamilton Port Authority. The difference between 1994 and 1996 was that the government inserted into the legislation, creating the port authorities, excellent standards of corporate governance, transparency and accountability. I was very proud at that time because I would like to think I had some role in that because I was pestering the minister of the day about the necessity of bringing that type of standard in with the port authorities.

We now have Bill C-27 which, nine years later, is the logical step to take after bringing the regimes of corporate governance to port authorities and bringing them to airport authorities and airport operators. It is a good thing to do.

I have been following the debate in the House and I cannot fail but note that even on my own side there have been colleagues who have criticized Bill C-27 and have spoken against it. I must cite the member for Hamilton West who is a colleague of mine. On an earlier day of debate he gave a speech on the bill in which he castigated the government for this legislation. I must note that nowhere in his speech did he actually cite a single criticism of the legislation. He decried it in general but not in specifics.

It is important for people watching to know that even on this side of the House there is great freedom of opinion and we are able to debate openly. I do not begrudge my colleague's opinion about the legislation, but it was his remarks that prompted me more than anything else to set the record straight in my view, and remember, Madam Speaker, it is my view.

I would like to take members of the House through a bit of the legislation to give them an impression of what the legislation actually does and why I think everyone in the House should support it. There may be areas that could use some technical amendments, but by and large, I think it is excellent legislation.

I draw the House's attention to part 5 of the bill under the heading "Disclosure and Accountability". Clause 120 would require all airport operators to prepare financial statements annually. In those financial statements there must be a statement of revenues and expenditures, a summary of capital expenditures, and a statement of revenues from passenger fees. This is important information because we must remember that these airports, even though they are operated locally, are institutions of the public trust. In other words, every airport is derived ultimately from the Crown, so the public would expect to have access to that kind of information.

Clause 123 would require every airport operator to submit a business plan for the upcoming five years. I am probably a bit fanatical about the need for financial disclosure with the public and institutions, including private corporations. The legislation would require that the airport authority or airport operator provide annual financial statements. The legislation goes into great detail about what is required in these financial statements. It says, for example, that financial statements must disclose the revenues derived from landing fees, terminal fees, other aeronautical fees, passenger fees, and from car parking concessions and general rental.

● (1630)

This is a very important part of understanding the success of an institution, a business enterprise in this case being operated in the public interest. It is very important because ultimately these airport properties are a resource of the nation. It is very important for the public to be able to see for themselves through audited financial statements how effectively the airport operator is carrying out its task. I submit that this detailed requirement is an excellent provision to put in the legislation.

This is not to say that many airport operators are not providing this kind of information already. The important thing is that it is a standard that goes across all airport operators including the one in Hamilton and many others. Therefore, it is a very positive thing.

A little further in the bill we would expect to see and indeed we do find that there has to be an auditor's report of the financial statements. That of course should be a given. I am sure it is in most airport agreements, if not all, but it is very important to put it in legislation.

There is also a provision for regular annual meetings. A very good idea, that was derived from the port authority legislation which incidentally was Bill C-44 in its day, is this idea that every so often the airport authority must submit itself to a performance review. That performance review of its operations and everything that it is doing and the way it is carrying out business is to be done by an independent agent. That again is a very positive thing to do. I think the public must be satisfied that there is transparency and accountability.

However, realizing that not everyone is going to be scrutinizing the financial statements of the airport operator every time they come out, we must assure ourselves that there is something built into the system to ensure that there is an annual independent assessment of how well management is performing its task.

It is something that the government is very used to. We certainly have a system in the government where the performance of various departments are subject to annual review and indeed we apply it to many pieces of legislation. The Canadian Environmental Assessment Act is a good case in point because it was just in the House this week. This is legislation that comes up for review every five years. The Lobbyists Registration Act is another example. In the operation of government itself various departments have mechanisms in place to review performance from time to time. Therefore, I think this is very positive.

There is also material here regarding the mechanism for setting airport fees. Again, that is very important because we do not want a situation where an airport operator can arbitrarily set fees that may help generate revenue but may have a negative impact on passenger travel or access to the airport or whatever else. Airports like ports are not simply business enterprises. They are enterprises that have great national significance and they cannot be administered totally in isolation of national policy. This is why Bill C-27 has come forward.

● (1635)

Obviously I quite support the bill and I would like to put it also in the context of another piece of legislation that is coming before the House; it is in committee. That is Bill C-7, which is a bill that will bring financial transparency and accountability to the administration of Indian reserves. Some 600 bands and reserves are going to be covered by this legislation. What it basically does is put standards where none existed before, national standards pertaining to the election of officers of bands, their requirement to disclose their proceedings to their band membership, the need for audited financial statements and so forth.

The reason why I mention it is that this is part of where the government has been going in the last few years and I am extremely pleased that it is going in this direction. More and more, we see the government moving toward patching up areas of the national fabric that have existed for many years without adequate oversight. Because when we talk about transparency and accountability, what we are really talking about is public oversight of enterprises that are in the national interest.

Bill C-7, Bill C-27 and the bill on the port authorities represent very important progress on the part of the government in this direction. That gives me an opportunity to encourage the government to carry on in this direction, because there is much more to be done. I remind the House that I have been campaigning very hard over many years to persuade the government to reform the Access to Information Act. That would bring greater transparency, accountability and scrutiny, shall we say, to the administration of government. This was pioneering legislation in its day. It needs overhaul very desperately and I hope the government will move in that direction very shortly. I would rather it did it immediately because time is running out on this particular government's mandate.

There is another area that I really wish the government would move forward on. It has been very slow and I find it very unfortunate. It is the whole idea of bringing in standards of accountability, transparency and corporate governance to charities. It is just like port authorities, just like airport authorities. Charities are large enterprises that spend billions of taxpayers' dollars.

I believe the charity sector in this country, which we can rightly call an industry, has revenues and expenditures in the order of about $100 billion a year. This is a huge amount. These charitable institutions, be they large hospitals or the small charity that gets on the telephone to us, or usually to our aged parents who cannot think very clearly for themselves, and solicit money and spend that money, these organizations are still not under meaningful, legislated standards of corporate governance and transparence. I know that sounds incredible. Canadians listening probably think it is absolutely amazing that a $100 billion a year industry should be without the basic standards of corporate governance that exist in this legislation.

Finally I would say in conclusion that the government is moving in the right direction. This is what Canadians want. This is what society wants. I think it is very clear from the catastrophes in the financial market, particularly in the United States, that we cannot rely on trust alone to ensure that enterprises that are acting in the public interest are living up to their commitments. So we must bring in legislation that defines standards of corporate governance and deals with transparency and accountability. I think Bill C-27 is a good step in that direction, but there is much, much more to be done.

● (1640)

Mr. James Moore (Port Moody—Coquitlam—Port Coquitlam, Canadian Alliance): Madam Speaker, I have a question for my colleague. I agreed with him when he mentioned at the end of his talk that when airports go from being government run to essentially private sector corporations they are essentially monopolies and therefore there has to be regulation of these monopolies.

What Bill C-27 does is mandate the makeup of the boards of directors of these companies to ensure that all the voices are heard, but the number one problem with the current composition of the boards of the airport authorities is that the air carriers and the air industry do not have representation on those boards. Because of the inelasticity of the price of airline tickets and because it is so competitive and so on the margin, the ability for airports themselves and airport authorities to impose airport improvement fees without receiving those measured opinions through a specific mandate on the boards of directors is a huge flaw in the bill.

I see that the member is taking a minute to flip through the bill. I want him to go to that section if he has a moment. That is a principal problem with the bill, because the air industry wants a greater say in this country. It wants a greater say with how airport authorities are managed because there is a real problem.

For example, we get complaints, and whether they are justified or not I will not say, about the Vancouver International Airport, which is a great airport. Larry Berg is the CEO and he does an amazing job. He is a great guy and does a great job of managing the airport. However, we receive a lot of complaints from smaller carriers and even Air Canada about Vancouver International Airport essentially becoming a giant mall with boutiques and restaurants and stores and tie shops and everything else, rather than just a port of entry and exit for airlines.

The federal government says it needs to regulate that because it is getting out of control, but it has not put air carriers and the air industry on the boards of the airport authorities, which is a fatal flaw. It is one thing to say there has to be management. However, not to have the air carriers there in order to make the argument about the inelasticity of prices and the problems of airport improvement fees is a fatal flaw in the bill.

Mr. John Bryden: Madam Speaker, I thank the member for his intervention. I did read the clause on fees and I was impressed by the fact that there were parameters put on the way airport operators can impose fees. I think that is very positive.

As to the member's point, however, I think he raises a very important point. If memory serves me correctly, the way the port authorities are composed, and this is in Bill C-44, the marine bill that I alluded to, which changed the administration of harbours to port authorities very much like what we have here, certainly in the Hamilton instance it did require that stakeholders be represented on the board of the port authorities.

It may be a little bit more difficult in the case of airports in the sense that the carriers may not be in the same city; they may be based elsewhere in the country. I think the member raises an important point and that is something that should be dealt with and examined in committee.

