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OFFICIAL REPORT
(HANSARD)

Wednesday, June 4, 2003

—

Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Wednesday, June 4, 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 team of the hon. member for Saint John and the hon. member for Brandon—Souris.

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

• (1405)

The Speaker: I wish to inform the House that there are two omissions in today's Order Paper and Notice Paper.

[Translation]

The first, on page III of the Notice Paper, under the heading "Introduction of Government Bills", concerns a bill entitled An Act respecting the protection of the Antarctic Environment and the appropriate Royal Recommendation.

[English]

The second is the omission in the printed Order Paper after page 26 of the Notices of Motions for the Production of Papers. A reprint of the Order Paper and Notices of Motions has been distributed to all hon. members.

[Translation]

I ask the hon. members to excuse any inconvenience this incident may have caused them.

STATEMENTS BY MEMBERS

[English]

LORI'S ROOM FUND

Ms. Sarmite Bulte (Parkdale—High Park, Lib.): Mr. Speaker, on May 10, I attended the fourth annual Lori's Room Walkathon in my riding of Parkdale—High Park to benefit St. Joseph's Health Centre Foundation and the Lori's Room Fund.

Established in 1996 by her parents, Doug and Lorna Martin, the Lori's Room Fund honours the memory of Lorna-Lynn Martin, a young woman who struggled against a particularly virulent form of cancer, which eventually caused her passing.

The endowment fund is used to create healing environment rooms that support patients at St. Joseph's. Through the refurbishing and refurnishing of the rooms, St. Joseph's hopes to make Lori's Room more like a residential setting that is more conducive to rest, relaxation and healing.

Cancer has affected us all in one form or another. As a result, over the past few years the support for the Lori's Room Fund has been overwhelming, with the support of many family members, friends, staff and members of our community.

I wish to extend congratulations to all participants in the Lori's Room Fund.

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HIGHWAY SAFETY

Mr. Darrel Stinson (Okanagan—Shuswap, Canadian Alliance): Mr. Speaker, in the 13 months up to February 1, 33 people died in traffic accidents on the Trans-Canada Highway between Chase, B.C. and the Alberta border.

Some of the victims came from nearby communities like Enderby and Lumby, some from Calgary, Alberta, and Richmond, B.C., and others from as far away as Korea. This outdated, winding road is a disgrace, yet it is Canada's national highway.

The Canadian Taxpayers Federation announced on May 15 that last year the government collected \$4.76 billion in fuel taxes, but only spent \$119 million on roads and \$65 million on infrastructure.

What has the Liberal government done? It has put an average of 97.5% of fuel taxes collected in the last five years into general revenue.

Instead, the government should save lives and fix this killer highway.

* * *

FOREIGN AFFAIRS

Mr. Paul Bonwick (Simcoe—Grey, Lib.): Mr. Speaker, on April 22, I was privileged to have the opportunity to host a foreign policy round table with constituents in my riding. Twenty individuals from all walks of life, including business representatives, local politicians, representatives from churches and the media, educators, students and artists gathered to discuss Canada's place in the world.

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In brief, here are some of the highlights from this energetic dialogue. Participants wanted to encourage multiculturalism without sacrificing their own traditions and beliefs. Participants felt that our nation must continue to focus on fostering friendships with countries through peacekeeping, education and foreign aid. They felt that Canada is well respected globally and said it is vital that we remain distinct in the field of globalization.

In short, irrespective of their views, they had one thing in common: an overwhelming sense of pride in our great land.

I would like to publicly thank everyone who participated in this insightful discussion. It was indeed an excellent opportunity presented by this government to involve all Canadians in addressing long term foreign policy issues.

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● (1410)

[Translation]

HUMAN RESOURCES DEVELOPMENT

Mr. Gérard Binet (Frontenac—Mégantic, Lib.): Mr. Speaker, on June 2, I had the pleasure, on behalf of the Minister of Human Resources Development Canada, to announce a contribution of \$113,434 to the Centre d'entraide de la région de Disraëli. This centre helps disadvantaged people in the area and organizes various social and cultural activities.

The money will be used to give 10 young people, aged 16 to 30, an opportunity to plant seeds and maintain a garden using organic methods to control weeds and insect pests. This experience is expected to be very enriching for these young people, and as a consequence, will not only improve the centre's infrastructures, but also beautify the natural environment. It is an excellent initiative that will raise awareness and help young people take responsibility for their own personal growth, right in their community.

Thank you, Mr. Speaker, and long live Canada.

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[English]

FEDERATION OF CANADIAN MUNICIPALITIES

Mr. Bryon Wilfert (Oak Ridges, Lib.): Mr. Speaker, over the weekend in Winnipeg, I attended the 66th annual conference of the Federation of Canadian Municipalities.

As a past president of the FCM, I have seen a significant evolution in its relationship with the federal government. Prior to 1993, few, if any, federal cabinet ministers addressed the conferences. Gone are the days when federal representatives ignored FCM issues. Today we have a significant recognition by Ottawa that in order to have competitive communities, the theme of this year's conference, there needs to be a healthy and ongoing interaction between governments.

It is this government that has embraced and implemented the national infrastructure programs. It is this government that established the green municipal fund, strengthening and protecting the natural environment of communities. It is this government that dealt with the payments in lieu of taxes issue. It is this government, through CIDA, that has advanced and promoted municipal expertise around the world through FCM international programs. And it is this

government that has regular contact with FCM representatives, including contact with the Prime Minister and many cabinet ministers.

This government continues to be a strong partner with municipal governments across the country.

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FOREIGN AFFAIRS

Mr. Keith Martin (Esquimalt—Juan de Fuca, Canadian Alliance): Mr. Speaker, the Secretary of State for Africa said that the Congo is the most serious political and humanitarian crisis in Africa. He is right. This is a genocide. Three and a half million people have been killed. This weekend, another 350 were hacked to death. Rape is endemic, anarchy rules, and in fact most of the killers are actually children under the age of 16.

Uganda, Rwanda, Zimbabwe and other countries support this conflict, and international corporations are prepared to pillage the resources of this country and turn a blind eye to the atrocities. This cannot continue.

Canada must wake up and call for a large, international peacemaking force with aggressive rules of engagement and massive humanitarian assistance for medication and food, and it must stop all government to government assistance to Rwanda, Uganda and other countries supporting this conflict.

We ignored the genocide in Rwanda. Will we ignore the genocide in the Congo?

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[Translation]

NATIONAL FIGHT AGAINST HOMOPHOBIA DAY

Mrs. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, I am pleased to report that the City of Montreal has declared June 4, 2003, National Fight Against Homophobia Day.

[English]

I am proud to say that gay rights have made much progress within Quebec and indeed within all of Canada, yet homophobia is still quite present in our society and even at times in this very House. Mark my words, one day homophobia will be considered much like racism and sexism: a hateful expression of one's own prejudices.

[Translation]

Canada has a deserved reputation for its appreciation of diversity and difference. That is why I invite all Canadians to join together in celebrating National Fight Against Homophobia Day.

Finally, I would like to congratulate Fondation Émergence, which has worked hard for recognition of this important day. Your work is important and this House appreciates it.

•(1415)

NATIONAL FIGHT AGAINST HOMOPHOBIA DAY

Mr. Richard Marceau (Charlesbourg—Jacques-Cartier, BQ): Mr. Speaker, it is my pleasure, on behalf of my colleagues from the Bloc Québécois, to draw attention to National Fight Against Homophobia Day.

I would like to acknowledge the extraordinary work done by Foundation Emergence and its president, Laurent McCutcheon, in launching this campaign.

With the theme “From tolerance to acceptance”, this day should make everyone reflect on behaviour—unintentional perhaps—that has homophobic undertones.

Our society prides itself on its openness, tolerance and acceptance. It is time, more than ever, to prove it and accept the fact that thousands of our fellow citizens are homosexuals.

We cannot remain impervious to homophobia. To ensure justice and equality, any excessive behaviour has to be denounced. I am calling on all my colleagues to take advantage of this day to pursue the fight against homophobia.

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[English]

CLEAN AIR DAY

Mr. Julian Reed (Halton, Lib.): Mr. Speaker, as part of Environment Week, today we are celebrating Clean Air Day, a day for Canadians to applaud actions being taken to reduce air pollutants causing smog and climate change.

Since the first Clean Air Day in 1999, we have seen its profile increase significantly. Canadians are responding to the call to action through a wide variety of community events. One of these activities is the commuter challenge, where communities compete with each other to log the most kilometres using sustainable transportation, to reduce air pollution levels and greenhouse gas emissions. There is also the Clean Air Day sustainable transportation awareness campaign, delivered in 65 communities by the Canadian Urban Transit Association.

Clean Air Day is also a time to praise and encourage Canadians to take action all year round to reduce air pollution and the emissions that lead to climate change.

* * *

MEMBER FOR LASALLE—ÉMARD

Mr. Monte Solberg (Medicine Hat, Canadian Alliance): Mr. Speaker, I have to say that the Tories really are just amateurs when it comes to secret deals. If we really want to know about secret deals we need to talk to Liberals. The Liberals have secret meals, where they cook up secret deals, which they stamp with secret seals.

Consider the not-so-secret secret prime ministership of the member for LaSalle—Émard. Backroom deals are the order of the day. Look at how his government in exile has divided the Liberal caucus on election financing, aboriginal governance and missile defence.

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And we have to love the coincidence of three of his supporters all sitting on the transport committee and all pushing to make changes that benefit the shadow PM's shipping empire, all of it sealed with a secret handshake and signed in invisible ink. And what of his alleged blind trust? It is a miracle: the blind can see.

Meanwhile, the former finance minister hunkers in his bunker and laughs maniacally as he sticks pins in a doll that looks remarkably like the Prime Minister. Nothing is as it appears to be.

* * *

PHILIP WEISS

Ms. Anita Neville (Winnipeg South Centre, Lib.): Mr. Speaker, this week at the convocation ceremonies at the University of Winnipeg, Mr. Philip Weiss, a Holocaust survivor, was presented with an honorary doctorate of laws.

This honour is richly deserved as Mr. Weiss has worked tirelessly to further the education of young people about the Holocaust. He has spoken to thousands of students across Manitoba at both the high school and university levels.

In speaking of why he has undertaken such a task he said “I always maintained a vision of the world past the Holocaust and that is what kept me going”.

He has also generously supported Holocaust education of young people, not only by sponsoring many educational forums, but by providing financial assistance to students to attend the Holocaust museum in Washington, D.C.

On behalf of all Manitobans I would like to extend our congratulations to Dr. Weiss and also thank him for ensuring that the Holocaust is never forgotten.

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[Translation]

NATIONAL FIGHT AGAINST HOMOPHOBIA DAY

Mr. André Bachand (Richmond—Arthabaska, PC): Mr. Speaker, today in Quebec marks the first National Fight Against Homophobia Day. The purpose of this day is to raise awareness about the scourge that is homophobia.

In recent years, there has been progress mainly on human rights issues. Unfortunately, there are still far too many prejudices and reservations in our society about homosexuals, who are no different than anyone else. They fully contribute to the success of our society, just as heterosexuals do.

I fundamentally believe that everyone is equal. Everyone must be treated with respect and understanding. We, as Canadians, must take our responsibilities and strongly condemn any homophobic act or statement.

I applaud Foundation Emergence and any organization that lends a sympathetic ear to gays and lesbians in Quebec for their commitment to fighting homophobia.

Oral Questions

As a member of the Progressive Conservative Party, I am asking: when will there be a day against all forms of homophobia in Canada? Soon, I hope.

* * *

• (1420)

MEMBER FOR LASALLE—ÉMARD

Mr. Yvan Loubier (Saint-Hyacinthe—Bagot, BQ): Mr. Speaker, the member for LaSalle—Émard boasts that he is a great democrat. He says that he will do things differently. He states that he wants the members to have a bigger role, that he wants the members to be more vocal on, among other things, the political party financing bill, but he is unable to indicate his position, whether he is in favour and if he intends to implement this legislation.

On the contrary, the approach of the member for LaSalle—Émard is to direct things from outside, through intermediaries, without getting personally involved. He avoids accepting his responsibilities so as not to displease and to win at all costs.

Again yesterday, during the vote on the missile defence program, while some of his colleagues dared to vote against their own government, in accordance with their own beliefs, the member for LaSalle—Émard, was again conspicuously absent during the vote.

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LASSONDE COMPANY OF ROUGEMONT

Ms. Diane St-Jacques (Shefford, Lib.): Mr. Speaker, the Lassonde company in Rougemont was named winner of the 2002-03 Canadian Grand Prix New Products Award in the "Snacks, Confectionery and Candy" category for its Oasis Sorbet Premium product line of sorbets.

The tenth annual Canadian Grand Prix New Products Award gala was held on May 25. These awards are the equivalent of the Oscars for the Canadian food service industry. Lassonde has won six Grand Prix awards over the past ten years.

The management of Lassonde credits the expertise and devotion of its employees with the company's success; it is through these efforts that the company can provide consumers with unique products of superior quality.

I salute and congratulate the management and the 785 employees of this company. I am proud that Shefford is home to such a dynamic and extraordinary company.

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[*English*]

PREMIER OF MANITOBA

Mr. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Speaker, I want to congratulate Premier Gary Doer of Manitoba on achieving a second majority government, with an increase of three seats to the NDP majority in the Manitoba legislature.

Premier Doer and his NDP colleagues have provided Manitoba with a competent, social democratic government. They have defended the health care system from privatization, celebrated public ownership of Manitoba Hydro and the public interest it can and does serve, kept tuition fees low and showed national leadership

on the Kyoto accord, to mention just a few of their many accomplishments.

On behalf of NDP leader, Jack Layton, and all the federal caucus of the NDP, we wish the premier and his colleagues, old and new, a successful second term in office. A Canada with the political sense of Manitoba would be a great country indeed.