I will make a further point. This is one of the reasons why we have debates such as this: so that we can hear constructive suggestions like that of the member.

Mr. James Moore: Madam Speaker, I have a brief comment. It is something that the member might want to consider. I know that Hamilton airport, particularly since WestJet began flying in there, has been very helpful to his region of the province. He is not a member for Hamilton, he is the member for Ancaster—Dundas—Flamborough—Aldershot, but it certainly has been very important.

There is a model that the government should consider and I am pleased that the parliamentary secretary is here and will be considering Bill C-27 at committee. The model the Canadian Alliance would like to see is a model that the government has used before. The model is that of Nav Canada. Again, a government corporation goes into private hands, and the board of Nav Canada that is now being used is the proper model for airport authorities themselves, perhaps with some slight modifications. The model of Nav Canada has the airlines in it themselves. What was understood was that the fees of Nav Canada can be a detriment to the airline industry, as we have seen in the short term. That is something certainly my colleague can comment on. I have another question, but I wanted to present that as an alternative. With his considerable weight, influence and power within the Liberal Party, I hope he can draft that amendment and get it passed just like that.

● (1645)

Mr. John Bryden: Madam Speaker, I trust the member was not being sarcastic and that it was really an attempt at gentle humour, because actually I do feel that here in the Liberal backbenches we can have an impact and we can sometimes get an amendment put forward. I do hope that the member will move his own amendment on that in committee.

He gives me an opportunity to make a further comment. He triggers the comment by the reference to Nav Can. Possibly one of shortcomings in what we are trying to do here with this legislation, Bill C-27, is that by off-loading federal enterprises or federal ministries or federal responsibilities, shall we say, to the private sector, as in the case of the port authorities and the airport authorities, it is certainly true that if we put in the proper regimes for accountability we have enterprises that should run like a public business. My problem is that we lose the ability, however, to examine them internally with the Access to Information Act.

Nav Canada is a good example. To me it is not enough in the end that the airport authorities operators or the port authorities conform to the standards set out in Bills C-44 and C-27. What we really need to do is to bring these arm's length institutions under the Access to Information Act so that we do not just see audited financial statements, so that we do not just see the numbers. Those things are important, but what we really need to be able see is that there is no nepotism in the operation, that there is no fundamental mismanagement.

One of the reasons why I campaigned so vigorously to reform the Access to Information Act is not that I believe the bureaucratic part of government is being run so badly. There are a lot of checks and balances in the way government ministries are actually operating in delivering services to people. What concerns me is this terrible movement in the provinces and in Ottawa here in the federal government to off-load the provision of services to arm's length organizations, be it the CRTC, Nav Canada, or these airport authorities, because they are then out of the reach of the Access to Information Act. They are out of the reach of our ability to really ensure in the public interest that they are being managed appropriately.

So my ultimate target in trying to reform the Access to Information Act is to create a model, particularly with crown corporations, that could be applied to institutions like these authorities we are talking about and that ultimately could be adopted by the private sector. Because I really do believe that in this global economy where competition is everything and survival is everything, how one wins in the global market is not just by one's prices but by one's efficiency as a corporation.

I think that Canadian corporations have much to gain if the Canadian government can lead the way to harness the Internet so that there can be protocols of transparency the likes of which have never been seen before. I think that will enable Canadian enterprises, both public and private, to lead the world in their ability to compete.

● (1650)

Mr. Marcel Proulx (Parliamentary Secretary to the Minister of Transport, Lib.): Madam Speaker, my colleague went through some of the changes. When we look at this there appear to be changes that affect the day to day operations of airports, such as setting strict requirements for meetings, publication of notices and reports, assignments of stocks and so on. I would like his brief comment on whether he feels this is bringing the government back into those day to day operations. I expect that he does not want to see this, but I would like to hear it from him.

Mr. John Bryden: Madam Speaker, all I can say is that I do believe the government can always use improvement, and as a backbench member of the government side I am always trying to achieve that end.

The Acting Speaker (Ms. Bakopanos): Before we resume debate, 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 Peterborough, Agriculture; the hon. member for Brandon—Souris, Ethics.

Mr. Gurmant Grewal (Surrey Central, Canadian Alliance): Madam Speaker, I rise on behalf of the constituents of Surrey Central to participate in the debate on Bill C-27.

Before I begin, let me compliment the hard work done by our senior transportation critic on this issue in highlighting the problems related to this bill. Also, we will have a wonderful speech from the hon. member for Blackstrap with whom I will be sharing my time.

Bill C-27 is an act respecting airport authorities and other airport operators and amending the Canada Airports Act. Let me state that it is a combination of missed opportunities and attempts to solve problems that do not even exist.

When one looks at the state of Canada's airline industry and realizes that the Standing Committee on Transport is looking into the continued viability of the airline industry, one has to wonder why the government chose this time to introduce this legislation dealing with airports.

If we compare Canadian airports, both large and small, with similarly sized airports in other countries, the Canadian airports stand up rather well. At least there is no urgency or emergency to fix them. If something is not broken, why fix it? The real problem facing Canada's airline sector is not the way airports are run, but the way airport rent is charged by the federal government and passed on to the airlines.

This issue was raised and dealt with in the transportation committee hearings over the past few weeks. As a result, in an April 11 report this year the committee unanimously recommended that:

> The federal government suspend rental payments by airports for a two-year period and the airports shall pass the rental savings to air carriers.

Further study is not needed. It is time to act. No one will find any discussion of airport rents in the Canada Airports Act.

In fact the Standing Committee on Transport made another unanimous recommendation to eliminate the air travellers security charge. This was connected to transferring responsibility for airport security to multi-modal agency that would be fully publicly funded. Here again an understanding of the nature of threats and security at small airports is helpful. Large airports have better security than smaller airports. The problem of course is that if the security is reduced at small airports but connecting passengers are allowed to proceed directly into the sterile or secure areas at big airports, the security of those large airports is compromised.

In Europe passengers arriving at places like Frankfurt, Paris or London from smaller centres are screened just like folks coming in off the street. They have to be screened before they enter the secure area of the airport to catch connecting flights. There is absolutely no mention of this idea in Bill C-27, even though it would offer better security at lower cost.

We are considering an airports act that applies to places as small as Gander with just 86,000 passengers and would also apply to any airport that has over 200,000 passengers annually. For most managers of small airports, the biggest single issue facing them is something call CARs 308. This is a recently imposed five minute emergency response time at smaller airports that has dramatically increased their operating costs. The federal government has not offered a dime in operating assistance and this unfunded federal government requirement is the biggest single issue facing many small airports.

The Regional Community Airports Coalition of Canada is calling on Transport Canada to suspend the introduction of CARs 308 indefinitely or to agree to pay for this regulation in its entirety to avoid the airports having to pass these increased operating costs on to the airlines. The coalition points out that these increased costs, applied in the form of a regulatory recovery fee, could increase airline fees at affected airports by up to 30% or higher. This will again affect the competitiveness and viability of the regional and community airports and therefore the communities they serve.

● (1655)

Other than the air security tax, the CARs 308 is the most important airport related issue missing in Bill C-27.

Part 6 of the Canada airports act deals with the issue of airport improvement fees. Essentially it subjects AIF to the same kind of accountability and appeal procedures that currently apply to Nav Canada fees. For airports just reaching the 200,000 passenger threshold, this will be a new level of bureaucracy, but I think that Canadians deserve to know how such fees are being spent.

If we held the Liberal government to the same standard, taxes like 1.5¢ per litre fuel tax that was aimed at cutting the deficit or the $24 air security tax would have to be much more accurately tailored to reasonable expenses, rather than a need to finance future Liberal spending or even the wasting of the money.

However even if one agrees with the general philosophy of the AIFs, the headlines that are dealing with this issue are not focusing on accountability but on the fact that the Air Canada restructuring has left many airport authorities in the red.

It seems that for many airports the AIF is included in the airline ticket prices and collected by the airlines and then handed over to the airport authority. Air Canada's financial problems are affecting many airports that trusted Air Canada to collect the AIF on their behalf. As of April 4, Canada's largest airports were owed a total $80 million in unpaid landing fees and airport improvement charges by Air Canada and that money is now tied up in the CCRA hearings.

However the air travellers security charge is not similarly affected, because Bill C-49 from last session required airlines to hold this money in trust. It does not require airlines, that collect the AIFs on behalf of many airports, to hold that money in trust as is done with the air travellers security charge.

Part 6, devoted to the question of AIF, we would think that the idea of any airline holding AIF money in trust so that airports would be paid even if the airline has a financial problem as in the case of Air Canada would have been included in Bill C-27, but it is not. This is another opportunity missed by this weak, arrogant Liberal government.

When we look at a list of priority airport issues facing the aviation industry, Bill C-27 misses virtually every opportunity to solve an existing problem. The government is trying to solve the problems that do not exist but it is not solving the problems that exist in the industry.

Bill C-27 is an attempt to codify the status quo in Canada's airline industry. This approach has two big problems.