ORAL QUESTION PERIOD

[*English*]

AGRICULTURE

Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance): Mr. Speaker, the government's delays in dealing with the mad cow crisis are leading to a catastrophe in the beef industry. The acting Prime Minister admits that some of these delays are due to the Liberal leadership transition. This obviously has not been helped by the Prime Minister's gaffs in dealing with President Bush.

On the latest delay, only now the government has begun testing a second line of cattle for mad cow, even though it knew about this line from the beginning.

Why did the government wait weeks before testing the second line?

Hon. David Collenette (Minister of Transport, Lib.): Mr. Speaker, contrary to what the Leader of the Opposition states, the government is seized with this particular issue. It cares about this issue. It cares about all those people whose lives have been disrupted, so much so that the Minister of Agriculture, this day, is in Alberta dealing with beef producers.

I can assure the House that the government will be very sensitive to any solution that brings fairness and equity to all those affected.

Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance): Mr. Speaker, the Prime Minister did not care enough to even remember whether he had a conversation with President Bush, and to deal with that relationship with prudence. He has been utterly irresponsible.

The industry is now facing an emergency. The industry is losing millions of dollars daily. Families are in danger of losing their livelihoods. Cattle feeders, specifically, have said that they want to know what federal plan there will be and that they need to know by Friday.

When can producers expect the details of the federal government's compensation package?

Oral Questions

Hon. Herb Dhaliwal (Minister of Natural Resources, Lib.): Mr. Speaker, first, the Minister of Agriculture has done a tremendous job on this file. He has been front and centre. In fact, even today he is meeting with the beef industry. He has been talking to his provincial counterparts. He has been talking to the secretary of agriculture in the United States. He has been on the front lines making sure we do everything we can to resolve this.

What we are doing to make sure we have the science, we are having a full investigation. We hope by early next week we will have all that information so we can open the borders and continue to export our products across the world.

• (1425)

Mr. Stephen Harper (Leader of the Opposition, Canadian Alliance): Mr. Speaker, at least we can give the minister credit for not praising the performance of the Prime Minister on this file. That does not, of course, answer the question, but I will move on.

Even once the ban is lifted, the beef ban by the United States, there will be a permanent loss of market share. What will the government do about that? Will the compensation package include plans for the promotion and marketing of Canadian beef abroad?

Hon. Herb Dhaliwal (Minister of Natural Resources, Lib.): Mr. Speaker, of course we are concerned with the effect on the industry. We are monitoring the situation. We are evaluating it.

However, unlike the hon. member and his party, we do not believe we should be building firewalls across the country. We believe we should be building bridges and strong national solutions to problems such as this. That is why we are working on it and will continue to work on it.

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MEMBER FOR LASALLE—ÉMARD

Mr. Grant Hill (MacLeod, Canadian Alliance): Mr. Speaker, no wonder there is western alienation, with comments like that.

The former finance minister has ships plying the St. Lawrence Seaway. Those ships are guided by expert pilots. His company, aided by four Liberal supporters, are trying to get rid of those expert pilots for dangerous or hazardous areas.

Is this not just another example of a special deal for the man who wants to be the Prime Minister of Canada?

Hon. David Collenette (Minister of Transport, Lib.): Mr. Speaker, I intentionally resent the innuendo contained in the hon. member's question. It is disgusting.

The members of the transport committee, on all sides, including the one who is yelling at me, are hon. members and they have the right to voice their opinions on matters of national policy. This has nothing to do with other interests. This has everything to do with what is good for transportation in this country.

Mr. Grant Hill (MacLeod, Canadian Alliance): Mr. Speaker, the minister says that there were no special deals for the former minister. Let us talk about them.

Other cabinet ministers have blind trusts but that former cabinet minister had a blind management.

When it comes to dumping oil, everybody else gets a fine but that former minister gets a special deal.

Finally, on the issue of foreign tax shelters, that former minister is given a special deal.

How many more special deals can we expect for the former finance minister?

Hon. David Collenette (Minister of Transport, Lib.): Mr. Speaker, I really am reluctant to get down to the level of reply that is required here, except to set the facts straight.

First, the former minister of finance has complied with all the regulations and all the required procedures by the ethics commissioner. The fact is that he is not involved in the day to day management of that particular company.

However, to set the record straight, that company was fined by the government for an infringement of the law. That is not a special favour.

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[*Translation*]

SOFTWOOD LUMBER

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, while the Minister for International Trade acknowledges that the crisis in the softwood lumber industry is worsening, and his colleague in Natural Resources confirms that the option of loan guarantees is still on the table, the Secretary of State responsible for the Economic Development Agency of Canada for the Regions of Quebec refuses to act for fear of displeasing the Americans, according to what he said in the House yesterday. Yet the companies are at the end of their rope, and calling for help.

Can the minister confirm that the loan guarantees are legal under international trade rules, and can he explain why he is not making them available to the industry?

[*English*]

Hon. Herb Dhaliwal (Minister of Natural Resources, Lib.): Mr. Speaker, as I said yesterday to the hon. member, this was one of the options that was considered when we introduced a \$350 million package. It is still on the table.

However it is in our best interests to make sure we find a long term solution to this problem because it is something that has been going on for a long time. That is what we are focusing on.

We hope that in the near future there will be a solution to this but failing that, we have always said that we are committed and that we will do more to support the industry and the workers.

[*Translation*]

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, while he is telling us that the loan guarantee option is still on the table, the workers can no longer put anything on their dinner table. That is the problem. He ought to realize straight off that there is a problem.

Oral Questions

In the fisheries sector, for instance, the government decided to recognize that the workers affected by the cod and crab moratorium are in exceptional circumstances, and so it brought in exceptional income assistance measures.

What I am asking him, therefore, is whether the same could not be done in the case of softwood lumber, to bring in exceptional income assistance measures—since EI measures are inadequate—so that this might be supplemented with such measures as—

• (1430)

The Speaker: The hon. secretary of state.

Hon. Claude Drouin (Secretary of State (Economic Development Agency of Canada for the Regions of Quebec), Lib.): Mr. Speaker, for the softwood lumber problem, we have implemented measures for a total of \$350 million. These are concrete measures. There are \$110 million for the industry, to develop the communities. These are measures we have implemented in order to help the workers get through this crisis, and we hope to see this resolved as promptly as possible. Those of us on this side of the House are seeking solutions.

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, the Secretary of State responsible for Canada Economic Development for the Regions of Quebec does not need to look for solutions. They are right there in front of him. They respect NAFTA. They are called loan guarantees. That is what the industry needs, and despite his package of measures, hundreds of jobs are being lost in our regions.

Is there anyone on the government benches who is responsible enough to take the economic situation of our regions into account? They can keep their nice speeches; what we need are real measures.

[*English*]

Hon. Herb Dhaliwal (Minister of Natural Resources, Lib.): Mr. Speaker, we, in fact, acted more than seven months ago. We did not wait until we had the situation now where we have layoffs. We acted way before.

Yesterday I outlined the programs: \$81 million to support workers; \$110 million to support communities; money for research and development; and money to make sure that we get new markets.

We have responded to support employees across the country. We will continue to do that and, as we have always said, if more needs to be done the government will take action to do more.

[*Translation*]

Mr. Michel Gauthier (Roberval, BQ): Mr. Speaker, I appeal to the ministers and members from Quebec. When they meet people out on the ground, as we do, they must realize the distress that workers and companies are experiencing.

I call on one of them to speak on behalf of their colleagues, to stand up and tell us why they have been silent and why they have not insisted that the Minister of Industry put in place the measures that the regions need and that everyone knows are necessary. Let them stand and answer.

Hon. Pierre Pettigrew (Minister for International Trade, Lib.): Mr. Speaker—

Some hon. members: Oh, oh.

The Speaker: Order, please. The hon. Minister for International Trade is standing; I believe he wishes to respond and he may do so.

Hon. Pierre Pettigrew: Mr. Speaker, I think it would be totally irresponsible to pit one region against another, and to tell us that a minister from Quebec must tour Quebec, when 50% of softwood lumber exports that are being penalized right now come from British Columbia.

Our government is concerned about Quebec's interests. We are concerned about Quebec's workers. We are also concerned about workers in British Columbia.

An hon. member: There are problems everywhere.

The hon. Pierre Pettigrew: I cannot accept the tone used by the Bloc Québécois, as though all of a sudden, we should feel more sorry for Quebecers than other Canadians. That is completely—

The Speaker: The hon. member for Pictou—Antigonish—Guysborough.

* * *

[*English*]

AGRICULTURE

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, speaking of delays, it took just one day, a single day, for the government to accept a proposal to buy luxury jets, approve the sale, issue a contract and take possession.

Canadian farmers and plant workers are losing their livelihoods waiting for the government to debate and decide if the agriculture sector is indeed hurting.

When will the government offer a compensation package for the cattle industry? Why can the government purchase luxury jets and have that deal go through in a day while farmers have to wait weeks?

Hon. Herb Dhaliwal (Minister of Natural Resources, Lib.): Mr. Speaker, I am sure the hon. member knows that there is a program for compensation for those herds that have to be depopulated. All the farmers will be able to get compensation for that.

As far as a larger review, this is something that is ongoing. The situation is evolving. We need to have a good understanding. In fact, that is why the Minister of Agriculture today is in Alberta, to make sure that he meets with the beef industry, has that view and takes that view into consideration.

This situation is being worked on. The Minister of Agriculture is on top of this issue to have a good understanding of what is needed to resolve some of these issues.

• (1435)

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, PC): Mr. Speaker, those ministers' assurances are not allaying fears across the country. We have to dispel any fears that it is unsafe to eat Canadian beef.

Oral Questions

Today, Republican Congressman Denny Rehberg called on Canada to reform its testing standards. He is not the only one troubled by our nearly four month delay in reporting the case. We saw the harm from the delay in the government reaction to SARS. We have seen the harm in the delay of the helicopter program. The minister's feeble response this morning does not cut it.

When is the agriculture minister going to bring about the implementation of measures to expedite testing?

Hon. Herb Dhaliwal (Minister of Natural Resources, Lib.): First of all, Mr. Speaker, Canada has the best testing system in the world within that framework.

For the hon. member to question that, he should know better. He should not be standing up in the House and questioning a system that is recognized all over the world by the international community. He knows better. He should be speaking about the good work done.

The Canadian Food Inspection Agency is recognized as the best in the world. It is doing everything possible to make sure there is a full investigation and let the scientists do their study so we can open the borders and give confidence to people around the world that Canadian beef is safe.

Mr. Peter MacKay: I have no confidence, Herb. That is the problem.

Mr. Bill Blaikie: Relax, Peter.

The Speaker: I am quite relaxed. The hon. member for Winnipeg—Transcona has the floor.

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GOVERNMENT POLICIES

Mr. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Speaker, I am not sure the new Tory leader's secret deal permitted him to vote for star wars yesterday because I cannot imagine Orchard being in favour of that.

The Speaker: Order please. I know that the hon. member for Pictou—Antigonish—Guysborough will want to contain his enthusiasm. His microphone is on when the hon. member for Winnipeg—Transcona's is on and it makes it very difficult for the Chair to hear.

Mr. Bill Blaikie: In any event, Mr. Speaker, it seems that there are two camps in the Liberal Party with respect to star wars and that government can only make announcements about those things that the Liberals are divided on, such as election financing and star wars, and we cannot get any action on anything else.

I want to ask the Minister of the Environment a question. It is Environment Week, it is Clean Air Day. Could he please tell us how he intends to provoke some division within the Liberal Party on this issue so we can get some action?

Hon. John McCallum (Minister of National Defence, Lib.): Mr. Speaker, I always listen to my caucus colleagues attentively and with respect.

One message yesterday came out loud and clear and it is a message I welcome. The message from my caucus colleagues is: government do not mess around with weapons in space because if

you do, you will face the wrath of the caucus. I accept and agree with that message.

Mr. Bill Blaikie (Winnipeg—Transcona, NDP): It is nice to know, Mr. Speaker, that the minister of defence can get a message once in a while from somebody.

I want to ask the government more generally, when it comes to mad cow disease, when it comes to softwood, when it comes to helping hospitality workers affected by SARS, all we have is silence or inaction. Still we only have a government focused on the things that divide them. When are the Liberals going to get their act together and help people who are the victims of these various crises in our country?

Hon. David Collenette (Minister of Transport, Lib.): Mr. Speaker, I totally reject the hon. member's question. The fact is the Minister of Industry is working on measures that will improve the economic lot of those affected by SARS, as is the Minister of Human Resources Development. The Minister of Agriculture is in Alberta today dealing with the beef industry crisis.

This government acts on behalf of all Canadians all of the time.

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SOFTWOOD LUMBER

Mr. John Duncan (Vancouver Island North, Canadian Alliance): Mr. Speaker, yesterday the trade minister indicated he would be willing to step away from a quota based softwood proposal tabled by the Canadian negotiator with the Americans. A cardinal rule of good faith negotiations is that a tabled offer cannot be unilaterally withdrawn.

Why did the minister show such disrespect as to table an offer that he is now prepared to abandon?

● (1440)

Hon. Pierre Pettigrew (Minister for International Trade, Lib.): Mr. Speaker, I showed absolutely no interest in withdrawing the paper that was tabled last week in Washington.

Mr. John Duncan (Vancouver Island North, Canadian Alliance): Mr. Speaker, that is contrary to one statement yesterday. Whenever the government is questioned about softwood lumber assistance, the natural resources minister pops up and repeats his softwood promises from last October. It is now eight months later and not a dollar has flowed to forest workers and communities.

The government's promises have done nothing for softwood workers or the industry. I will save the minister the trouble of repeating himself. When is he going to deliver?

Hon. Stephen Owen (Secretary of State (Western Economic Diversification) (Indian Affairs and Northern Development), Lib.): Mr. Speaker, it was not last October. It was on December 19 that the Minister of Industry announced a \$110 million program for economic adjustment in forest dependent communities across the country. Over 50% of that money will flow to British Columbia workers and communities.

The minister appointed a high level, multi-sector committee to review these proposals. The call for proposals has gone out. They are being received and reviewed by community futures development corporations at this point. Money will be flowing very soon.