The first is that there is no one out there calling for the status quo to be codified. No airline, airport authority or stakeholder is calling for legislation that would write down in one place the way Canada's various airports are run. It is an attempt to solve the problem that does not exist. Most of the language contained in Bill C-27 already exists in most of the leases that NAS airports have with Transport Canada. In many ways Bill C-27 is a complete waste of time.

The second big problem is that Bill C-27 would treat different airports similarly and similar airports differently causing true discrimination and causing far more problems than any codification of the status quo could potentially solve.

● (1700)

Since my time is almost over, let me conclude that a one size fits all solution, regardless of size and location, will not work.

Bill C-27 also fails to address major issues confronting airports, the CARs 308 issue, as I mentioned, the airport rental policy, the question of overly opulent terminals, the need for air industry representation and the need for the minister to get an arrogant airport authority to live within its mandate.

Bill C-27 is also introduced by the Minister of Transport who has repeatedly turned his back on unanimous recommendations by the committee to adopt the committee's recommendations as the department's priorities. The House should reject the legislation especially when, in cases such as this, it created more problems than it solves.

Mr. Marcel Proulx (Parliamentary Secretary to the Minister of Transport, Lib.): Mr. Speaker, my colleague across criticized, for the 10 minutes he had, the bill and the Government of Canada. I therefore assume that he has read the proposed bill. I therefore assume that he knows it very well and I appreciate that.

In return, I would like him to tell us what he has against the fact that the bill would clarify the roles and responsibilities of the Canadian government, as well as those of the airport authorities and operators. I would like him to tell us what he has against the updating and strengthening of the governance regime for airport authorities. I would like him to tell us what he has against the establishment of requirements for transparency and consultations between airport operators and interested parties.

Mr. Gurmant Grewal: Mr. Speaker, the parliamentary secretary to the minister has prepared questions by bureaucrats and he is asking those questions, so his approach is naturally biased.

However let me put it like this. Bill C-27 overestimates or exaggerates problems which do not exist in the industry. We do not hear from the transport industry, the airport authorities or the stakeholders in the industry. It tries to solve those problems which do not exist and it does not do anything to solve those problems which already exist, like the problems I mentioned: the CARs 308 issue; the airport rent policy; the collecting of the airport improvement fee, which will be in trust and the bill does not do anything about that; the question of overly opulent terminals; the security issue; and the tax that smaller airports face in Canada.

How can the parliamentary secretary stand in the House and tell the House that the smaller airports can be governed and ruled by the same issues as the bigger airports? The smaller airports have different problems. One size fits all cannot be applied, regardless of the location or the size of the airport, it cannot be applied.

I urge the minister to look into those issues rather than having an arrogant approach to dealing with the airport authorities within Canada and having that tax grab which is a cash cow for the government continue.

At least the minister should look into the unanimous recommendations from the Standing Committee on Transport. which is a Liberal dominated committee. I am sure that the parliamentary secretary is aware of those recommendations and that he will look into them and apply them.

● (1705)

Mr. Marcel Proulx: Mr. Speaker, I am surprised to hear those replies because Bill C-27 would establish principles for fees imposed by airport operators and my hon. colleague on the other side, along with his party, forever keeps criticizing the fees, whether they be high or low. The bill would look into the fees imposed by airport operators as defined in the legislation, including an appeal process to the Canadian Transportation Agency on future aeronautical and passenger fees that meet the past threshold.

I was under the impression that he had looked into this bill but from his comments, I feel that he has not looked at that part.

What about the creation of the adequate opportunity for users of airport facilities, including air carriers and the travelling public, to provide meaningful input into major airport decisions on charges—

The Acting Speaker (Mr. Bélair): I am sorry to interrupt the hon. member but there is only 50 seconds left. The hon. member for Surrey Central.

Mr. Gurmant Grewal: Mr. Speaker, to that prepared question, my only answer would be that security is a very important issue with regard to smaller airports. When passengers transfer from smaller airports to bigger airports, they are left to go into the secure terminals where they are taking their connecting flights. That issue alone justifies what I am trying to say.

I have given a long list of issues which the bill ignores. I am sure that the parliamentary secretary will keep away from those prepared questions and focus on the real issues as well as the recommendations made by the transport committee. Those recommendations were unanimous by the Liberal dominated committee of the House.

Mrs. Lynne Yelich (Blackstrap, Canadian Alliance): Mr. Speaker, I am pleased to join today's debate on Bill C-27, the Canada airports act, a piece of legislation which in my mind is remarkable for what it does not do rather than for what it does do.

The air transportation system is a vital component of the economy not just here in Canada but on a global scale. Let me give the House some figures. Airports produce more than $34 billion in total economic activity each year. They generate more than $4 billion in tax revenues. Construction at major airports has attracted more than $5 billion in private sector capital investment.

That said, our airline industry is in a crisis. The number of passengers has decreased. Service has been cut. The need for security has overridden our desire for convenience, and costs are skyrocketing.

When I said Bill C-27 is notable for what it does not address, these are the issues that come to mind. Outrageous airport rents are one of the costs passed on to airlines and subsequently to consumers.

Starting in 2005 Saskatoon's airport, which serves the people in my riding, is expected to pay more than $500,000 in rent annually. Saskatoon Airport Authority representatives have said this is unaffordable and have recommended that rental charges should be scrapped in an effort to reduce the volatility of the airline industry. Other facilities such as Winnipeg International Airport will be hit even harder in the next few years. Rent there is expected to jump to $7 million by 2007.

According to the Canadian Airports Council, the 26 airports in the national airports system paid $240 million in rent to the federal government. That figure is expected to rise another $20 million this year.

The situation is a major concern to Canada's airports and a problem for the aviation industry in general. Federal rent, the single largest uncontrollable cost for most airports, drives up the price of the services that airports provide to customers.

By raising the cost of travel, this situation threatens the many benefits that have been realized from the transfer of NAS airports to local control in the early 1990s. Not only has the airport devolution process relieved the federal government of the responsibility and financial burden of managing airports in terms of capital and operations, it has enabled local communities to operate airports in a manner consistent with local needs. Despite the heavy burden airport rents put on the industry, the issue is not addressed in Bill C-27.

With air security having become such a headline issue following the September 11, 2001 attacks in the United States, one would think by now that Canada would have a secure air system. After all, Canadians have been paying heavily for security ever since the air travellers security tax was introduced to fund tighter controls. Reality however tells a different story. The fact is our airports have become slightly more secure than they were. That is not to say they are secure, or that all airports have the same level of security. They do not.

One of the most obvious holes in our security is that in most cases once passengers enter the system, they are in regardless of whether they were screened at a large airport where security is naturally tighter, or at a small local airport where security is lax or even non-existent. Unlike in Europe, passengers entering the system from small centres are usually not re-screened. It certainly is not mandatory, even though such a practice could offer better security. Bill C-27 does not address this point.

Talking about security reminds me of fees. When the air travellers security charge is collected, it is held in trust, which means it is protected. It is not so for airport improvement fees which tend to be included in ticket prices and therefore collected by the airlines before being turned over to the appropriate airport authority. If the airline collecting that money falls into financial peril, there is no guarantee that the airport authority could collect the money it rightfully deserves.

● (1710)

Again, if I might use the Saskatoon Airport Authority as an example, when Air Canada slid into bankruptcy, it owed the Saskatoon Airport Authority about $300,000 worth of airport improvement fees. Because the airport authority stands as an unsecured creditor and the money was not held in trust, the authority could lose the entire amount. There is some indication that part of the money will be repaid, but the potential for losses is what I and the airport authority find disturbing. Again, Bill C-27 does nothing to ensure that airport authorities will receive the money the bill itself allows them to collect.

That addresses some of the opportunities that are overlooked in the bill. Now I would like to talk about what is in the bill.

When I look around me today I see people who travelled here from across the country. Some arrived by car or train, but it is likely most came to Ottawa by air. To get here each person made his or her way through at least two different airports in different communities. I suspect there were noticeable differences at each of those facilities. That is because, like the communities and the people they serve, each airport has its own unique profile. Some are large international hubs while others cater solely to domestic clientele.

Bill C-27 does not recognize those differences. In this attempt to re-legislate the current management practices at Canadian airports, the government has chosen to adopt a blanket approach that forces some of our smallest airports to match the obligations of their larger, busier, metropolitan counterparts.

No one within the air industry has called for such measures and I question why the government has chosen this path. The real irony is that within this blanket system, Bill C-27 proposes a two tier approach that will hold former national airport system airports to one set of rules while non-NAS airports will have to abide by another.

For example, clause 57 of the bill limits a former Transport Canada airport authority's ability to invest in another corporation to 2% of gross revenues per year.

Clauses 62 to 64 deal with the corporate governance of airports but do not require the board to have an airline industry representative. Again, this applies only to certain airports.

The proposed Canada airports act is flawed. It essentially re-regulates airports without any obvious benefits and does so in a way that does not reflect the unique needs and characteristics of our airports.

● (1715)

Mr. John Bryden (Ancaster—Dundas—Flamborough—Aldershot, Lib.): Mr. Speaker, I would make the observation to the member who just spoke that all legislation that appears in the House is flawed. One of the reasons we have debate is to try to identify those flaws and correct them. I like to think that the government is open to the suggestions of the opposition as much as the government is open to the suggestions of the backbenchers.