Oral Questions

[Translation]

Mr. Serge Cardin (Sherbrooke, BQ): Mr. Speaker, last October, the Minister of Natural Resources announced that the government was considering the possibility of creating phase 2 of the softwood lumber industry assistance package. Yesterday, he confirmed that loan guarantees were an avenue worth exploring to assist the lumber industry. In addition, his colleague from International Trade confirmed that the situation had worsened.

What is the government waiting for? Is it going to launch phase 2 of the assistance package or not?

[English]

Hon. Herb Dhaliwal (Minister of Natural Resources, Lib.): Mr. Speaker, as I have said on a number of occasions in the House in response to the hon. member, we had a major program in phase one. We admitted at that time that this was an area that we wanted to monitor closely, that we wanted to watch what has happened across the country and if other programs were needed, if more help was needed, that it was something we would look at.

We still have the same position. We have not changed. We are monitoring the situation. We certainly will take the representation of the hon. member and the party into consideration.

[Translation]

Mr. Serge Cardin (Sherbrooke, BQ): Mr. Speaker, I did not hear a “yes”.

How does the government want us to interpret its total inaction on phase 2 of the softwood lumber industry assistance package? Does the government realize that the signal it is sending to the Quebec regions so severely affected by the softwood lumber crisis is that, if it wanted to make this industry disappear, this is exactly how it would go about it?

[English]

Hon. Herb Dhaliwal (Minister of Natural Resources, Lib.): Mr. Speaker, the hon. member is simply wrong when he says there is a lack of action. We in fact have provided action.

Just a few minutes ago the Secretary of State for Western Economic Diversification put forward a number of programs and proposals that are there that are looking at community adjustment programs. Human Resources Development Canada has also indicated the programs it is involved in.

We are taking action for the workers and for the industries across the country. I would hope the hon. member would recognize the good work that has already been done in all those programs.

* * *

AGRICULTURE

Mr. David Anderson (Cypress Hills—Grasslands, Canadian Alliance): Mr. Speaker, the BSE saga continues. The Canadian Food Inspection Agency has commissioned three international experts from the United States, Switzerland and New Zealand to issue a report on our response to BSE and to address the issue of the safety of Canada's beef supply.

Could the minister tell us what are the terms of reference for those experts and their future report?

Hon. Herb Dhaliwal (Minister of Natural Resources, Lib.): Mr. Speaker, I will certainly bring the question to the attention of the Minister of Agriculture who, as members know, is meeting with representatives of the beef industry to make sure they have their input. I will make sure that the hon. member gets a comprehensive response from the Minister of Agriculture.

Mr. David Anderson (Cypress Hills—Grasslands, Canadian Alliance): Mr. Speaker, it is unbelievable that there is not a spokesman in the House who can deal with this issue. The CFIA has stated that these individuals will be asked to validate the Canadian actions and to determine whether policy adjustments are warranted.

Could the minister tell the House if the reopening of the border is contingent on the findings of the team from the United States, New Zealand and Switzerland?

● (1445)

Hon. Herb Dhaliwal (Minister of Natural Resources, Lib.): Mr. Speaker, as the Minister of Agriculture and Agri-Food has stated before, we need to make sure we do the science. That is exactly what we are doing. It is on sound science that we will be able to convince the international community and the U.S. that this was an isolated case. So far we have only found one cow that was infected with BSE; no other animal has been found. It is something we are looking at.

As I said in my earlier response, we hope that next week all the tests will be done so that we can start moving our product to our markets around the world and into the U.S. That is what the Minister of Agriculture and Agri-Food is doing right now.

* * *

[Translation]

NATIOAL DEFENCE

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, yesterday, the Minister of Defence voted in favour of the missile defence program while other government members voted against it, for fear that this program would lead to the militarization of space. That motion closes the discussions. It is as if we were giving blanket approval to any system from the outset.

Does the government realize that the expression any system contained in the motion means that the government is accepting in advance the militarization of space?

Hon. John McCallum (Minister of National Defence, Lib.): Mr. Speaker, as I just explained in English, the message of the caucus is very clear: we are opposed to the militarization of space. That is also the government's position.

As I have already explained, I have received this message, and the government says it welcomes it, because it is also government policy.

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, responding to the committee report, the Minister of Foreign Affairs stated, “Canada remains opposed to the weaponization of space and will continue to oppose deploying weapons in space”.

Yesterday, some Liberal members voted against the government, because they felt that the motion went too far.

Oral Questions

Could the government give us the reason for this shift between the position it took a month ago and the one voted on in this House yesterday?

Hon. John McCallum (Minister of National Defence, Lib.): Mr. Speaker, it is difficult to get across to this member the reality I have now explained twice.

There has been no change in the government's position. We were opposed to weapons in space months and years ago. We were opposed yesterday, we are today and we will be tomorrow. That is the reality.

* * *

[English]

AIR INDIA

Mr. Kevin Sorenson (Crowfoot, Canadian Alliance): Mr. Speaker, of the 331 people killed on Air India flight 182, 280 were Canadians, 80 of whom were children, yet both the previous administration and the government refused to initiate a commission of inquiry. Recent allegations only serve to remind us that Canadians and the rest of the world deserve to know exactly what transpired on or before the June 23, 1985 disaster.

Will the Solicitor General immediately initiate that commission of inquiry?

Hon. Wayne Easter (Solicitor General of Canada, Lib.): Mr. Speaker, I would remind the hon. member that the most important inquiry in the whole Air India bombing is taking place right now, where the people who are responsible for that bombing will be brought to justice. That is what we should keep our eyes on.

Mr. Kevin Sorenson (Crowfoot, Canadian Alliance): Mr. Speaker, in 1993 the leader of the official opposition, now our current Prime Minister, promised that the Liberals would "continue to press the government to create a royal commission to look into the Air India disaster". After 10 years Canadians are still waiting for this unfulfilled promise.

Will the Solicitor General put an end to the wait and immediately initiate that royal commission of inquiry?

Hon. Wayne Easter (Solicitor General of Canada, Lib.): Mr. Speaker, even if we wanted to do a public inquiry, it would be inappropriate while the court case is going on. However, I would refer the hon. member to the annual report of the Security Intelligence Review Committee for 1991-92. It reviewed extensively and had numerous interviews. It reviewed a lot of the documentation around the incident and concluded that the "service was not in a position to predict that the Air India flight was to be the target of a terrorist bomb".

I would refer the member to the report. If he were to read it, he might learn something.

* * *

URBAN AFFAIRS

Mr. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, earlier this week the *Ottawa Business Journal* carried a story about possible announcements regarding municipal transit in Ottawa.

One source had a major funding announcement coming out of the Minister of Transport's office before June 18. Another one had a major announcement regarding a funding mechanism from Industry Canada regarding municipal transit projects. There seems to be quite a bit of confusion.

Would the minister responsible for the strategic infrastructure program care to dispel some of this confusion and comment on these announcements about municipal transit in Ottawa?

● (1450)

Hon. Allan Rock (Minister of Industry, Lib.): Mr. Speaker, as the hon. member knows, the Government of Canada has already identified the project in Ottawa that it will be investing in during this round of strategic infrastructure. Up to \$30 million will be put into services for a project to expand the Ottawa Congress Centre which is one of the priorities of the city.

As to the future, while there have been preliminary discussions with the city on public transit, we are far from any announcement. Indeed, we are working through issues that must be resolved first. When we are in a position to make an announcement, obviously we will let people know.

* * *

SOFTWOOD LUMBER

Mr. Bill Casey (Cumberland—Colchester, PC): Mr. Speaker, I am beginning to think the Minister for International Trade is hearing voices on the softwood lumber file.

In the *Edmonton Journal* he is quoted as saying "Our Team Canada is very solid. We don't have to be in total agreement on every comma". This is not about commas. The fact is that six out of ten provinces are diametrically opposed to his position on quotas.

Then he says in the Halifax *Chronicle-Herald* that "the Maritime (Lumber) Bureau has also asked us to work on their behalf". Yes, they have, but they do not want him to go into quotas. They say we must be excluded again from any attempt to allocate quotas. That is exactly what he is trying to do, allocate quotas.

If he is hearing these voices of support, I challenge him to rise in his seat and name one provincial government that supports his proposal, or one association in the softwood lumber file that supports—

The Speaker: The hon. Minister for International Trade.

Hon. Pierre Pettigrew (Minister for International Trade, Lib.): Mr. Speaker, it is important that we continue to work as a country.

There are many companies and I have a list of letters here from many people begging us to re-engage with the United States.

I understand that we have a two track strategy. We want to win before the courts and at the same time I am being asked to re-engage with the United States. These are moves in order to re-engage with the United States. That is exactly what the provinces and industry have been asking us throughout.

Mr. Bill Casey (Cumberland—Colchester, PC): Mr. Speaker, let the record show not one province supports it.

Oral Questions

Actually, I believe that some officials just made a mistake when they made this proposal. Admirably, the Minister for International Trade is trying not to undermine his officials.

The minister should remember that every single Liberal member in Nova Scotia was defeated in 1997 because one minister cavalierly did not listen to the voters in the province. They went from every seat in the province to zero seats because of one minister.

Now, the premier, the industry, the remanufacturers, and the unions all are against this proposal. I think the minister may not want to undermine his officials, but he is certainly undermining—

The Speaker: The hon. Minister for International Trade.

Hon. Pierre Pettigrew (Minister for International Trade, Lib.): Mr. Speaker, I appreciate the conservative advice on how to win seats in Canada. I remember very well years where they actually went down to two seats across the land following two majorities in the House. If the member does not mind, I think I will not take his advice too seriously.

I will not play cheap politics with softwood lumber communities and our workers. What we are fighting for right now is not seats in Nova Scotia; it is the industry and its future in North America. That is what we care about.

* * *

AIR INDIA

Hon. Lorne Nystrom (Regina—Qu'Appelle, NDP): Mr. Speaker, I my question is for the Solicitor General.

The RCMP alleges that CSIS may have had a mole that may have had prior knowledge of the Air India attack. We do not know this because CSIS destroyed some of the key tapes.

As the minister responsible for both the RCMP and CSIS he has been stonewalling in terms of providing the answers.

I want to ask the minister whether he would agree now to order a public inquiry into the Air India attack at the conclusion of the current trial? The families of the victims that died have a right to know what happened. The public has a right to know what happened. Will he order an inquiry at the conclusion of the current trial?

Hon. Wayne Easter (Solicitor General of Canada, Lib.): Mr. Speaker, I really encourage members to go back and look at the major review that was done by the review agency that was established by the House. They would see that everything that was done by CSIS was done properly. With reference to the tapes that the members talk about, the review stated:

CSIS affirmed that the tapes were erased in accordance with their policies and the Government's intention that such material should not be retained unnecessarily.

CSIS and the RCMP did nothing wrong in terms of this proposal.

* * *

● (1455)

STATUS OF WOMEN

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Mr. Speaker, it is no wonder that the UN committee on eliminating

discrimination against women is on the government's case for its lack of action on gender parity.

The Liberals have made over 8,000 appointments to key positions over their three terms in office. Only 34.5% of their appointees have been women. In three terms they have raised the total by 1%. At this rate it will take 150 years to reach gender parity. Canadian women cannot wait 150 years.

What does the government intend to do about this shameful situation?

Hon. Jean Augustine (Secretary of State (Multiculturalism) (Status of Women), Lib.): Mr. Speaker, I want to assure my colleague who is very interested in this issue that the Government of Canada is committed to gender equality. I have promised the member that we will go through all of the programs and policies that Status of Women supports and the government is committed to. It is important that the member understand that we have an agenda for gender equality and we are moving forward with that agenda.

* * *

JUSTICE

Mrs. Betty Hinton (Kamloops, Thompson and Highland Valleys, Canadian Alliance): Mr. Speaker, the government's sex offender registry is as flawed as any legislation ever brought to the House. It will be dangerous legislation if enacted without substantial changes. The minister will force the Crown to take the initiative to have a convicted sex offender placed on the registry. Registration is not mandatory but it should be.

Why does the minister refuse to require that all sex offenders be automatically registered upon conviction?

Hon. Wayne Easter (Solicitor General of Canada, Lib.): Mr. Speaker, I spent a considerable time before the committee the other day talking about this very bill and on some of those points. The fact of the matter is that we moved quickly on this legislation. We gained a consensus from federal, provincial and territorial ministers of justice and attorneys general in October and November. We tabled the legislation in December. It is on the basis of that consensus that we are moving forward with this legislation to do what the provinces and Canadians really want us to do.

Mrs. Betty Hinton (Kamloops, Thompson and Highland Valleys, Canadian Alliance): Mr. Speaker, doing it right is better than doing it fast.

Oral Questions

How badly flawed is Bill C-23? If and when it comes into effect it will have zero names on it because it is not retroactive. The Liberals want people to reoffend before they get put on the registry. The provinces, victims, and police have been screaming for a retroactive registry.

Why will the Solicitor General not commit to a sex offender registry that will actually have the names of those convicted on it?

Hon. Wayne Easter (Solicitor General of Canada, Lib.): Mr. Speaker, the member had it right in the first instance in her comment that doing it right rather than doing it fast is the responsible way to go. That is in fact what we are doing.

By making it retroactive we face the possibility of challenges in the court. I want the sex offender registry to work in the interests of people and be an investigative tool for police officers across the country, and not spend all of our time with legal counsel in court facing challenges. We have brought it forward in this way so it will work in the interests of Canadians.

* * *

[Translation]

FOREIGN AFFAIRS

Ms. Francine Lalonde (Mercier, BQ): Mr. Speaker, in the statements issued by the leaders of the G-8 who are meeting at Evian, they have taken a tougher stand on Iran and North Korea, warning that the nuclear threat these countries might pose would be addressed with the tools set out in the non-proliferation treaties, and "if necessary, other measures".

My question is for the Minister of Defence. Can the minister tell us, without ambiguity, whether it is out of the question for Canada to contemplate the use of force against these two countries?

[English]

Ms. Aileen Carroll (Parliamentary Secretary to the Minister of Foreign Affairs, Lib.): Mr. Speaker, it has long been the position of Canada to work within multilateral venues such as the G-8 and NATO, and to approach issues such as the two mentioned by the hon. member from the departure point of diplomacy. We have been reinforcing the other initiatives taken with regard to North Korea and Iran by our allies on the diplomatic front. In the beginning that is the way to proceed and it is our intention to continue in that regard.

• (1500)

[Translation]

Ms. Francine Lalonde (Mercier, BQ): Mr. Speaker, the Prime Minister has remained vague on this question. A report in today's *La Presse* indicates that he refused three times to provide his interpretation of the final declaration.

Why will the Canadian representative not state as clearly as the President of France and the Prime Ministers of Japan and Germany that it is out of the question to contemplate the use of measures other than those set out in international treaties for dealing with Iran and North Korea?

[English]

Ms. Aileen Carroll (Parliamentary Secretary to the Minister of Foreign Affairs, Lib.): Mr. Speaker, finding the Prime Minister vague would be in the eyes of the beholder. The questioner in this

regard continually fails to grasp the message that he sends. He has clearly articulated it in the House and continued to do so overseas. It is that Canada chooses to reinforce diplomatic initiatives as it has done in the past. The Prime Minister has reiterated that and we look at that before we anticipate or plan for a military action.

* * *

FIREARMS REGISTRY

Mr. Garry Breitkreuz (Yorkton—Melville, Canadian Alliance): Mr. Speaker, the Solicitor General is now faced with the sixth province that refuses to prosecute the 600,000 gun owners who have so far been unable or unwilling to register their guns. The Solicitor General simply deals with the problem by telling the Nova Scotia justice minister to "get up to speed".

Only Prince Edward Island and Quebec still support the gun registry. When will the Solicitor General start listening to the provincial justice ministers instead of insulting their intelligence?

Hon. Wayne Easter (Solicitor General of Canada, Lib.): Mr. Speaker, what I neglected to mention is that maybe the member for Yorkton—Melville should get up to speed on what is happening in terms of this legislation and the changes that we have made to it to make it more efficient. Maybe it would be helpful if that member would go out and encourage people to register their guns before the deadline.

Mr. Garry Breitkreuz (Yorkton—Melville, Canadian Alliance): Mr. Speaker, I am beginning to wonder if the Solicitor General has any idea what is going on in his department. The minister's officials admit they cannot even process all the paperwork before the deadline at the end of this month, a completely arbitrary deadline.

The firearms database crashed. Does he know that? They have lost an unknown number of records. His own incompetence will criminalize legitimate gun owners. The minister's stubbornness will cost taxpayers even more.

Is the minister willing to criminalize more law abiding gun owners, or will he just scrap the program?

Hon. Wayne Easter (Solicitor General of Canada, Lib.): Mr. Speaker, as I said a number of times, the intention of this legislation is not to criminalize legitimate gun owners. We would hope that all Canadians who have legitimate guns out there register by the deadline and then that move will not be necessary.

Speaking of the member getting up to speed, he should be reminded that the crash in the system was in December. That has since been improved and we can handle the registrations now.

* * *

INTERNATIONAL AID

Ms. Beth Phinney (Hamilton Mountain, Lib.): Mr. Speaker, the G-8 has just completed the summit in Evian, France, where the African action plan was discussed. Has Canada made any progress in meeting its commitments made in last year's G-8 meeting in Kananaskis?

Oral Questions

Hon. Susan Whelan (Minister for International Cooperation, Lib.): Mr. Speaker, Canada has delivered on its commitments. The \$500 million Canada fund for Africa is focusing on African priorities like health and education, trade and investment, and peace and security. Canada has also committed an additional \$6 billion over the next five years to deal specifically with Africa.

We have committed to double our international assistance by the year 2010, at least half of which will go to Africa. Our relationship with Africa is strong because we are committed. We delivered and we will continue to do so.

* * *

JUSTICE

Mr. Chuck Cadman (Surrey North, Canadian Alliance): Mr. Speaker, in February 2000, 16 year old Richard Jung was swarmed and beaten to death. A young offender plea-bargained from second degree murder down to manslaughter and got two and a half years, and that is bad enough, but four adults involved were just convicted of manslaughter. The sentence? Members guessed it, two years less a day at home.

The Minister of Justice, who gave us conditional sentencing, said it was not intended for violent crimes. Would the current minister please explain why he is allowing conditional sentences to become the rule for virtually anything other than murder?

• (1505)

Hon. Martin Cauchon (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, the opposition knows very well that conditional sentencing was put in place some years ago. It has been used by the courts as well. The opposition also knows that the justice committee went through a review as well.

We are waiting to see the outcome of that review, but having said that, conditional sentencing is not used when an offender could represent a risk to the public. It is one of the tools at the disposal of the court. Judges are not forced to use it. They use it based on each and every case, depending upon the circumstances.

Mr. Chuck Cadman (Surrey North, Canadian Alliance): Mr. Speaker, following Richard Jung's death, I sat with his dad for hours as he tried to come to terms with the senseless killing of his son, and he expected justice. Prosecutors wanted three to six years. Even the defence expected jail time. The Crown quoted the judge's own words from an earlier case when she said the court will not tolerate "senseless, gratuitous, recreational violence" before imposing an eight year sentence for aggravated assault, and now, four house arrests for manslaughter. When will the minister say enough is enough?

Hon. Martin Cauchon (Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I do not know if the member is referring to what we call the Young Offenders Act. There is a designated offence and that may end up as being what we call a sentence for adults.

With regard to conditional sentencing, I will repeat essentially what I said over and over. We went through a review process. We will wait to see what will be the outcome. It is a tool at the disposal of the court, and judges are not forced to use it. They use it when the offender does not represent a risk to our society.

[Translation]

SOCIÉTÉ RADIO-CANADA

Ms. Caroline St-Hilaire (Longueuil, BQ): Mr. Speaker, the Minister of Canadian Heritage claimed last year that Radio-Canada, which was preparing to stop broadcasting *Hockey Night in Canada* in French, had to respect the rights of francophone minorities.

This year, Radio-Canada will pull the plug on its nightly sports report, depriving francophones without cable of the only daily amateur sports forum currently on public television. While the English network runs six hours of sports per week, the French network runs only two.

Can the minister tell us if she approves of Radio-Canada's decision. Is it normal, in her opinion, that francophones are not entitled to the same service as anglophones?

Hon. Sheila Copps (Minister of Canadian Heritage, Lib.): Mr. Speaker, I want to thank the hon. member for her question. Many people in this House are concerned about this. Guy Lafleur is here today; I know that he is particularly interested in sports issues.

The Secretary of State for Amateur Sport and I have already agreed to meet with representatives of Radio-Canada's union, and we will certainly work with Sport Québec and others that, currently, are appealing directly to the CRTC.

Different possibilities are being explored and, with the hon. member's help, perhaps the House can adopt a unanimous stance on this issue.

* * *

[English]

MULTICULTURALISM

Ms. Sarmite Bulte (Parkdale—High Park, Lib.): Mr. Speaker, my question is for the Secretary of State for Multiculturalism and the Status of Women.

Could the minister please inform the House how her department plans to promote, encourage and engage Canadians on the issue of multiculturalism and diversity?

Hon. Jean Augustine (Secretary of State (Multiculturalism) (Status of Women), Lib.): Mr. Speaker, I am glad to tell the House that I have just announced a three year strategic partnership with Social Sciences and Humanities Research Council which will leverage \$3 million over the next three years.

This is to help us to find the kind of research that is indispensable for developing informed and relative policies and programs due to the diversity of Canada.

Privilege

[Translation]

MEMBER FOR RIMOUSKI-NEIGETTE-ET-LA MITIS

The Speaker: I would like to draw to hon. members' attention the return to the House of our colleague, the hon. member for Rimouski-Neigette-et-la Mitis.

Some hon. members: Hear, hear.

* * *

● (1510)

PRESENCE IN THE GALLERY

The Speaker: I draw the attention of hon. members to the presence in the gallery of Guy Lafleur, one of our hockey greats.

Mr. Lafleur is very much involved in National Environment Week, as a supporter of the not-for-profit Rechargeable Battery Recycling Corporation.

Some hon. members: Hear, hear.

* * *

[English]

PRIVILEGE

ORAL QUESTION PERIOD

Mr. Vic Toews (Provencher, Canadian Alliance): Mr. Speaker, I rise on a question of privilege in respect to the answer of the Solicitor General to the question of the member for Crowfoot. The Solicitor General specifically referenced a current trial and made certain comments in respect to that trial. As a former provincial attorney general and a member of the House, I am very concerned that the comments of the Solicitor General may have prejudiced the fair trial of an accused.

I refer the House to the *House of Commons Procedure and Practice*, by Marleau and Montpetit, at page 534, which states:

The sub judice convention is first and foremost a voluntary restraint on the part of the House to protect an accused person, or other party to a court action or judicial inquiry, from suffering any prejudicial effect from public discussion of the issue.

I refer members also to page 535 where that is discussed further.

Because I do not want to repeat the comments, I would ask the Speaker to review the videotape and *Hansard*, review those comments and consider whether there is a prima facie matter of privilege vital to the public interest.

Hon. Don Boudria (Minister of State and Leader of the Government in the House of Commons, Lib.): Mr. Speaker, this is hardly a question of privilege. Yes, ministers during question period have invoked the issue of sub judice in order not to affect someone's trial when a member raises and asks for the opinion of the Crown on a matter that is before the court. The issue that a member on the other side of the House may be dissatisfied with an answer that a minister has given during question period has nothing to do with this.

If the hon. member is dissatisfied, and that is very legitimate, people feel that way from time to time, even though the answers are usually excellent, he can put in a late show and get further amplification on the issue being raised.

Right Hon. Joe Clark (Calgary Centre, PC): Mr. Speaker, the member is quite accurate in his recollection of what was said by the Solicitor General. It was the Solicitor General himself who volunteered the reference of which my colleague from Provencher has rightly expressed concern.

I would certainly add my voice to others in the House urging the Speaker to look at the actual tapes to see if in fact there has been a breach of the conventions of the House.

The Speaker: The Speaker always enjoys reviewing tapes and transcripts of the proceedings in the House and will do so in this case and get back to the House in due course.

The hon. member for Yorkton—Melville gave notice of a question of privilege to the Chair. I will hear him now.

FIREARMS ACT

Mr. Garry Breitkreuz (Yorkton—Melville, Canadian Alliance): Mr. Speaker, I rise on a question of privilege concerning the justice minister's direct contravention of the Firearms Act and contravention of one of your rulings.

On November 21, 2001, at Commons debates pages 7380 and 7381, Mr. Speaker, you ruled on a question of privilege raised by the hon. member for Surrey Central concerning the failure of the minister of justice to table a statement of reasons for making certain regulations as required by subsection 119(4) of the Firearms Act.

I would like to now cite three separate quotes taken directly from the Speaker's ruling. I quote:

I should point out to hon. members the Firearms Act provides that where the minister is of the opinion that the ordinary regulatory process in section 118 should not be followed she may in cases specified by the law proceed directly to the making of new regulations or to the modification of existing regulations. However in such cases the minister is required by subsection 119(4) of the act to table in both houses a statement of her reasons for so doing.

The hon. member for Surrey Central drew to the attention of the House 16 cases between September 16, 1998, and December 13, 2000, where the minister made use of this exceptional power but failed to table the required documents in the House. He argued that although no deadline is specified in the Firearms Act it is surely unreasonable for the House to be kept waiting for up to three years for the tabling of the minister's reasons.

The ruling went on:

In the case before us, the legislation drafted by the justice department contained from the outset the provisions obliging the minister to table in parliament reasons why section 118 should not apply for certain regulations. Furthermore, in the orders in council relating to each case, a standard paragraph is included which reads as follows:

And whereas the Minister of Justice will, in accordance with subsection 119(4) of the Firearms Act, have a statement of the reasons why she formed that opinion laid before each House of Parliament;

Therefore, Her Excellency, the Governor General in Council, on the recommendation of the Minister of Justice, pursuant to paragraph X of the Firearms Act, hereby makes the annexed regulations—

The Chair must conclude from this evidence that far from being an arcane technicality cloaked in some dusty statute or other, the requirement for tabling of reasons is not only perfectly clear in the legislation but is invoked as an integral part of each such order in council. All the more reason, it seems to me, for the department to comply readily with the requirement given a modicum of efficiency in advising the minister.

The ruling went on:

Points of Order

Strictly speaking, these defects do not negate the minister's fulfillment of her statutory obligation, but they do point to a carelessness that appears to be characteristic of the way in which these matters are being handled by the officials in her department.

Were there to be a deadline for tabling included in the legislation, I would not hesitate to find that a prima facie case of contempt does exist and I would invite the hon. member to move the usual motion. However, given that no such deadline is specified, I can only find that a legitimate grievance has been identified.

I would encourage the hon. Minister of Justice to exhort her officials henceforth to demonstrate due diligence in complying with these and any other statutory requirements adopted by parliament. I look forward in future to the House being provided with documents required by law in a timely manner.

That was your ruling, Mr. Speaker. The parliamentary research branch has informed me that despite your stern warning and contrary to your explicit instructions, the justice minister has on four more occasions failed to table his statement of reasons for avoiding the laying of his regulations before Houses of Parliament, as required by subsection 119(4) of the Firearms Act.

The four orders in council identified by the Library of Parliament are: SOR/2002-440, 5 December 2002, regulations amending the importation and exportation of firearms regulations; SOR/2002-441, 5 December 2002, regulations amending the authority to export or import firearms regulations (businesses); SOR/2002-444, 5 December 2002, regulations amending gun show regulations; and, 5 December 2002, regulations amending the public agents firearms regulations.

• (1515)

While you ruled that the member for Surrey Central did not have a prima facie case of privilege, mainly because there is no deadline in the Firearms Act for the minister to table the statement of reasons, the situation we have today is different.