I wonder if she would comment. Is she disappointed with the standards of corporate governance that were defined in the legislation and that are to apply to all airport operators, the business of having financial statements that are open and audited financial statements? Surely it is reasonable to set one standard of corporate transparency and governance for all airports across the country, large and small.

Mrs. Lynne Yelich: Mr. Speaker, I think that is one part of the legislation that in fact is welcome, which is anything that has transparency and accountability.

The one part of the corporate governance we are just a little concerned about is that the airport authority should have representatives from the air industry on the board. That is the part with which we are most disappointed.

Mrs. Elsie Wayne (Saint John, PC): Mr. Speaker, I had the opportunity this past week to meet with the Atlantic provinces airport authority representatives who were here in Ottawa. They are very concerned about the bill. In fact they are saying that the bill will probably kill the airports in P.E.I. and many in Nova Scotia, Newfoundland, New Brunswick and in other smaller areas across the country. They have issues in so many areas that they wish to discuss.

The transport committee should be travelling across the nation. The bill should not be dealt with until the transport committee meets in all of those areas. Does the hon. member agree that the transport committee should go and listen to the many concerns of the airport authorities out there right now? If the committee does not, Bill C-27 will kill the airports in those smaller areas.

Mrs. Lynne Yelich: Mr. Speaker, I certainly agree that we have to hear from the airport authorities across the country. Whenever I meet with representatives of the Saskatoon authority I am always surprised at what they tell me and they are very anxious to meet with me about the bill.

Because not everyone can come to Ottawa, we do not get all the players at the table. I would recommend that the committee travel across the country. That is how we would reach every region and representatives from all sectors. I certainly agree with the member.

Ms. Sarmite Bulte (Parkdale—High Park, Lib.): Mr. Speaker, I too am very pleased to participate in the debate today on Bill C-27, the Canada airports act.

I will focus my remarks on part 6 of the bill. That part deals specifically with the main fees which are collected by airports. Part 6 establishes a brand new framework for amending existing fees or introducing new ones.

I am sure everyone will agree that one of the most significant concerns expressed by airlines and passengers alike has been the inability to consistently obtain a reasonable explanation of the fees being charged by airports across the country. Many times when I have travelled across the country, I have asked myself what certain fees were for. I am sure many other Canadians have experienced that same kind of feeling. I know that internationally other airports charge fees as well but we are always questioning the fees. We have paid for our tickets and in addition to that we have to pay another fee.

I am glad to announce that the new Canada airports act will actually address this shortcoming. It establishes a framework for fees that will provide users with the necessary information to understand each aeronautical and passenger fee. It also provides users an additional opportunity to influence the airport's decision making process each time these fees are amended or a new fee is being reconsidered. It is not that we just show up and the fee will be an additional $10 or $15. This framework will apply to all airports affected by the legislation and will deal only with two revenue sources on the airport.

First, there are the fees that are collected by airports from air carriers for the use of services and facilities and second, the fee collected directly from the passengers, which is usually called the airport improvement fee or the passenger facilitation fee. It is that fee which is annoying because we have to pull out our wallets to pay an additional fee as we are running to get on a plane. I think Canadians are most familiar with that fee.

There are four components to the framework and I would like to go through each one of them. First, it sets out charging principles to be followed in establishing these fees. Second, it has a charging methodology that the airport must develop to explain how each fee relates to the financial requirements of the airport. Third, it has a consultation process that is to be followed. Fourth, it gives an appeal process for users who claim that an airport operator has not complied with the charging principles or the prescribed consultation process.

The charging principles contained in the bill establish a minimum set of rules, and I underline minimum set of rules, that airport operators must follow with respect to fees.

These principles require airport operators to develop a charging methodology, to relate fees to costs so as to prevent overcharging users, to avoid discrimination in charging among users as required by Canada's international obligations, and to ensure that safety is in no way diminished by the fee structure.

With respect to the second component of the framework, each airport operator must develop and announce its charging methodology. This methodology must explain in detail the financial requirements of the airport that are to be met through fees and how each fee relates to these financial requirements.

Passenger fees attract specific reporting requirements under the legislation. Airport operators must identify the specific major capital program that the passenger fee is paying for and must also report how long the fee will be in place in relation to that program.

I have gone to certain airports which I have not been to in years and at that time there had been an airport improvement tax. I can understand when I see ongoing construction that there might be a need for this tax. However, it seems to me that years later when I have returned that same fee is still there and I cannot believe that they would have already started charging for a future improvement.

● (1720)

Passengers would finally have a feeling that there is some accountability here and that is very important. I should add that, for airports with fewer 400,000 passengers annually, revenues from passenger fees would be permitted to help pay for airport operations and maintenance costs as well.

It is important that we look at smaller airports and that a distinction is truly made. As in any type of industry, as a government, we must be careful that we take into account the fees or the operations of the smaller operators. As the former parliamentary secretary, I was involved with the Department of Canadian Heritage for the past two years. We always looked at the small broadcasters and the small cable operators because we had just finished a study at the Department of Canadian Heritage on the Broadcasting Act. We hope to table a report before the House recesses for the summer.

It is good to see that the government is establishing new policies, and that we are looking at ways to help the smaller businesses and smaller parts of our industry deal with the regulations. When we are speaking about regulations, one of the important things in the Speech from the Throne was our priority to ensure that we have smart regulations. The Prime Minister recently announced a special advisory board. It all fits into what we as a government are trying to accomplish under the act.

The third component of the framework provides airport operators with a minimum consultation process to be followed each time a fee is amended or a new fee introduced. That is so important. It is certainly something that we are constantly being badgered by the opposition. It says that we do not do enough consultation. It does not matter how much consultation we do, there never seems to be enough. It is important that we recognize that within this act we are requiring of airports the same kind of consultation process that we conduct and that we need as well in order to affect proper policy.

It is important for passengers to participate. I should note that the public will have the opportunity to review and comment on the justification for every fee proposal. The minimum review period of 60 days is similar to what is required today of the airport authorities pursuant to their leases with the federal government. There is indeed a precedent for those consultations and I welcome them. It is so important for consumers to know what it is they are paying for and how long they will be paying this as well. I commend the government on how it has reacted to the consultations that we have had to ensure that there continue to be consultations as the fees are collected.

Finally, I want to speak to the fourth component of the framework. The Canada airports act would permit users and passengers to appeal the decisions made by airport operators. The appeal process would be limited to appeals regarding compliance with the charging principles and with the consultation process. If passengers are not satisfied with the consultation process or how the charging principles have been involved, they have the opportunity to appeal. That is very important. If they feel they have been left out of the consultation process or it has not been done properly, there is that ability to appeal and that is important as well.

The Canadian Transportation Agency would hear these appeals and would be empowered to order airport operators to cancel a fee, but more importantly, they would have the opportunity to issue refunds to users if an appeal is successful. That is a wonderful opportunity. Canadians should know that they can be part of the process and actually get a refund if they find that the consultation process or the charging principles were not taken into account as required under the act.

● (1725)

To sum up, the act would establish for the first time a common set of rules that would guide airport operators in their management of fees and it would do so without being unduly prescriptive. Airport operators would still have the freedom to decide what their financial requirements are and how they would generate revenues to collect them. It is important that airports continue to have this freedom since many have borrowed where lenders have based their decisions on their knowledge of this freedom.

Finally, the focus of the legislation in this area of fees would promote transparency and provide a more consultative process for users. We believe that it would contribute to the efficient and effective management of Canada's critical airport infrastructure.

The Acting Speaker (Mr. Bélair): I wish to inform the hon. member that she still has 10 minutes in her speech and she will be entitled to a 10 minute question and comment period when debate resumes on Bill C-27.

● (1730)

[*Translation*]

It being 5.30 p.m., the House will now proceed to the consideration of private members' business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS

[*English*]

PARLIAMENT OF CANADA ACT

Mr. Eugène Bellemare (Ottawa—Orléans, Lib.) moved that Bill C-408, an act to amend the Parliament of Canada Act (oath or solemn affirmation), be read the second time and referred to a committee.

He said: Mr. Speaker, I rise today as a proud Canadian member of Parliament. I have the pleasure to present Bill C-408 which aims to modify the swearing of allegiance by members of Parliament.

As we all know, when elected to the House of Commons, members must swear an oath of allegiance to Her Majesty the Queen. The present oath reads:

> I, ..., do swear, That I will be faithful and bear true Allegiance to Her Majesty Queen Elizabeth.

I propose that henceforth newly elected members of Parliament be asked to add to the swearing of allegiance to the Queen the following affirmation:

> I, ..., do swear (or solemnly affirm) that I will be loyal to Canada and that I will perform the duties of a member of the House of Commons honestly and justly.

I am proud to say that I myself have made this added affirmation the last three times I was re-elected to the House of Commons in 1993, 1997 and 2000. I encouraged my colleagues from various parties to do the same. To my pride and joy a great number of newly elected members from various parties followed suit, and I wish to applaud and thank them today.