The minister is now in a clear contempt of Parliament, because not only has he shown complete disregard for the legislative requirements of this House, just as his predecessor did, but he has ignored your very clear instructions in your previous ruling.

I ask the Speaker: At what point does the minister's disregard for the legislative requirement of an act passed by this House become contempt? How many times does the minister have to be caught before it becomes contempt? Sixteen times last time. Four times this time. If not this time, will the minister be in contempt the next time we catch him?

Finally, how can we expect ordinary Canadians to obey the Firearms Act if the justice minister himself does not, cannot, or will not, regardless of what you say or rule?

If the Speaker rules that these four new violations of section 119 (4) of the Firearms Act by the Minister of Justice constitute a prima facie case of breach of privileges of this House, I am prepared to move the appropriate motion.

• (1520)

Hon. Don Boudria (Minister of State and Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I have heard what has just been raised by the member. I consider it to be very serious. I will raise it with my colleagues. I will endeavour to report either to the House myself, or himself; it is mid-week now but hopefully by the end of the week or at the least sometime next week about the—

An hon. member: Oh, oh.

Hon. Don Boudria: No, I did not say that. This is serious, Mr. Speaker. I intend to report. If there are documents that should have been tabled and there is a reasonable period of time elapsed, I will do my best to ensure that they are tabled, and if not, that someone at least inform the House why they will not be tabled in the time that is judged to be appropriate if such is the case in the accusation that is being made.

The Speaker: I want to thank the hon. member for Yorkton—Melville for his diligence in pursuing this matter. It is always appreciated when hon. members support the rulings of the Chair and I notice his proper diligence in that respect.

I know that the government House leader is now going to do the same sort of thing and exercise proper diligence to see if the ruling has been fully complied with in every respect.

I thank the hon. members for that and I look forward to hearing further submissions on the matter in due course. In the meantime, of course, I will reserve my decision.

We have a notice of a point of order from the hon. member for Calgary Northeast.

* * *

POINTS OF ORDER

QUESTIONS ON THE ORDER PAPER

Mr. Art Hanger (Calgary Northeast, Canadian Alliance): Mr. Speaker, my point of order is in regard to Order Paper Questions Nos. 162 and 163 dated February 19, 2003. I indicated that I wanted these questions answered within 45 days pursuant to Standing Order 39. On March 27, the department advised me that these questions could not be answered on time.

In checking with the Journals Branch vis-à-vis referring these questions to committee, my office was informed that as far as they are concerned the questions have been answered. I am aware that the Speaker does not judge the quality of the answer, but the government clearly indicated to me that the questions could not be answered on time and gave an explanation why. While I appreciate the heads-up from the department, I would submit to you, Mr. Speaker, that the standing orders require the government to explain its reasons to a committee and not to me.

First, I will read the questions and answers into the record. The questions are as follows. Question No. 162 reads:

Since the inception of the Canadian Forces Service Income Security Insurance Plan, SISIP, how many soldiers have requested and how many actually qualified for Accidental Dismemberment Benefit from SISIP for injuries sustained while in a Theatre of Operations or a Special Duty Area for which members would be in receipt of both the Canadian Forces Superannuation Act, CFSA, Pension, or a return of pensionable contributions, and the Pension Act pension?

The response was as follows:

Three key public and private sector institutions hold the requested information: the Department of National Defence, Veterans Affairs Canada and Maritime Life. Compiling the data requires extensive interdepartmental and public-private sector coordination, and a manual search of existing and archival files. As a result, the information requested cannot be gathered during the time period allotted to respond to Order Paper Questions.

Question No. 163 reads:

Points of Order

Since the inception of the Canadian Forces Service Income Security Insurance Plan, SISIP, of those soldiers that qualified for Accidental Dismemberment Benefit from SISIP for injuries sustained while in a Theatre of Operations or a Special Duty Area for which members would be in receipt of both the Canadian Forces Superannuation Act, CFSA, Pension, or a return of pensionable contributions, and the Pension Act pension, what is the range of financial compensation provided by SISIP in terms of amount and duration of the benefit?

The response was:

Three public key public and private sector institutions hold the requested information: the Department of National Defence, Veterans Affairs Canada and Maritime Life. Compiling the data requires extensive interdepartmental and public-private sector coordination, and a manual search of existing and archival files. As a result, the information requested cannot be gathered during the time period allotted to respond to Order Paper Questions.

Standing Order 39(5) reads as follows:

- (a) A member may request that the Ministry respond to a specific question within forty-five days by so indicating when filing his or her question.
- (b) If such a question remains unanswered at the expiration of the said period of forty-five days, the matter of the failure of the Ministry to respond shall be deemed referred to the appropriate Standing Committee. Within five sitting days of such a referral the Chair of the committee shall convene a meeting of the committee to consider the matter of the failure of the Ministry to respond.

The matter of the failure of the ministry to respond was referred to me personally. Standing Order 39(5)(b) provides for the matter to be referred to the committee. It is the committee that has the authority to subpoena officials. It is the committee that has the authority to send for documents. And it is the committee that has the authority to either make recommendations or absolve the department for its tardiness. What good is it to advise me? And how does that satisfy Standing Order 39?

● (1525)

I believe the Journals Branch has erred in concluding that the notice from the government advising me that the questions cannot be answered on time is an answer. If that is considered an answer, then the process is useless. The government must explain its reasons to a committee of the House of Commons.

Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, I appreciate the point of order the member has raised. I know you are familiar with this process, Mr. Speaker, and with the rules that apply, and I know there are others who have gone before me in my role as parliamentary secretary to the government House leader, outstanding members who have held this role in the past, and who are familiar with the fact that the branch of the Privy Council Office that handles these matters is often overwhelmed with the number of requests for documents and the amount of paper they have to go through. In fact, I have gone there to sign written answers to written questions when the stack of paper involved is so high and sometimes requires several boxes to contain the answer, and of course numerous copies of the answer are required.

It is in fact true that sometimes there are great difficulties posed by these questions and by answering them. In fact, sometimes it is entirely impossible to answer these questions within the 45 days given and requested by the members.

I want to refer you, Mr. Speaker, to page 443 of Marleau and Montpetit, which states:

The guidelines that apply to the form and content of written questions are also applicable to the answers provided by the government. As such, no argument or

opinion is to be given, and only the information needed to respond to the question is to be provided in an effort to maintain the process of written questions as an exchange of information rather than an opportunity for debate. It is acceptable for the government, in responding to a written question, to indicate to the House that it cannot supply an answer. On occasion, the government has supplied supplementary replies to questions already answered. The Speaker, however, has ruled that it is not in order to indicate in a response to a written question the total time and cost incurred by the government in the preparation of that response.

Even though, Mr. Speaker, of course that cost and time is very, very significant.

● (1530)

The Speaker: I am not clear on what is being requested of the Chair in the circumstances of this case. I think the hon. member for Calgary Northeast in his original submission suggested that he knew it was not normal for the Chair to comment on the adequacy or otherwise of an answer.

Is he asking that his questions be referred to a committee? If so, perhaps he could propose that to the House and see if there would be agreement on the part of the House to refer the questions to the committee.

Alternatively, and I am guessing out of the blue here, he could put the questions back on the Order Paper without the 45 day time limit, without starring the question, in effect, or indicate instead of starring making it oral. He could put it on without the 45 day request and then wait for the answer, which would then have to be prepared and sent to him. Maybe it is in the course of preparation now. I could not tell that from the answer the hon. member read into the record, and I do not think he could either because the answer was not clear on the point, of course.

Perhaps the hon. member might try asking the House, if that is his desire, if the House is willing to refer the question to the committee. I have no idea what the parliamentary secretary wants. I could not tell from his submission.

I know that these answers are sometimes quite expensive, but the hon. member for Calgary Northeast is well known for his enthusiasm for saving money, so I do not think he would want to press a question that was going to cost millions to answer. Maybe we can work something out here with discussions between the parties and come back to the House with a proposal on this. I am in the House's hands.

Mr. Art Hanger: Mr. Speaker, certainly I am willing to work something out in reference to the reply to these particular questions, but the matter still comes down to this point. The matter of the failure of the ministry to respond was referred to me and Standing Order 39(5)(b) provides for the matter to be referred to a committee, simply put.

The Speaker: The difficulty is the hon. member got an answer. He read the answer into the record. His having got an answer, it is not for the Chair to comment on the quality of the answer or whether in fact it is really an answer to his question.

I have made suggestions as to how he might resolve the matter. I suggest that he have a chat with the parliamentary secretary and maybe between them they can come up with a solution that would be acceptable to everybody in the House, and maybe on consent something else could be done.

Routine Proceedings

I know that from my own experience as the parliamentary secretary and having done that work before, but not with these rules, admittedly, I was usually able to arrange some accommodation with hon. members. I know the parliamentary secretary would be enthusiastic about doing so with the hon. member for Calgary Northeast. Perhaps we could leave it at that.

Mr. Art Hanger: Mr. Speaker, I will confer with the parliamentary secretary.

The Speaker: I thank the hon. member.

POSTAL PRIVILEGES

Mr. John Williams (St. Albert, Canadian Alliance): Mr. Speaker, I rise on a point of order in reference to your letter of April 26, 2002, to all members of the House of Commons regarding the use of postal privileges and franked envelopes.

Your letter of April 26, 2002, referred to an earlier communication of November 29, 2001, reminding members of the principles governing the use of mailing and particularly with reference to their use on behalf of various groups.

You also stated in your letter of April 26, 2002:

Pursuant to the Parliament of Canada Act and the By-laws, if a misuse of the House resources is involved, the board [Board of Internal Economy] has all the powers necessary to seek a refund or to withhold funds from any payments due to the Member.

Your letter of November 29, 2001, concluded with the following statement:

Members are reminded, therefore, that the intent behind franking privileges and the use of the House of Commons goods and services is to facilitate communication between constituents and their Member and vice versa, and not to facilitate communications between other groups and constituents via the Member.

It has been brought to my attention that the member for Vancouver East and the NDP House leader used her free mailing privileges to advertise a weekend seminar event in Ottawa featuring classes such as "Anarchism 101" and "Cuban anti-terrorism and the U.S".

The weekend seminar also featured "confronting U.S. imperialism", "class monopoly", "radical cheerleading and street theatre" and "tools to energize and deal with burnout for social activists". The agenda also advertised "Kick-Ass T's—Make your own protest shirts" and, in anticipation of president George W. Bush's visit to Canada, which unfortunately was cancelled, there was a workshop called "Revolutionary knitting: plan to prepare and organize for Bush's visit on Monday".

The mailing by the member for Vancouver East to promote this seminar was reported in an article in the *Ottawa Citizen* on page A5 on May 12, 2003.

We all know that members of Parliament use their franking privileges to communicate with Canadians about their work and the work of the party right across Canada. This is a well accepted principle, but not to advertise somebody else's seminar.

You have specifically stated in your letters to members that facilitating communications between other groups and constituents via the member cannot be tolerated using taxpayer funds.

It is an affront to this House that a member would abuse her privileges, but to use these privileges provided by a parliamentary

democracy to attack the very principles of parliamentary democracy through the promotion of anarchy and violence to the point of training people in anarchy and street violence and the destruction of our society is an absolute and intolerable affront to this House.

• (1535)

The Speaker: I am having real difficulty understanding what the point of order is here.

Mr. John Williams: I am just coming to my point.

The Speaker: I hope so. This has gone on quite long. It is all very interesting but if every member stood up and read every other hon. member's newsletter or bulletin we would be bored to tears. I know the hon. member would not want to get into that kind of thing because once we start one we will be hearing more. I want to hear what the point of order is.

Mr. John Williams: Mr. Speaker, my point of order is that the privileges have been violated and you reiterate what the parliamentary mailing privileges can be used for. Therefore I would ask that you recover the money in accordance with the Board of International Economy's policy for abuse of the franking privileges.

The Speaker: That is not a point of order, with all respect. I would suggest that if the hon. member for St. Albert has a problem he should send a letter to the board asking if it will review the matter to see if in fact it should exercise its powers to demand that money back. The board will conduct the necessary investigation. It will speak to the hon. member for Vancouver East. Everything will be done. If money is owed, it will be decided by the board. However it is not a point of order for the Speaker to decide in the House.

ROUTINE PROCEEDINGS

[*Translation*]

CANADIAN COMMERCIAL CORPORATION

Hon. Pierre Pettigrew (Minister for International Trade, Lib.): Mr. Speaker, pursuant to Standing Order 32(2), I have the honour to table, in both official languages of Canada, the summary of the 2003-04 to 2007-08 business plan of the Canadian Commercial Corporation.

* * *

REGIONAL DEVELOPMENT BANKS

Mr. André Harvey (Parliamentary Secretary to the Minister of International Cooperation, Lib.): Mr. Speaker, pursuant to Standing Order 32(2), it is my pleasure to table, in both official languages, the 2001 report on Canada's participation in regional development banks.

* * *

CANADA MARINE ACT

Mr. Marcel Proulx (Parliamentary Secretary to the Minister of Transport, Lib.): Mr. Speaker, pursuant to section 144 of the Canadian Marine Act, I have the honour to table, in both official languages, the report of the Canada Marine Act Review Panel.

*Routine Proceedings***NATIONAL DEFENCE AND CANADIAN FORCES
OMBUDSMAN**

Mr. Dominic LeBlanc (Parliamentary Secretary to the Minister of National Defence, Lib.): Mr. Speaker, pursuant to Standing Order 32(2), I have the honour to table, in both official languages, two copies of the 2002-03 annual report of the National Defence and Canadian Forces Ombudsman.

* * *

GOVERNMENT RESPONSE TO PETITIONS

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

* * *

● (1540)

[English]

CORRECTIONS AND CONDITIONAL RELEASE ACT

Hon. Wayne Easter (Solicitor General of Canada, Lib.) moved for leave to introduce Bill C-40, an act to amend the Corrections and Conditional Release Act and the Criminal Code.