I would like to take this opportunity to congratulate the Minister of Citizenship and Immigration in declaring that the new proposed oath of citizenship in Bill C-18 would include a pledge of allegiance by new Canadians, not only to Her Majesty the Queen, but also a pledge of allegiance to Canada. I find this to be an addition that depicts a more realistic view of Canadian values.

We as members of Parliament have an obligation to our constituents and to all Canadians to affirm our loyalty to Canada and, I would add, perhaps even to its Constitution. It is not just a principle of patriotism, it is a principle of accountability. I know of no members in the House who would deny their sense of obligation and accountability to the community they represent.

[*Translation*]

It is a matter of patriotism, pride, and accountability. We live in a country we are all proud to call home, one which, ever since its early days, has distinguished itself by an impressive series of achievements, both internationally and nationally. This is a great country in which to live, a country where hundreds of thousands of people looking for a new life settle every year.

I do not think it is necessary to point out the merits of Canada or the respect we owe to our country. I am sure that my hon. colleagues in this House share my sense of pride in being representatives of the people in the House of Commons.

The Canadian public itself certainly seems to feel this national pride. According to Statistics Canada's 2001 census, when asked to identify their ethnic origin, more than 11 million citizens indicated Canadian; that is more than any other possible nationality, and this of a total population of approximately 31 million.

This tendency on the part of citizens to identify themselves as Canadians has increased since the 1996 census, when 8 million citizens indicated Canadian. This is happening across Canada.

Until then, citizens were more likely to refer to their English or French, Irish or Italian origins, to give just a few examples. Clearly, the population of Canada is undergoing change and continuing to grow.

We must lead the way in reconciling modern and historical Canada. I insist that my bill in no way diminishes the importance of Her Majesty the Queen. To swear allegiance to Canada and its Constitution is consistent with today's reality and the current wishes of Canadians, without losing sight of our history and traditions. The new oath would simply be in addition to the oath of allegiance to the Queen.

● (1735)

[*English*]

This private member's bill in no way negates or removes our allegiance to Her Majesty the Queen. Our parliamentary monarchy is part of our Canadian Constitution, our Canadian history, and our Canadian heritage. Even if I intended to remove the Queen from our swearing of allegiance, which is not the case, we in the House know that the Constitution cannot be amended by Parliament alone without the consent of the provinces and the territories.

It is not my intention to embark on such a course. My proposed oath of solemn affirmation to Canada would be but an amendment to the Parliament of Canada Act, not the Constitution, and is therefore in proper order. This affirmation comes as an addition to swearing allegiance to the Queen and is in no way an attempt to diminish Her Majesty's role in Canada.

The Canada of today has become a multicultural society, depicting citizens from all over the world and not just from Commonwealth countries. Amid this impressive mosaic, Canada, as a word, as a symbol, applies to everyone in the country regardless of geographic region, race or background. This is in large measure because Canadians feel an overriding sense of patriotic pride and a sense of belonging to this country of theirs.

[*Translation*]

Recently, while he was being sworn in, a new senator added the word "Canada". This gave rise to a short debate in the other place, where it was decided that it might be desirable for everyone in Parliament to swear allegiance to Canada. This is interesting coming from the Senate.

I suggest to my hon. colleagues of the House of Commons that it is desirable that we go ahead, take the lead and not wait for the Senate to do so.

We can only benefit from an initiative showing our pride in and gratitude to a country that has given us so much happiness and good fortune.

[*English*]

The added affirmation that I am proposing today is not just a series of words or a patriotic cheer. It is a recognition of democracy and accountability. This is about what our actual form of government is all about. It is a representative democracy. We owe our allegiance and accountability to the people who elect us and who we represent. This is in accordance with democratic principles around the world.

Democratically elected officials in countries around the world swear allegiance to their countries and to the people they represent. Some will state that we are part of the British Commonwealth and that we should not include our sense of patriotism or accountability to our constituents when swearing allegiance. I would inform them that Jamaica, South Africa and India are but three examples of British Commonwealth countries that amended their oath to include their country. Many other British Commonwealth countries are also debating similar measures, such as Australia for example.

As members of Parliament, we have to recognize that we were elected by the people to represent their interests, their well-being and their concerns. We answer to Canadians at election time. We are accountable to the Canadians who elect us and who we represent. Let us make it official and further enhance the trust that Canadians have in their parliamentarians. As members of Parliament we owe our allegiance to Canada.

Vive le Canada.

● (1740)

Mr. John Bryden (Ancaster—Dundas—Flamborough—Aldershot, Lib.): Mr. Speaker, I commend the member for his excellent initiative. I think he is going to strike a chord with all Canadians. I am sure his bill will be passed in the House without any difficulty at all.

I would like to ask him a question. I have before me the Quebec oath that members of the provincial legislature in Quebec swear. I will read it in English and perhaps he would like to comment on it. It states, "I swear that I will be loyal toward the people of Quebec and I will exercise my functions as a member of the provincial parliament with honesty and justice and with respect to the constitution of Quebec".

Perhaps the member could comment on that.

[*Translation*]

Mr. Eugène Bellemare: Mr. Speaker, I thank the hon. member for his question. I have presented this bill at least two or three times. On those occasions it was not votable and the Bloc Quebecois members rose to object to my bill.

I have trouble understanding why the hon. members of the Bloc would oppose the idea of being accountable to the communities they represent. The hon. members of the Bloc are members of the House of Commons and not of the National Assembly. They represent their communities. And together with the rest of us, they represent all of Canada.

Members elected to Quebec's National Assembly take an oath of their own. In addition to swearing allegiance to the Queen, they also say, "I swear that I will be loyal towards the people of Quebec and I will exercise my functions as a member of provincial Parliament with honesty and justice with respect to the Constitution of Quebec.

The members of the National Assembly recognize that they are accountable to their people. Thus, I imagine that the federal members of the Bloc Quebecois, who have always objected to my bill each time I have presented it, are surely accountable to their communities, their constituents, as are we all.

That being said, if such an oath is good for the provincial members in Quebec, then surely the bill I am presenting, which we are debating at second reading today, stating our accountability to Canada and the Canadians we represent, is based on the same principle. The Bloc members should acknowledge their accountability to the communities they represent. As I was saying, they are all members of one community, the House of Commons, where we all represent the entire community of Canada.

That is my reply to the hon. member's excellent question.

[*English*]

Mr. Scott Reid (Lanark—Carleton, Canadian Alliance): Mr. Speaker, I have a very brief question for the member.

On the question of Bloc Quebecois members and people who regard themselves as belonging to a separate collectivity, that is of being loyal to what they hope will eventually become an independent Quebec and their ability to swear, in good conscience, an oath like this, does the hon. member think there would be any kind of crisis of conscience or difficulty for them in swearing such an oath?

[*Translation*]

Mr. Eugène Bellemare: Mr. Speaker, the hon. member has asked an excellent question. Would they have a crisis of conscience? I see no reason for that.

[*English*]

There should not be a crisis of conscience in this case. If one lives in Quebec one lives in Canada. If one lives in Ontario one lives in Canada. If one lives in British Columbia one lives in Canada.

Therefore everyone in Quebec is a Canadian and a Quebecois, just as in Ontario, the member, myself and other members who are from Ontario are Ontarians and Canadians. The same applies to all the other provinces. There should be no concern.

If the members of the Bloc, as they keep repeating every time I present my bill, are against it, they should remind themselves that they are accountable to the community they represent. It is a question of accountability. If they dislike the Constitution they should propose amendments to the Constitution.

● (1745)

Mr. Scott Reid (Lanark—Carleton, Canadian Alliance): Mr. Speaker, it is a pleasure to speak to the bill. I must say that of all the private members' legislations to come before the House under the new rules, this strikes me as being one of the two or three that is the most likely to make it through the process and find its way toward becoming the law of the land. Therefore I take the bill very seriously.

The title of the bill is "an act to amend the Parliament of Canada Act (oath or solemn affirmation)". The essence of the bill is summed up in clause 3, which states that no person may sit in the House unless he or she has sworn an oath or solemn affirmation in addition to the one which we now swear.

All members, including myself, swear the following oath, which is stipulated in section 128 of the Constitution Act, 1867 and is laid out in schedule 5 of that act:

> I, ... do swear, That I will be faithful and bear true Allegiance to Her Majesty Queen Elizabeth.

The proposed new law would not remove that oath but would add the following:

> I, ..., do swear (or solemnly affirm) that I will be loyal to Canada and that I will perform the duties of a member of the House of Commons honestly and justly.

I think it is pretty hard to object in principle to this. Certainly nobody, including members of the Bloc Quebecois, could object to the second part of that statement, "I will perform the duties of a member of the House of Commons honestly and justly".

Therefore the question then becomes one of the first part of the statement, "I will be loyal to Canada". This is the reason that earlier I asked the hon. member the question whether a person who is a separatist, who would like to see his or her province removed from Canada, could in good conscience swear this oath.

My inclination is to think that there should not be a problem, that being loyal to Canada means, in part, as the hon. member said in his comments, being loyal to the community, to the spirit of the community.