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

* * *

AMENDMENTS AND CORRECTIONS ACT, 2003

Hon. Wayne Easter (for the Minister of State and Leader of the Government in the House of Commons) moved for leave to introduce Bill C-41, an act to amend certain Acts.

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

* * *

[Translation]

COMMITTEES OF THE HOUSE

FOREIGN AFFAIRS AND INTERNATIONAL TRADE

Mr. Bernard Patry (Pierrefonds—Dollard, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the seventh report of the Standing Committee on Foreign Affairs and International Trade concerning the crisis in the Democratic Republic of the Congo.

NATIONAL DEFENCE AND VETERANS AFFAIRS

Mr. David Pratt (Nepean—Carleton, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the second report of the Standing Committee on National Defence and Veterans Affairs.

[English]

In accordance with its order of reference of Monday, May 5, 2003, your committee has considered and held hearings on Bill C-35, an act to amend the National Defence Act (Remuneration of Military Judges) and agreed on Monday, June 2, 2003, to report it without amendment.

PETITIONS

TAXATION

Mr. Kevin Sorenson (Crowfoot, Canadian Alliance): Mr. Speaker, pursuant to Standing Order 36 I have the privilege to present to the House a petition signed by well over 200 concerned constituents from Drumheller, Hanna, Three Hills, Trochu, Morrin, Munson and Carbon.

This petition calls upon Parliament to ensure that Junior A hockey league players and teams be treated like Olympic sports participants, and that billeting costs and modest reasonable expenses and allowances not be treated as taxable income under provisions of the federal tax legislation.

It is a pleasure to present a petition like this in the House.

STEM CELL RESEARCH

Mr. Geoff Regan (Halifax West, Lib.): Madam Speaker, on behalf of the member for West Nova, I am pleased to present a petition from 30 residents of West Nova who 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.

THE ENVIRONMENT

Mr. Rex Barnes (Gander—Grand Falls, PC): Madam Speaker, I am pleased to present a petition today signed by over 15,000 individuals.

The people in Newfoundland and Labrador are very concerned about the relocation of the weather forecasting service from the Gander weather centre to Halifax and Montreal. The petitioners firmly believe this will jeopardize lives and property in the province of Newfoundland and Labrador because of the severe and erratic weather patterns on Canada's east coast.

The petitioners call upon Parliament to reverse the decision the government has made to relocate the weather forecasting services provided by the Newfoundland weather centre in Gander.

RIGHTS OF THE UNBORN

Mr. Paul Steckle (Huron—Bruce, Lib.): Madam Speaker, it is my privilege to present a petition on behalf of the people from the riding of Huron—Bruce and subsequent neighbouring ridings.

The petitioners have signed a petition on the issue of abortion. The petitioners believe that one Canadian child in four dies before birth as a result of induced abortion and that in the absence of Canadian law, abortion on demand is available during all months of pregnancy. They believe that while residing in the mother's womb, the Canadian child has neither legal recognition nor legal protection.

Therefore they call upon Parliament to enact legislation that will provide legal recognition and protection of Canadian children from fertilization to their birth.

● (1545)

MARRIAGE

Mr. Paul Steckle (Huron—Bruce, Lib.): Madam Speaker, I have two more petitions. The second one has to deal with the institution of marriage.

Routine Proceedings

The petitioners believe that the majority of Canadians believe that fundamental matters and social policy should be decided by elected members of Parliament and not the unelected judiciary. They also believe that the majority of Canadians support the current legal definition of marriage as the voluntary union of a single, that is unmarried, male and a single, that is unmarried, female.

They call upon Parliament to use all possible legislative and administrative measures, including invoking section 33 of the charter, the notwithstanding clause, if necessary, to preserve and protect the current definition of marriage as between one man and one woman.

FIREARMS REGISTRY

Mr. Paul Steckle (Huron—Bruce, Lib.): Finally, Madam Speaker, I have a huge number of petitioners who are asking the Government of Canada, as they have many times in the past, to call upon Parliament to abolish the national firearms registry for long guns and redirect our tax dollars to programs in support of health care and of the enforcement of that.

CHILD PORNOGRAPHY

Mrs. Betty Hinton (Kamloops, Thompson and Highland Valleys, Canadian Alliance): Madam Speaker, I have petitions signed by constituents of my riding of Kamloops, Thompson and Highland Valleys.

The petitioners are asking Parliament to ensure the protection of our children by taking all necessary steps to ensure that all materials which promote or glorify child pornography and exploit children be met with swift punishment.

[Translation]

Ms. Diane St-Jacques (Shefford, Lib.): Madam Speaker, I would like to table a petition signed by more than 500 citizens of the ridings of Shefford and Brome—Missisquoi, calling on Parliament to amend section 163.1 of the Criminal Code of Canada by making sure that pornographic pictures of children are not considered as having artistic merit.

[English]

TORONTO AIRPORT

Mr. Joe Comartin (Windsor—St. Clair, NDP): Madam Speaker, pursuant to Standing Order 36 I am pleased to present this petition on behalf of residents on Toronto Island who are very concerned that the Toronto city airport is about to be expanded without the proper assessment for environmental and health effects.

They call upon Parliament to request that the project be referred to an environmental review panel by either the Minister of Transport or the Minister of the Environment.

THE ENVIRONMENT

Mrs. Rose-Marie Ur (Lambton—Kent—Middlesex, Lib.): Madam Speaker, pursuant to Standing Order 36 I wish to present my first petition on behalf of the constituents of Lambton—Kent—Middlesex who upon Parliament to protect the health of seniors and children and to save our environment by banning the disputed gas additive MMT as it creates smog and enhances global warming.

MARRIAGE

Mrs. Rose-Marie Ur (Lambton—Kent—Middlesex, Lib.): Madam Speaker, my second petition, pursuant to Standing Order 36, has over 500 signatures from the riding of Lambton—Kent—Middlesex. The petition calls upon Parliament to pass legislation to recognize the institution of marriage in law as being a lifelong union of one man and one woman to the exclusion of all others.

HEALTH CARE

Ms. Judy Wasylycia-Leis (Winnipeg North Centre, NDP): Madam Speaker, I am pleased to present three petitions signed by several hundred individuals from all over Canada, including British Columbia, Alberta, Nova Scotia and other places.

The petitioners are very worried about the future of medicare and very concerned about a government that would appoint a royal commission on the future of health care and then ignore its findings.

They call upon Parliament to request that the findings of the Romanow commission be considered a blueprint for the immediate action by the government. They call on Parliament to reject any move toward investor owned, for profit systems of delivery in the Canadian health care system, and they call on Parliament to ensure that the recommendations of the royal commission on the future of health care in Canada are adopted as the best prescription for Canada's ailing health care system.

STEM CELL RESEARCH

Mr. Dominic LeBlanc (Beauséjour—Petitcodiac, Lib.): Madam Speaker, I rise on behalf of the member for Markham to present a petition signed by residents of Markham who call upon Parliament to focus its legislative support on adult stem cell research and to find the cures and therapies necessary to treat the illnesses and diseases of suffering Canadians.

RURAL POST OFFICES

Hon. Lorne Nystrom (Regina—Qu'Appelle, NDP): Madam Speaker, I have a petition this afternoon signed by 117 people who want to keep the Hubbard post office open in my riding.

What the petitioners say is that the government across the way imposed a moratorium on rural post office closures several years ago. Now there are rumours that there are some postal outlets, such as the one in Hubbard, Saskatchewan, that are slated for closure.

The closure of rural post offices will do harm to the continued viability of many of our rural communities. Therefore, the petitioners are asking us to, one, keep the Hubbard post office open, and two, retain the moratorium on rural post office closures across the country.

● (1550)

CHILD PORNOGRAPHY

Mr. John Bryden (Ancaster—Dundas—Flamborough—Aldershot, Lib.): Madam Speaker, I have three petitions.

Routine Proceedings

In the first petition the petitioners request that the government do everything it can to prevent child pornography.

HATE PROPAGANDA

Mr. John Bryden (Ancaster—Dundas—Flamborough—Aldershot, Lib.): Madam Speaker, the second petition asks the government to not do anything to change sections 318 and 319 of the Criminal Code which would introduce homosexual as part of the definition of hate crime. I believe that arises from Bill C-250 that is before the House. The petitioners are very concerned about that legislation.

MARRIAGE

Mr. John Bryden (Ancaster—Dundas—Flamborough—Aldershot, Lib.): Madam Speaker, the third petition has come to me, oddly enough, from people in British Columbia. They pray that Parliament pass legislation to recognize the institution of marriage in federal law as being a lifelong union of one man and one woman to the exclusion of all others.

Madam Speaker, as you know, that legislation already exists. The problem is that some courts have challenged that legislation. I can assure the petitioners that it is the law of the land now. I sincerely hope it will continue to be so.

* * *

QUESTIONS ON THE ORDER PAPER

Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Madam Speaker, the following questions will be answered today: Nos. 212, 215, 216, 218 and 235.

[Text]

Question No. 212—**Mr. Ted White:**

With regard to the fact that the Minister of Natural Resources has been granted permission to bypass the normal public security line-ups at Ottawa airport and to proceed directly to security inspection via the airline staff entrance: (a) under what authority was this done; (b) does this permission extend to the bypassing of the normal public security lines at other airports in Canada; (c) does this permission extend to all other ministers of the Crown; (d) does this permission extend to members of the House who are not ministers; and (e) if not, why not?

Mr. Marcel Proulx (Parliamentary Secretary to the Minister of Transport, Lib.): With regard to (a), air carriers may offer priority service to Executive and VIP customers or passengers who are late for their flight. No authority is required since this is a customer service provided by air carriers and no bypassing of security occurs.

Concerning (b), (c) and (d), as indicated in (a) above, this practice does not involve bypassing security, and therefore, requires no special authorities or permissions. Further questions with respect to each air carrier's customer service policy should be directed to the airlines.

Question No. 215—**Mr. Peter MacKay:**

Concerning the RCMP Airbus investigation terminated on April 22, 2003: (a) what was the duration of the investigation; (b) how many investigators (full or part-time) were involved in the investigation on a yearly basis for its duration; (c) what is the financial cost related to the investigation on a yearly basis; (d) how many transatlantic flights were taken by persons pursuing the investigation; (e) were any payments made to informants for information provided to the RCMP, the Department

of Justice, the office of the Solicitor General or any other government department and, if so, what was the total paid?

Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): I am informed by the Solicitor General of Canada that with respect to

(a) the current investigation began in 1995 and continued to 2003.

With respect to (b) our systems do not collect this information for individual investigations. A brief manual search gave a result for investigators who were exclusively assigned to this investigation which is as follows:

1995: 1 full time; 1 part time
 1996: 1 full time; 3 full time part year; 5 part time
 1997: 4 full time; 2 full time part year; 3 part time
 1998: 5 full time; 5 full time part year; 3 part time
 1999: 3 full time; 4 full time part year
 2000: 4 full time; 4 full time part year
 2001: 5 full time; 1 full time part year
 2002: 3 full time; 2 full time part year
 2003: 3 full time; 1 full time part year

This investigation includes an ongoing criminal prosecution that has been before the court since October 2002.

With respect to (c) RCMP's systems track financial information by parent or organizational unit, and not usually for individual investigations. A financial tracking mechanism was put in place for this investigation, for fiscal year 1997-98 onwards, that allows for the capture of the majority of costs, but not all. Salary and some expense costs associated to several of the investigators were not captured. To provide more complete figures would require a manual search of financial data that would be excessively time consuming. Overall cost for investigators assigned to this investigation and for related investigational expenses, which can be tracked without a manual search, are as follows:

1997-98: \$246,575.25
 1998-99: \$634,166.23
 1999-2000: \$543,254.33
 2000-01: \$549,207.47
 2001-02: \$375,499.35
 2002-03: \$290,672.57

These costs include expenses incurred for an ongoing criminal prosecution that has been before the court since October 2002.

With respect to (d) our systems track overall travel cost, not destination. To respond to the question as asked would require a manual search of data that would be excessively time consuming.

Routine Proceedings

With respect to (e) the RCMP does not confirm nor deny the existence of, or payment to, any informant. Under RCMP policy the identification of informants must be protected in accordance with decisions of the Supreme Court of Canada, which grants privilege to informants that their identity will not be disclosed.

I am informed by Justice Canada that

in answer to question (e), there were no payments made to informants for information provided to the Department of Justice.

Question No. 216—**Mr. Peter MacKay:**

Following the April 22, 2003 closure of the Northern Cod Fisheries in Zones 2J, 3K and 3L and the Gulf Fisheries in Zones 3P, 4R and 4S and the South Coast Fishery in Zone 3Ps, what measures has the government taken to preserve cod stocks in Zones 3M and 3N, zones containing the nose and tail of the Grand Banks and the Flemish Cap?

Hon. Robert Thibault (Minister of Fisheries and Oceans, Lib.): Cod stocks in the Northwest Atlantic Fisheries Organization (NAFO) area, Division 3NO (Tail of the Grand Banks) and Division 3M (Flemish Cap), are under NAFO moratoria. Bycatches of these cod stocks in fisheries directed at other stocks in the NAFO area are restricted to 5%. A new definition of directed fishery was adopted at the 2002 NAFO annual meeting that will help to deter vessels from exceeding this bycatch limit and reduce bycatches of these stocks.

As the coastal state contracting party to NAFO, Canada contributes to the development of conservation and management measures in the regulatory area. These measures include 100% observer and satellite tracking coverage on all vessels as well as mandatory dockside inspections for every vessel fishing. Vessels fishing in the regulatory area are subject to inspection by NAFO fisheries inspectors.

All vessels fishing in the NAFO regulatory area are also subject to strict conservation measures designed to promote effective management of stocks.

DFO continually monitors the activity of foreign vessels in the regulatory area through the NAFO inspection program and analysis of observer reports. It assesses vessel compliance within NAFO measures and continues to highlight instances of non compliance by NAFO members in order to reduce bycatches of moratoria species, misreporting and exceeding of quotas.