As well, there is a question of being loyal to the Constitution. While I do not support in any way, at any point in Canada's future, one province leaving the country, there is a constitutional mechanism by which this could occur. One could be loyal to the Constitution and work toward the sovereignty of one province. That was laid out in a Supreme Court reference decision two years ago. I do not think there is a logical reason, even if one were not loyal to the idea of Canada remaining a united country permanently, that one would not swear an oath to this effect.

Being loyal to Canada in the sense that the hon. member, the proposer of this bill, described in his initial remarks, is just another way of saying what is in the second part of the act, "I will perform the duties of a member of the House of Commons honestly and justly".

The obligation on us to follow our oath, because these oaths are very general, is, in a sense, a moral obligation rather than a legal obligation. I think it would be very difficult to prosecute anybody sitting in the House, or anybody who has sat in the House in recent decades, for failing to fulfil the oath that currently exists, and it would probably be very difficult to prosecute anybody or to deprive them of their seat in the House based upon a failure to perform the proposed oath. Therefore the statement that is being made here is a moral statement.

I thought it was interesting that the hon. member for Ottawa—Orléans referred to the oath that he voluntarily took, in addition to his oath to the Queen, when he was sworn in. It is a version of an oath that a number of us took, myself included, when we were sworn in. We understood when we took the oath that we could not be bound to that oath. It was something that we took on voluntarily because we thought it was a way of showing our commitment to the community, of which we are part, our own constituents and to the country as a whole.

It seems to me that this kind of oath is a reaffirmation of the general reason for which we were sent here. Now there is a specific reason why each of us were sent here. I was sent here because a larger number of people in my riding voted for me than voted for any other candidate. We all have a similar tale to tell. However when we get here it is our obligation to represent, not just the people who voted for us-and many people who come to this place have been voted for by less than half of the potential votes in their constituency—but to represent all of them.

● (1750)

It seems to me that the expression of community and of community interest as stated in the proposed oath reflects that sense of community as a whole. For that reason, I would be supportive of this oath and of including it in the oath that we swear. This would be a real step forward for us. All members could swear in good conscience. Those who feel the necessity to express their reservations could do so separately from the oath itself.

In 1976 when the first Parti Québécois government was sworn in, a number of the members of the party said that they had sworn the oath with their fingers crossed behind their backs. I guess they felt it was important to express a certain sentiment but nonetheless they swore the oath. Bloc Québécois members who sit in the House have sworn an oath to the Queen despite the fact that I suspect very few of them are actually monarchists. It is possible to do that sort of thing without suffering a great crisis of conscience.

I think all Canadians recognize the value of Canada as a whole, as a concept, as an idea, and not merely as a constitutional status quo. That is what the bill proposes to recognize. For that reason, I encourage all members of the House of Commons to vote for it.

Mrs. Elsie Wayne (Saint John, PC): Mr. Speaker, I rise because I represent Canada's first incorporated city by royal charter, Saint John, New Brunswick. We date back to 1783. We are not a republic. The head of state for Canada, and Saint John, is Her Majesty the Queen.

I have great respect for the hon. member who has put forward the motion. However when we take our oath, we refer to Queen Elizabeth II who is Canada's head of state. Therefore we are taking our oath to Canada.

On October 12, 2002, my colleague from Pictou—Antigonish—Guysborough, when speaking against Bill C-219 at that time, stated his personal view that we should embrace our link to Great Britain, to our very origins and embrace the oath to the Queen. He said that we should embrace the fact that the Queen had continued in a very diligent and forthright way the lineage and connection to our country. As a Canadian, I feel very proud to continue this. When I take the oath and refer to Her Majesty, I definitely feel I am taking the oath to Canada, and I am proud to do it.

I know the hon. member is saying that he wants to add more to it. He is not saying that he wants to take that portion of the oath out. However now we are dividing it because she is our head of state.

I have met Prince Charles, Princess Diana, Her Majesty, Prince Philip, Prince Andrew, all of the royal family. I have been in their company. They love Canada. I will never forget the hurtful comments by the Deputy Prime Minister on the Queen's visit to Canada. I was so very much ashamed. I felt so saddened when he made them.

I am sure all of us will remember Queen Elizabeth II's state visit to Canada last fall and the response of Canadians to her and to Prince Philip as well. The Duke of Edinburgh was truly amazing. Whether it was in the north, the west, central Canada or the east, the response was the same, welcoming communities, warm hearts, joyful crowds and thankful Canadians.

Queen Elizabeth II, who has served in her capacity as Queen of the commonwealth for over 50 years, has served us and served us well. We all know, with her diligence, steadfastness and unwaivering hand, we are a very special country in this world. Our Queen has been a role model for Canadians and the whole world. As such, we as a nation are blessed for her leadership and guidance.

I stated earlier that I had great respect for the hon. member who has put forth this private member's bill. However I want the hon. member to know that when we take our oath, we take our oath to Canada through the head of state of Canada.

One major concern I have is that just recently we took reference to Her Majesty out of the oath for the public servants. Public servants no longer take the oath to Her Majesty. Not that the hon. member is saying this, but before we know it, we will not be taking our oath either. Some tried before in the House of Commons to take out the oath to Her Majesty, Queen Elizabeth II. I worry about that.

● (1755)

There are two parts of the oath, one that has existed since 1867 and the one that is being proposed today. They seem to be part of almost the same package, reaffirming essentially the same sentiment.

What is particularly important in our actions as members of Parliament is that we act in conformity with the norms that govern the behaviour of members of Parliament and that we act in a spirit that conforms with the constitution of the country.

I think there is a danger that members of either the federal or provincial houses can act in a manner that is in contempt of their oath. The important thing is we must always remember the substance of our oath of office.

As I said earlier, I represent Canada's first incorporated city, Saint John, New Brunswick and I am truly proud of that. Who worked to build this wonderful country? It was our francophone people, our anglophone people, our aboriginal people, we all built it.

It is an honour and a privilege to be a member of Parliament and sit in the House of Commons. When I look at the top of your chair, Mr. Speaker, and its insignia, some of it represents Her Majesty and some of it represents Quebec. We should be very proud to stand in the House of Commons and take our oath.

I also belong to the Monarchist League of Canada, a group which tries to ensure that Her Majesty receives the respect that she deserves.

When I read Bill C-408, I asked myself what she would say. She was just here in October. She did not receive the respect that she should have, not only from the Deputy Prime Minister but from some others. If we were to divide the oath, it would say to her that we felt she was no longer the head of state of Canada. When we take our oath, we swear allegiance to the Queen: "Faithful and bear Allegiance to Her Majesty Queen Elizabeth".

I cannot believe we would get into this kind of debate in the House of Commons of Canada once again. We are here to work for all our people no matter in which province they live. We have the Governor General, who represents Her Majesty. We have Lieutenant-Governors in every province in Canada who also represents Her Majesty, and they do it with dignity.

If we pass this bill, the next thing we know we will not have a Governor General representing Her Majesty. We will be looking at a different organization altogether down the road.

The hon. member who proposed the motion is an honourable member. He used to sit right across from me. He always encouraged me. In fact both those members who sit side by side always encouraged me, and I have such great respect for both of them. However I am very worried because we have some members who do not want to take an oath of allegiance to Her Majesty. That oath of allegiance must be there. When we take that oath, we take an oath of allegiance to Canada as a whole, through Her Majesty, Queen Elizabeth II.

● (1800)

[*Translation*]

Mr. Benoît Sauvageau (Repentigny, BQ): Mr. Speaker, I am pleased to rise today to speak on the bill introduced by one of my hon. colleagues, who is a great defender of the official languages in Canada and of French in his province.

He would make a major change in the oath of allegiance so that it read:

> I, (full name of the member), do swear (or solemnly affirm) that I will be loyal to Canada and that I will perform the duties of a member of the House of Commons honestly and justly.

I was listening and I see that it was very much inspired by the oath of allegiance that is now used in Quebec. But I believe it is worthwhile to look at the origin, the meaning and need to have an oath of allegiance.

I had prepared some notes, but first, I feel I must comment on the previous speeches, to which I was listening carefully. Before this debate, I thought that Canada truly had two solitudes and two realities. But after listening to some of these speeches, I feel that we are living on another planet or in another galaxy.

I have a great deal of respect for my hon. Progressive Conservative colleague who spoke before me, but seeing the passion and emotion with which she was defending the archaic system of Canadian political dependence on Great Britain leaves me completely at a loss.

I am completely amazed by the fact that, in 2003, when it comes to the issue of sovereignty, Canadian sovereignty anyway, there is still such a passionate desire to remain a colony dependent on Great Britain. Someday someone will have to explain to me—and it will take some time I think—why I must remain a faithful and loyal subject of someone else, when I live in one country and hope to have my own someday. I have great difficulty in understanding, and it would take a great deal of explaining, this interest and this primacy that some would confer to a head of state.

When we travel around our ridings and ask constituents why the Queen's image is on our dollar and what the role of the Governor General is, and that of the Lieutenants Governor in the provinces, and we explain what their role really is in our democracy, I would say that in 99.9% of the cases, people are dumbfounded and say, "Come on, we do not still have that kind of system".