Question No. 218—**Right Hon. Joe Clark:**

Between March 17 and April 24, 2003: (a) to which foreign leaders did the prime minister speak by telephone on the issue of the ongoing crisis in Iraq; (b) who initiated each call, and what was its duration?

Mr. Rodger Cuzner (Parliamentary Secretary to the Prime Minister, Lib.): Between March 17 and April 24, 2003, the Prime Minister made 13 telephone calls to foreign leaders. All of them included at least some reference to Iraq, but few were limited exclusively to that subject, since personal contact between leaders is an essential component of both bilateral relationships and multi-lateral cooperation.

Disclosure of information about these calls, their content and length, and which in fact constitute diplomatic exchanges with

foreign states, would be injurious to the conduct of Canada's international affairs.

Question No. 235—**Mr. John Reynolds:**

Pertaining to the Commonwealth Day that took place Monday, March 10, 2003 and the 1.7 billion people in the Commonwealth countries, can the government please indicate the amount, in dollars, spent by it on all activities and undertakings in Canada to recognize this day and our membership in the Commonwealth, and what was the breakdown of the costs?

Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): See the reply to Question No. 173 that was answered on June 2, 2003.

* * *

[English]

QUESTIONS PASSED AS ORDERS FOR RETURNS

Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Madam Speaker, if Question No. 179 could be made an order for return, the return would be tabled immediately.

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

Some hon. members: Agreed.

[Text]

Question No. 179—**Mr. Gerry Ritz:**

For the past five years, can the government provide a breakdown of federal research funding, including research projects and infrastructure, by university, including the name of the recipient, a brief description, the type of funding and the amount?

Return tabled.

(Return tabled)

[English]

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

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

Some hon. members: Agreed.

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MOTIONS FOR PAPERS

Mr. Geoff Regan (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Madam Speaker, would you be so kind as to call Notice of Motion for the Production of Papers No. P-30 in the name of the hon. member for Laurentides.

Motion No. P-30

That an Order of the House do issue for copies of the study commissioned by the Minister of Labour regarding the provisions of the Labour Code concerning pregnant or nursing women, to which the Minister of Labour referred during his presentation to the Standing Committee on Human Resources Development and the Status of Persons with Disabilities on May 7, 2002.

Mr. Geoff Regan: Madam Speaker, this motion is agreeable to the government and the papers are tabled immediately.

Government Orders

(Motion agreed to)

Mr. Geoff Regan: Madam Speaker, would you be so kind as to call Notice of Motion for the Production of Papers No. P-11 in the name of the hon. member for St. Albert.

Motion No. P-11

That a humble Address be presented to Her Excellency praying that she will cause to be laid before this House a copy of all agreements and related documents and/or correspondence, including reports, minutes of meetings, notes, e-mail, memos and correspondence, entered into between the government and Mr. Vito Rizzuto, as it relates to the tax case brought before the Tax Court of Canada in 2001.

Mr. Geoff Regan: Madam Speaker, section 241 of the Income Tax Act states:

(1) Except as authorized by this section, no official shall

(a) knowingly provide, or knowingly allow to be provided, to any person any taxpayer information;

(b) knowingly allow any person to have access to any taxpayer information; or

(c) knowingly use any taxpayer information otherwise than in the course of the administration or enforcement of this act, the Canada Pension Plan, the Unemployment Insurance Act or the Employment Insurance Act or for the purpose for which it was provided under this section.

(2) Notwithstanding any other act of Parliament or other law, no official shall be required, in connection with any legal proceedings, to give or produce evidence relating to any taxpayer information.

The documents regarding Tax Court of Canada file No. 98-2497 (IT)G were obtained for the purpose of the administration of the Income Tax Act, and as such, are considered exempt from production pursuant to Beauchesne's *Parliamentary Rules and Forms* sixth edition, citation 446(2)(k) thereof:

446(2) The following criteria are to be applied in determining if the government papers or document should be exempt from production:

(k) Papers that are excluded from disclosure by statute.

Therefore, Madam Speaker, I think you would find agreement from the Minister of Labour to have this matter transferred for debate.

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

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

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

Some hon. members: Agreed.

GOVERNMENT ORDERS

[English]

LOBBYISTS REGISTRATION ACT

The House resumed from June 3 consideration of the motion in relation to the amendment made by the Senate to Bill C-15, an act to amend the Lobbyists Registration Act.

The Acting Speaker (Ms. Bakopanos): When we left off, the hon. member for Elk Island had unlimited time.

Mr. Ken Epp (Elk Island, Canadian Alliance): Madam Speaker, I would like to resume my speech which was interrupted by question period yesterday.

I am not totally unaccustomed to making speeches that are interrupted and resumed later. Sometime in December four or five years ago I was giving a speech which was interrupted. When I resumed the speech the following December, a year later, I started off by saying "When I was interrupted, I was saying" and I carried on. I shall do the same thing today.

Yesterday I was speaking to the motion that has been sent to us from the Senate. I used to be an educator. I know it is important to always review what has gone on before so that it sinks in a little better, so for a quick review, I was speaking about the importance of the Senate being elected. I spoke of the fact that we know of some senators who work diligently and hard and we have respect for them, but we would like to give them more respect by having them elected.

The senators have worked on Bill C-15 and they have sent one amendment. That amendment, as I stated yesterday, is sort of a bookkeeping one. It was something that was overlooked in this place. It is that the person who is registering as a lobbyist is required also to state what the nature of his or her relationship was to the government earlier if they were a public office holder in their previous life. I talked a little bit about that.

I talked about the fact that it is not acceptable in our modern day and age that decisions as to what contract is let should be dependent in any way on a friend of the minister or deputy minister being able to schmooze, to smooth talk the person into choosing one contract over another. Those decisions should be made as objectively as possible based on the specifications for the contract and based on the value for the dollar.

We know it is not always the lowest price tendered that is the best buy for the taxpayer. Just as when anyone of us buys an appliance, we do not necessarily go only on the price.

I recently bought a microwave. I do not know what happened but my wife put something into the microwave which fried the thing. It was more expensive to fix it than to buy a new one, so I bought a new one. I did not go just on the lowest price. It would have been a little, dinky thing that would have almost been invisible in the cupboard and would not have had the features. I looked at what we wanted and what we needed and I bought the best one for the dollar.

We expect government to do that as well. Whether it is buying helicopters or computers, it needs to study the issue and make sure that it gets the best value for the dollar on behalf of the taxpayer.

I notice that there are many people on the Liberal side of the House who are listening intently. They are not objecting at all to what I am saying. They agree fully with what I am saying. There is no objection over there whatsoever. That is because they are all looking forward to a wonderful long speech by the member for Elk Island.

I have a bit of a challenge here in the sense that I have unlimited time, as you correctly stated, Madam Speaker, when you allowed me to resume. If I am going to speak longer than my colleague from Red Deer, who I think holds the record in the House for the longest speech, which I think was some 33 hours, I guess I still have another 32 and a half hours to go before I have exceeded that.

Government Orders

I am excited about the enthusiasm that is shown for the prospect of such a wonderful, long speech. However, I think it would probably be fair to others in the House to allow them also to make their statements, because in this particular case we are dealing with the amendment that has been sent by the Senate.

In as much as it was an oversight and the individuals in the other place detected it and have sent back an amendment to correct it, I would recommend to all members of the House that we support this particular amendment and get it into the bill. Then we have the bill to deal with and undoubtedly, we will be giving some substantial speeches on that when it is finished.

● (1555)

There are serious flaws with this whole lobbyists thing. I would like to see the Lobbyists Registration Act changed so that not only is there disclosure, but certain activities would be precisely defined as being not permitted.

I would encourage the government in the next revision of the Lobbyists Registration Act to strongly consider looking at some of the objections. As I said in my speech yesterday in terms of this little review that I am doing, we owe it to Canadian taxpayers and to Canadian voters to manage the affairs of government so that once again, after a dearth of 50 years or more, the people of Canada will be able to say that they are proud to be Canadians and that they are very happy with the thoroughness, the integrity and the high level of ethics with which their government business is done. That has been lacking.

That is why in 1993 the Liberal government came in with a pledge to have an independent ethics commissioner and to restore the concept of trust in our government. The Liberals ran on that platform. What have they done? Regrettably, they have not fulfilled that promise. We have, only now, some timid legislation moving us toward an independent ethics commissioner, but it still is inadequate in the sense that the individual will still be appointed by the Prime Minister. We would like to see that changed very substantially.

We see the government's record of a number of shenanigans, if we can call them that, shenanigans from Shawinigate to Chicoutimi. There are contracts that have been given for advertising, and the deals with the hotel involving the Prime Minister. That is so unfortunate. It ought not to be. We need rules and regulations in place precisely to prevent those things from happening.

If a person such as the Prime Minister or one of the ministers does not have the built-in ethical antenna to prevent that kind of behaviour, then we need rules that will impose correct behaviour on them. Unfortunately, that is necessary. I propose that we in Canada's Parliament move very quickly to have that kind of a system so that, as I said, Canadians will be able to say with sincerity "We trust our government. We know that occasionally it makes little mistakes, but the big mistakes should not happen and cannot be allowed to happen continuously".

As members can tell, I would have very little difficulty carrying on in a further discussion, but I am aware that other members of the House are also interested in debating and therefore I will cede my time. I look forward to hearing what other members of the House have to say on this important topic.

● (1600)

Mr. John Bryden (Ancaster—Dundas—Flamborough—Aldershot, Lib.): Madam Speaker, you know how much I admire and respect the member for Elk Island and his prowess as a debater in the House, and with the regret that I must feel in telling you that he has spoken for nearly an hour on the issue before the House, this amendment, and he clearly has demonstrated he has not done any homework on the amendment.

He never addressed what the amendment was all about and regrettably missed in his speech addressing an issue that is before the House, because of Bill C-15 and this amendment, that is vitally important on two fronts, and especially important to an opposition member.

What we have before us is the Senate improving an amendment that was brought in at report stage on the Lobbyists Registration Act by a government member, against government wishes, that was put in the House to a vote. The government voted against it and backbench Liberal MPs joined with opposition MPs and passed that amendment. I believe it was the first time in possibly more than a decade, if not longer, that an unfriendly amendment passed at report stage in the House.

What is so remarkable about what we have before us now is that this amendment amended the Lobbyists Registration Act to require that in-house lobbyists, when they registered with the registrar of lobbyists, had to declare whether they were former public office holders. It addressed an extremely important issue. We are familiar with the high profile lobbyists who might have been former politicians, and they are usually obvious out there when they act as lobbyists and lobby the government.

One of the problems in the lobbying industry, one of the problems of transparency, one of the problems of fairness has been the fact that sometimes mid-level bureaucrats, people who are relatively anonymous, leave their employment and within a year, which is according to the conflict of interest guidelines, suddenly appear as lobbyists and wind up lobbying the very people who were their former colleagues. The problem that arises when this occurs is that these people obviously have significant advantage when they lobby.

One of the difficulties in the industry and among people who hire lobbyists to lobby government, because lobbying government is a legitimate enterprise, and one of the problems is that if one company hires a lobbyist and another company hires a lobbyist and that second company hires a lobbyist that includes a person who formerly worked for the department in which the company is seeking a contract, then that particular company has a tremendous advantage. In order to even the playing field it should be made possible, and this was done by my amendment, that anyone can refer to the list of lobbyists that is cut by the registrar of lobbyists to determine whether a person who is lobbying was a former office holder.

Government Orders

I point out that there is anecdotal evidence that this is a major problem in contracting out. It has been a problem in the Department of National Defence. Indeed, I acted on this issue because of complaints in my riding where I had a firm that was competing for a contract, a federal government defence contract, and after that contract was won by another firm, it discovered that other firm had employed a lobbyist who had been working with the very people who were deciding on the merits of which firm would get the contract and which would not. Therefore, it was an unfair playing field.

Unfortunately I was never able to bring this issue adequately before the committee. I had reasons why I was unable to bring this issue before the committee at the committee stage of debate on the lobbyist registration bill, so I introduced at the last moment a report stage amendment that would require in-house lobbyists to register as former office holders when they applied for registration to the registrar.

Anyway, the point is this, and I regret that the member did not deal with it in his speech, is that I introduced the amendment and the government circulated a note to the effect that it did not support the amendment. Nevertheless many of my colleagues on this side of the House and of course the opposition supported the amendment and it passed.

• (1605)

The really good news, and why the amendment that is before the House is so important from the Senate, is naturally the bill passed third reading and went to the Senate and the issue of this amendment came up. What was pointed out to the Senate committee that studied the lobbyists registration bill was that my amendment only dealt with in-house lobbyists and it did not deal with consultant lobbyists, the one being professional lobbyists and the other being people who would be hired by a firm and so employed.

The Senators listened to debate from witnesses that argued for my amendment and the expansion of my amendment to consultant lobbyists and those who argued against.

The Senators in their wisdom sided with my original intent and what they did was they composed an amendment of their own that brought in not only in-house lobbyists but included consultant lobbyists. I should add that they not only made this change and proposed this change in committee, they also convinced the minister.

The minister appeared before the committee, and we can read the Senate *Hansard* to see this. The Minister of Industry, having first opposed the amendment when I introduced it in the House, told the Senators that on reflection and based on the evidence that the Senators had heard from the various witnesses they dealt with, he now supported it.

What we have now before the House is an amendment to the Lobbyists Registration Act that builds on the initiative of a backbench MP who used his opportunity, his privilege in the House to move an amendment, and got the support of his colleagues, got the support of the Senate and now it is before the House and will undoubtedly pass.

I think what is so important to bear in mind here is the demonstration that backbench MPs on the government side and

opposition MPs when they have a good amendment and can get the support of the House can get it into law.

Even more important than that I think, is the story I have just told is a fine demonstration of how the Senate, that other place, can work effectively. If we read the Senate *Hansard*, we will see that the Senators did due diligence and in one sense they did better due diligence on this issue than was done in this House. The result is an amendment that is before the House which increases the transparency and levels the playing field among lobbyists.