We need to look at where this system came from and how we can live with it and improve it, not go back in time, like the film *Back to the Future*. I think that that is what our friend wants us to do by introducing this bill.

First, the oath of allegiance goes back a long time, but here in Canada, it goes back to 1867. Section 128 of the Constitution Act, 1867 reads as follows—Mr. Speaker, please tell your colleague to let me know if I am interrupting his conversation and I will wait for him to finish—and I quote:

> Every Member of the Senate or House of Commons of Canada shall before taking his Seat therein take and subscribe before the Governor General or some Person authorized by him, and every Member of a Legislative Council or Legislative Assembly of any Province shall before taking his Seat therein take and subscribe before the Lieutenant Governor of the Province or some Person authorized by him, the Oath of Allegiance contained in the Fifth Schedule to this Act;

And, this fifth schedule of the act reads:

> I (name of the person) do swear, That I will be faithful and bear true Allegiance to Her Majesty—

At the time of the Act, this was Queen Victoria, but they have modified it with the current Queen, so it now reads Queen Elizabeth II.

However, where does it come from, this oath of allegiance that we have copied, like the British system, like the British parliamentary system?

● (1805)

I would like to give you some information that I got from a document in the library entitled *Oaths of Allegiance and the Canadian House of Commons* . It says and I quote:

"The Canadian oath of allegiance derives from that used in the British Parliament", which is only natural, "where the requirement for such an oath arose from the political and religious conflicts of the sixteenth century".

So, in order to resolve religious and political conflicts, the oath of allegiance was adopted sometime during the 1500s. Further on, it reads:

> The original purpose of the oath was to assert the primacy of the British sovereign over all matters, both ecclesiastical and temporal; as such, it was primarily directed at preventing Catholics from holding public office. (Other religious denominations were also affected incidentally, until the reforms of the nineteenth century.)

The oath of allegiance taken by members of the House of Commons upon their election has its roots in an oath of allegiance adopted in the sixteenth century to prevent Catholics from getting into the British Parliament. The member is proposing this oath not to improve it but to amend it, in the same spirit as prior to the reform in the nineteenth century.

I respect protocol. I respect traditions. I know that there is a distinction between folklore and traditions. But, on the other hand, when it comes to amending texts from the sixteenth century, such as this one, I do not think that we are changing with the times.

This reminds me of something our guests and visitors are always surprised to learn. I have a few examples. Visitors are told that the green carpet in the House of Commons represents the lawn on which the Commons held its meetings in the Middle Ages. The distance separating the opposition party and the government party is represented by an outstretched arm holding a sword on each side of the House; the swords must not touch to avoid fratricidal battles.

I am reciting facts you already know, Mr. Speaker, since you are very learned when it comes to the British parliamentary system. We are still living in that era.

As hon. members may know, and I am going back in time here, the expression "It's in the bag" is also a legacy of the British system. When it came to dealing with a private member's business or bill, the Speaker of the House at Westminster would literally take the piece of paper on which the business in question was described and put it in a bag behind his chair. Whenever the member of Parliament returned to his riding and constituents asked him where their bill or motion was at, he could answer, "It is in the bag".

Such expressions date back to the fifteenth and sixteenth centuries. Today, in Canada, we are once again debating their relevance. I do respect institutions and traditions, but once in a while we must wonder about the folklore and the true meaning of amendments or changes proposed by members of the government party. I do not think that it is a priority for Canadians citizens to discuss whether we should take this oath or that one.

I would also ask my hon. colleague why he feels the need to remain under the British monarchy. While the primary purpose of this bill is clearly to interfere in the duties and functions of the members of the Bloc Quebecois, does he not think that he should at least support his country's sovereignty, if he does not support ours?

● (1810)

Having been recognized by the Statute of Westminster, Canada has the authority to make its own foreign policies, and since it collects its own taxes why does the hon. member sponsoring this bill not join the Deputy Prime Minister of Canada and leadership candidate in saying that there should no longer be a monarchy system in Canada?

The Acting Speaker (Mr. Bélair): Resuming debate. The hon. member for Ottawa—Orléans, who introduced the motion, has the floor.

Mr. Eugène Bellemare (Ottawa—Orléans, Lib.): Mr. Speaker, thank you for giving me the floor to end the debate. I was informed this morning by the government House leader that the government was in favour of this bill. This was also confirmed by the Parliamentary Secretary to the Leader of the Government in the House of Commons, today.

The Acting Speaker (Mr. Bélair): I would point out to the hon. member for Acadie—Bathurst, who appears to be seeking the floor, that when I asked whether any member wished to speak, no one rose. I then gave the floor to the mover of the motion who, under the new Standing Orders, has five minutes to conclude the debate.

If, however, the hon. member for Acadie—Bathurst really wants to speak, I can suggest that he seek the consent of the House. Then we shall see.

Mr. Yvon Godin: Mr. Speaker, that is exactly what I shall do. I therefore seek the unanimous consent of the House to take part in the debate on Bill C-408.

The Acting Speaker (Mr. Bélair): Is there unanimous consent to allow the member for Acadie—Bathurst to speak for ten minutes?

Some hon. members: Agreed.

Some hon. members: No.

● (1815)

[*English*]

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

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

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

Some hon. members: Nay.

The Acting Speaker (Mr. Bélair): In my opinion the nays have it.

And more than five members having risen:

The Acting Speaker (Mr. Bélair): The recorded division is automatically deferred to next Wednesday afternoon according to the new rules for private members' business.

Ms. Marlene Catterall: Mr. Speaker, discussions have taken place between the parties, and with the concurrence of the member for Ottawa—Orléans, I think you would find agreement to re-defer the recorded division requested on Bill C-408 to Tuesday, May 13 at 3 p. m.

The Acting Speaker (Mr. Bélair): Is it agreed?

Some hon. members: Agreed.

ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

[*English*]

AGRICULTURE

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, I asked the Minister of Agriculture this question at the request of supply managed farmers in dairy, poultry and eggs in my riding. I am grateful to the minister for his reply. I know he supports supply management, but I want him to know that he has strong support in this from urban and rural MPs in our caucus.

Supply management is a made in Canada system of agriculture that costs the government nothing while producing fine, safe, affordable food. It is a system which has attracted young farmers, thus securing the future of these sectors of agriculture.

When I mentioned this debate to my wife, she said "Give me a dozen eggs, six ounces of cheese, and three litres of milk and I will give you a good meal for six at little more than $1 a head". When I mentioned it to a supermarket manager, he pointed out that eggs and poultry sales go up in tough economic times when customers are looking for good, low cost food.

Supply management is based on three pillars: import controls; product price setting; and product production discipline.

Import controls do not mean closing the border, but limiting imports to amounts negotiated by the WTO. These controls provide

the safety net within which our farmers can competently provide their products to Canadians.

While supply management has been shown to be an effective system for eggs, poultry and dairy, it is facing international challenges that should not be underestimated. We are now facing a new round of WTO negotiations. The Harbinson paper, a background document for these negotiations, caused great concern among farmers. Thankfully it is no longer on the table.

I know the Government of Canada opposed the Harbinson approach. It is our job to defend the fine system of agriculture it threatened. I urge that we fight harder. My colleagues and I are very willing to help the minister do this at home and abroad. He knows that two of the five parties in the House of Commons have doubts about supply management, but he has cross-party support from the other three. All Liberals support it, including rural members, and urban members like the MP for Toronto—Danforth who regularly speaks out on this. We also have allies in other WTO countries.

Our system is being challenged through the WTO. However import controls are also being challenged by the use of loopholes in the customs system for bringing dairy products into Canada. For example, butter oil sugar blends have been designed to deliberately circumvent the system. Importers argue that their blends are not butter substitutes, substances that cannot be imported under existing rules. Yet these blends displace 30% of Canadian butter in the manufacture of ice cream, representing $27 million or 270 dairy farms worth of produce.

I urge the ministers involved, and it is not just the Minister of Agriculture, to recognize butter oil sugar blends and others for what they really are, butter substitutes that are illegal imports. I urge the government to act promptly and publicly on these matters. Farmers and consumers across Canada will support the government in this.

Let us say loud and clear that we designed this supply managed system, that we are proud of it, that we intend to keep it and enhance it, and that we encourage other countries to use it.

I await the parliamentary secretary's reply.

● (1820)

[*Translation*]

Mr. Claude Duplain (Parliamentary Secretary to the Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, I would like to thank the hon. member for Peterborough for his question, which is a very important one. We are discussing it at this time because it is of great concern to the government as well as to dairy producers; in fact, all supply-managed products are affected.

The hon. member spoke of maintaining supply management, of how important supply management is to producers. Yes, supply management in Canada is very important for many agricultural producers. Many times, ministers have supported supply management. Many times, they have said how important it is for Canada. I can assure the hon. member that this is an issue the ministers care deeply about and which they are going to defend; that is what they are doing at negotiating tables everywhere.

But these are controversial and difficult points. We know that. The ministers are in discussions with leaders of the WTO as to future amendments and future conditions. We know that the Harbinson report was put on the table, and that the minsters did not like it at all.

Discussing the report presented by Mr. Harbinson is out of the question, because we are not backing off on supply management. This also includes the three pillars of supply management. They are extremely important to the ministers too, and the government does not intend to alter its course.

Of these three pillars, one specifically relates to a problem frequently raised by dairy producers. I am talking about imports of products such as butter oils. After dairy producers raised this issue, the Minister of Agriculture and Agri-Food and the Minister for International Trade attended a tripartite meeting. In August 2002, a committee was struck to address this problem and find a solution.

We would liked the final report to have been tabled and the ministers to have reached a decision in this regard. Unfortunately, we are still waiting for the response. It is not a matter of ill will. This is an extremely complex situation. That is why the ministers are taking the time they need to fully understand this issue.

I want to reassure the public about supply management and its pillars. This is something that is being respected and that must remain in place. All the members on this side of the House support supply management and its pillars.

Mr. Peter Adams: Mr. Speaker, again, I thank the minister and the parliamentary secretary.

[*English*]

I know that they are on side.

Here are some examples of steps to support a supply managed system from farmers in my riding. Having rejected Harbinson, let us continue the WTO negotiations with a new set of preconditions. These new conditions should include: no reduction in over quota tariffs; elimination of in quota tariffs; and a change in market access methodology. There should be no reduction in de minimis support and a faster elimination of export subsidies. Let us form alliances with our friends in the WTO so that we can present a united front to the EU and U.S.A., who consistently talk one way and walk another way.

I extend my thanks to all the farmers of Peterborough county for their patience and advice. My thanks also to a number of national and provincial farm organizations, including organizations in both Ontario and Quebec. And I thank the minister and the parliamentary secretary once again.

● (1825)

[*Translation*]

The Acting Speaker (Mr. Bélair): The hon. parliamentary secretary has one minute to conclude this debate.

Mr. Claude Duplain: Mr. Speaker, I would like to thank the member for Peterborough again. As we know, in the WTO negotiations, there are several positions, that of the United States, that of the European countries, and that of Canada, which is perhaps more middle ground.

For example, butter oils are a very complex issue. There are very serious trade, legal and economic repercussions, particularly when it comes to international commitments with our main trading partners. The member can be assured that the ministers are taking into consideration the farmers' request.

[*English*]

ETHICS

Mr. Rick Borotsik (Brandon—Souris, PC): Mr. Speaker, I certainly like my name in the same sentence as ethics. Perhaps we could instill some of that in the government and we will all be successful.

The beautiful thing about the adjournment proceedings or the late show is that we can actually try to get some answers from a government that is not terribly forthcoming with those answers. We tried to elicit some answers from the government, answers to what I consider to be logical, well thought out, serious questions that are not too often dealt with by logical, well thought out, serious answers.

On February 20, I had the opportunity of posing a question to the Deputy Prime Minister. It had to do with what I thought was a very serious question of ethics. It had to do with the member for LaSalle—Émard, who in fact had left cabinet. But prior to leaving cabinet, the member for LaSalle—Émard was dealing with some very specific issues at that cabinet table yet was still having some serious investment involvement in a private sector corporation.

As a matter of fact, I asked if the member for LaSalle—Émard did not perhaps have a conflict of interest when dealing with such things as tax law or tax implications, perhaps, while sitting at the cabinet table but in fact perhaps putting some legislation in place that would be for the betterment of the private sector corporations that he had some interest in. The Deputy Prime Minister said no, that was not in fact true, because the Parker commission dealt with the definition of conflict, and in his opinion there was no conflict.

What do we know? We know that the member for LaSalle—Émard in fact met 12 times with the administrators of what is referred to as a blind trust. How can one meet 12 times with the administrator of a blind trust and still logically consider that to be a blind trust? There is a contradiction there that I do not think anybody in the House could see as anything other than a contradiction.

The second thing we heard was that not only did the member for LaSalle—Émard meet with the administrators, the Prime Minister said he had no idea of what was going on in those meetings because he was not part of them.

The third part of this was that the ethics counsellor said that he cannot reveal what happened because it is private. There is a Catch-22 here. The public unfortunately is caught in this Catch-22 and does not have the opportunity to find out in fact whether there is a conflict or not.

The member for LaSalle—Émard without question was at that cabinet table. Did he discuss? No. Did he influence, perhaps? No. In fact, did he direct the change to law that may well have benefited his private sector corporations? Is that in fact the conflict? The Deputy Prime Minister says no, because it falls under the Parker commission. If I may, let me very quickly quote what the Parker commission defines as a conflict of interest: "a situation in which a minister of the Crown has knowledge of a private economic interest that is sufficient to influence the exercise of his or her public duties and responsibilities". That is pretty defined. Then it goes on to say, "A conflict, therefore, does not require acting on that knowledge. Simple possession creates conflict".

Without question, the member for LaSalle—Émard was in a conflict when he sat at that cabinet table and the Deputy Prime Minister, unfortunately, in quoting the Parker commission, made my statement absolutely correct. There was a conflict and this government in the name of ethics has to identify that conflict.

● (1830)

Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, it is evident that the opposition, and in this case the Progressive Conservative Party and this member, is unclear on how the assets of public office holders are handled so that they can be in full compliance with the conflict of interest code. This is the area I want to focus on this evening. I want to start by going back to the 1997 commission of inquiry under Mr. Justice Parker that my hon. colleague referred to.

When I hear him say that it is unusual to have his name and ethics in the same sentence—

Mr. Rick Borotsik: No, I said ethics and the government are unusual.

Mr. Geoff Regan: Let me finish. I am not going to suggest that is so unusual. I would enjoy having fun with that, but it would be unwise to suggest anything about the ethics of any member of the House that is anything less than outstanding.

[*Translation*]

The commission of inquiry headed by Justice Parker examined the allegations of conflict of interest concerning Sinclair Stevens, a minister in the previous government.

Mr. Stevens owned a family business that had been converted to a blind trust, the only mechanism used at the time.

In his report, Justice Parker indicated that blind trusts were not realistic for family firms owned by a minister. This led to the creation of instruments that exist to this day, namely blind management agreements.

Blind trusts no longer cover anything other than such assets as publicly listed securities, shares in particular. The trustee can do what he deems best with his assets, in compliance with the obligation to look after the interests of a holder of public office. He may purchase, negotiate or sell individual assets. The incumbent of a public office is provided with enough general information to file his income tax return, but knows no details of his assets.

However, blind administration agreements are now used for totally different situations, generally when a private company doing business with the federal government is involved.

[*English*]

Blind management agreements do not pretend that the ownership does not exist, but they do ensure the public office holder is not involved in the business decisions of that company. That is the key. There has been specific interest in how this process worked in the case of the hon. member for LaSalle—Émard when he was finance minister. That information is on the public record, so it provides a good example.

First, a blind management agreement was set up so that the minister would no longer be involved in his company's decisions and operations.

Second, those assets were publicly disclosed and the information was posted on the ethics counsellor's website. As Mr. Justice Parker said, "public disclosure should be the cornerstone of a modern conflict of interest code". The key is the disclosure.

Third, the hon. member made sure that he was not to be involved in any discussion on policy issues that would have any impact on those assets. He did so by telling his staff not to involve him or inform him on any dealings that his companies might have with the government.

Mr. Rick Borotsik: Mr. Speaker, unfortunately the parliamentary secretary has not used any viable arguments to suggest that there has not been a conflict. I go back to the same decision that he is using as an example, and that is the definition of conflict which states that "A conflict does not require acting on the knowledge. Simple possession creates the conflict". The minister at that time, the member for LaSalle—Émard, had that simple knowledge.

The parliamentary secretary said that the key is disclosure. He is wrong. One of the keys is disclosure. When one discloses, that does not mean that person can now have any active part in that private sector corporation.

We as members of Parliament come to the House and must be above reproach. Above reproach means we get rid of all of our private interests and those that we do not get rid of we put into the blind trust particularly when one is a minister of the Crown. That is the key, not simply the disclosure. The fact is that we will be seen as being above reproach however this member was not seen as being above reproach.

● (1835)

Mr. Geoff Regan: Mr. Speaker, it would seem to me that the attack of my hon. colleague and his party, particularly his leader, on this question is beneath them. They should be better than this and they know better. It seems to me that this is a real act of desperation. It can only be called an act of desperation out of fear over this.

We know full well that when a minister is required to declare assets to the ethics counsellor, he cannot declare those assets if he is not informed of major changes in those assets.

When there are major changes, the best way for that to happen is for the trustee to inform the ethics counsellor who calls a meeting of the three of them and therefore the counsellor is informed in the presence of the minister of those major changes in his assets.

How else is he supposed to inform the ethics counsellor if he is not informed of those major changes? This is a ridiculous argument, but I really think it is beneath my hon. colleague. He is better than that and he knows better than that.

The Acting Speaker (Mr. Bélair): The motion to adjourn the House is now deemed to have been adopted. Accordingly, the House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 24(1).

(The House adjourned at 6:37 p.m.)

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