I say only one other thing. In fairness to my friend, the member for Elk Island, I share his feelings that much more work has to be done with the Lobbyists Registration Act. It is a very imperfect piece of legislation even as it stands.

One of the reasons why I felt obligated to move an amendment of my own was because I did not feel that enough was being done to the legislation to strengthen it, to increase the level of transparency, to actually improve our ability as members of Parliament, as the media and as ordinary citizens to see not only who the lobbyists are but to see who are being lobbied.

Really lobbying is a legitimate enterprise as long as it is done openly, above board and with transparency. However what we also need very badly is to be able to see who, particularly in the lower levels of the bureaucracy, are being wined and dined with the intent to influence them.

I feel that while the lobbyists registration changes that are the entire package of Bill C-15 are an advancement, there is still a long way to go. In that sense I agree wholeheartedly with the member for Elk Island and some of the criticisms he presented in his speech. I only wish that he had dealt a little better with the amendments at hand because really, as they say in the media, it was truly a good news story.

• (1610)

Mr. Richard Harris (Prince George—Bulkley Valley, Canadian Alliance): Madam Speaker, I could not wait to get to my feet and point out to the hon. member that he was in error when he indicated the member for Elk Island spoke for an hour. In fact he spoke for 30 minutes. I know it is kind of hard when one is a Liberal sitting on the other side of the House, hearing some reasoned opinions and some very logical and common sense opinions coming from the official opposition. The member for Elk Island is eminently equipped to make such pronouncements and statements.

In support of that, the hon. member just spent the last 10 minutes basically concurring with what the member for Elk Island said. He talked about how the government had to start to make a concerted effort to get the best value for the money it was spending overall. That is what the member just said and that is what the member for Elk Island said.

Therefore, I want to thank the hon. member across the way for concurring with my colleague. We certainly wish that member had a ton of influence on his own party that type of attitude toward government procurement would prevail in that party. Unfortunately it does not and that gives my colleagues, particularly the member for Elk Island, ample material to be critical of how the government runs its operations.

Government Orders

I want to thank the member opposite for supporting my colleague. I also want to thank my colleague for pointing out some very reasoned and logical opportunities for the government. We trust that the member opposite will aggressively encourage the government, his party, to adopt a lot or all the recommendations about which my colleague from Elk Island talked.

•(1615)

Mr. John Bryden: I stand corrected, Madam Speaker, about the time the member for Elk Island spoke. He spoke for half an hour. I can assure him it certainly felt like an hour. I would suggest that the reason why it felt like an hour was that there was very little in his speech that was actually substantial. Try as I might, I cannot remember, and I did listen the entire time, a single, clear suggestion that he made on how to improve the Lobbyists Registration Act.

I put to him that he could have said, for example, as I did in committee when I proposed to the ethics counsellor, that mid-level bureaucrats keep a telephone log of all the lobbyists who make representations to them, and that telephone log would be available through access to information or any other means that would be available for the public to see who precisely, what lobbyists and what individuals in the bureaucracy, are being approached.

Now, we well know that deputy ministers and assistant deputy ministers are approached by lobbyists and we well know that there are senior politicians and senior bureaucrats who become lobbyists. What we do not know is those people who are in the lower levels of bureaucracy, who are, shall we say, the nameless policy-makers, who may be approached by their colleagues who have become in-house lobbyists, who are also nameless. They get together and it is sort of a little old boys' school.

I have proposed that change. I think the first time I did it was in 1994. It was rejected by the government at the time and by the committee, I regret to say. I proposed it again when the bill came up for review recently. You know, Madam Speaker, you have to take the bones that are available to you, and I do believe that the government heard the message of the amendment, heard my colleagues who supported it, because the backbench MPs, the soldiers, shall we say, of democracy, are very aware that there is a problem in the lower levels of the bureaucracy, in the lower levels of the lobbying firms, and that it needs to be corrected.

Our job here is to make those suggestions. The member for Elk Island had an opportunity to make a very clear suggestion like that, and I really regret I did not hear it. I am sure he has some other ideas of his own and maybe we will get a question from him.

Mr. Ken Epp (Elk Island, Canadian Alliance): Madam Speaker, he should have listened. Instead of repeating all the points I made, I simply invite him to read about a page and a half in *Hansard*. He will see that in fact I did make a number of suggestions, including among other things that certain lobbyists' activities should not only be made transparent, they should actually be made illegal. It is wrong for an ex-MP to come in here and smooth-talk the minister or the deputy minister with whom he has had intimate relationships, if we can say that, in terms of communication and so on, and to then use that relationship in order to bend the decision making. That should actually be against the rules, in my view. It is not useful to getting the taxpayers their money's worth.

I also believe, if I myself am not mistaken in my recollection of what I said, that I made other suggestions. I also gave the hon. member, indirectly at least, some accolades for having put forward this motion, and I did say that the Senate had done something that should have been done on this side, precisely the same as he just mentioned.

While the hon. member on one hand said that the member for Elk Island did not say anything substantial in his speech, he said a lot of the exact same things, so should I now say his speech was not substantial? I would not want to do that. He is an honourable member, I like him, I like what he said, and I would encourage him to continue the good work over there. I know he is very lonesome over there with the Liberals, trying to bring more integrity into government operations, so I wish him well in that continued work. He will not be out of a job for quite a while.

Mr. John Bryden: Madam Speaker, I thank the member and again I stand corrected. Obviously there was a lot of content in what the member said, but I regret that it was, shall we say, spread out in such a long period of time that perhaps it was just somewhat difficult to grasp all of his tremendous points as readily as I might have.

It is simply my failure. I realize that he is a very well qualified speaker in this place, but try as I might, it is hard to recover the content of his speech of the other day. I will return to *Hansard*, look up exactly what he said and take note of it, but I suspect it will not be a page and a half of *Hansard*. I suspect it will be about four pages of *Hansard*.

•(1620)

Mr. Richard Harris: Madam Speaker, all rhetoric aside, the fact remains that these Liberals unfortunately have been in power now for almost 10 years. When they arrived, this mess was predominant. The very same situation we are talking about today in which we are trying to make some changes was predominant and in fact it was overwhelming the system. That was almost 10 years ago.

The government has had 10 years to clean up the deficiencies in the system. In spending the taxpayers' money, the Government of Canada and the people in the bureaucracies who have the power to make decisions and make purchases have had 10 years to clean up the deficiencies in that process and they have not done it. That is what is so upsetting. It is as if the government has considered it a very low priority while all over the country taxpayers have been crying out for years for the governments of the day to recognize taxpayers' money not as their money but as a sacred trust, money that belongs to the taxpayers of Canada, and saying that governments had a responsibility to provide the most fiscally responsible management of that money that they possibly could.

In 10 years we have not seen that. That is why we in the opposition and my colleague from Elk Island welcome opportunities like today's to be critical of the government but at the same time to search out members opposite, like the member from Ancaster, who such a long riding name I cannot remember all of it, and to encourage him and members who think like he does and like we do, to put as much possible pressure on their government and the powers that be in the cabinet that they possibly can. I want to commend the member for his aggressiveness and I hope it will be infectious throughout the backbench members of the Liberal government.

Government Orders

Mr. John Bryden: I will just point out in reply, Madam Speaker, that I know the opposition made no effort to make amendments in committee and made no effort to make amendments at report stage. In fact, Bill C-15 breezed through committee with hardly any comments or obstacles.

So I would say to the member opposite that I am willing to serve, I am willing to do the role of the opposition, but it is lonely here when it takes a Liberal backbench MP to criticize his government and the opposition is silent.

[*Translation*]

Mr. Claude Bachand (Saint-Jean, BQ): Madam Speaker, I simply wanted to say that I found the discussion between my colleagues from the Canadian Alliance and the Liberal party over the last 30 minutes very interesting.

The member for Ancaster—Dundas—Flamborough—Aldershot just said that the opposition did not propose any amendments. He must have meant that the Canadian Alliance did not propose any amendments, because the Bloc Québécois moved a number of them. He should be careful not to generalize when using the word opposition.

We did some very serious work on Bill C-15. I also wanted to come back to an idea raised by the member for Elk Island. He mentioned that it might be important for senators to be elected. I would like to use this opportunity to say that one way we could significantly limit the influence of lobbyists on Parliament Hill, and this brings me to the position of the Bloc Québécois on the Senate, is to simply abolish the institution. That is what we propose. I think that that would put about a hundred lobbyists out of work.

Senators have direct access to ministers and members of Parliament. There have been blatant examples over the years. Senators are often called in to move issues forward with the government.

What we have before us today is a simple amendment that comes to us courtesy of the Senate, an amendment we support. However, with respect to Bill C-15 as a whole, we are pretty dissatisfied with how things have turned out.

We proposed amendments and we provided solid arguments to support them. The members opposite often tells us, "Propose amendments, that is the procedure, that is how we proceed in the House". However, what we have often seen is systematic rejection of all amendments. In fact, the government always has a majority in committee. When the word comes from on high, even if an amendment is excellent and even if we provide solid arguments to support it, the dice are often loaded and the amendments are rejected.

First, I would like to clarify my longstanding view, one that I continue to hold, about the parliamentary system, and how a society has to work in terms of elections, and how elected officials must work, once they have been elected.

Everyone is somewhat familiar with how an election campaign works. The various parties that are contending for power present their platforms. There are people on a team, under a same banner, led by someone that everyone knows, who is the leader of the party. These people present their vision for society to the voters.

The campaign lasts a certain amount of time and in the end a government is elected. This government tries to stick to its platform, which does not always happen and is why there is such cynicism among the public. The government often has to say, "I am dropping this, I am giving up that. I have looked at the state of public finances and I have to say that at this time I can no longer do what I promised." This is often what happens and what causes people to become cynical.

However, there is more to it than that. If we look at the truly positive side of those who are in power, those who have been elected in our society, in my view they have very important responsibilities. They represent the public. They are the ones who have been chosen by the public to run the nation, to manage taxes and to make sure that bills are introduced and that society progresses.

Everyone is somewhat familiar with the composition of the government. There is the cabinet—commonly referred to as the executive—that has the responsibility of planning, through its bills, how it will adhere to its platform and how it wants to move society forward, since it was elected by the public. This is a very important first level.

If these people can be influenced, they can decide how and in what order bills are introduced. There is a lot at stake. One must never lose sight of the fact that the government, whether at the executive or legislative level, is there to serve the public.

● (1625)

If that were the case with the current government, things might be okay, but as we exercise our profession of member here, we realize that it is not the case.

Thus, the executive is very important. In this respect, the Prime Minister's Office is very important, too, because it gives some impetus to the cabinet and it is often the PMO that will say to the government House leader, "We would like you to introduce these types of bills in the following order". After that, the House leader does his or her work.

Now, we come to the legislative branch. Once the executive, the cabinet, has decided on the content and order of introduction of the bills, the bills go through various readings in the House: first, second and third. There is an intermission between second and third reading, at which time a committee studies the bill more thoroughly.

In that stage, too, the legislator can be a victim or can have contact with all kinds of people. Sometimes he or she is in contact with people who appear as witnesses before the committees, and who defend a certain point of view. In this regard, we, the legislators, must have a clear idea of the kind of services we want for society. We also have to learn how to handle the various representations made to us.

Everyone knows the judicial authority. It has a special power in a society. After the executive and legislative have legislated, if there are any grey areas, the judiciary must intervene. Its representatives are better protected than we are because of judicial restraint. I think a lobbyist would have a big problem if he went to a Supreme Court Justice and said, "I want to meet with you to convince you to render a decision in a particular way". In principle, this is not done. It is impossible, because of judicial restraint, and that is a good thing.

Government Orders

There is also the whole question of the power of the media.

Madam Speaker, I believe the alarm has just gone off.

• (1630)

[*English*]

SUSPENSION OF SITTING

The Acting Speaker (Ms. Bakopanos): Yes. We will suspend. (The sitting of the House was suspended at 4:31 p.m.)

• (1650)

SITTING RESUMED

The House resumed at 4:52 p.m.

The Acting Speaker (Ms. Bakopanos): 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 Dartmouth, Social Programs.

We will resume debate. When I suspended the House the hon. member for Saint-Jean had the floor.

[*Translation*]

Mr. Claude Bachand (Saint-Jean, BQ): Madam Speaker, just now, my hon. colleague from Elk Island was saying that an entire year went by before he could finish his speech. I probably hold the record for having my speech interrupted five or ten minutes by a fire alarm. That is always fun.

I do not know if my subject was too hot, but I was explaining the importance of the various levels of government and talking about the power of the media. I do not think that lobbyists will convince journalists because, given their ethics and their code of conduct, they cannot do this.

The role of these famous lobbyists is known, but some facts are needed to understand how they proceed. The fact that Bill C-15 has come back to the House with amendments from the Senate shows that it took some effort. However, over the years, these people have wielded undeniable power. Clearly, those earning \$300,000 or \$400,000 per year to lobby must provide results and their employers must ensure that they benefit from this.

This has somewhat distorted the democratic process in the House of Commons. This happens elsewhere too, probably in other Parliaments around the world.

Now, we could talk about lobbyists forever, but also about political party financing, which is also a major problem. Those who contribute the most to federal parties' campaign funds are probably the ones best able to hire the most competent and most expensive lobbyists. That is where the problem lies.

For example, it is not surprising to see, when it comes to bills that interest the ten biggest contributors to the Liberal Party, a certain number of lobbyists are involved, trying to win the government over. If the bill seeks a reform that goes against the interests of these donors, the lobbyists try to convince the government to change its approach and protect the company for which they work.

Naturally, this creates a number of distortions. I think that the average citizen does not have the same power as the President of Bell Canada or the lobbyist hired by Bell Canada. This, to some

extent, circumvents the democratic workings of Parliament, both with regard to the executive branch, where the ministers and the Prime Minister can be subject to pressure or have meetings with lobbyists, and with regard to backbenchers like us. Obviously, we are sometimes solicited by lobbyists.

Sometimes people talk about getting together for a meal but nothing ever comes of it. However, lobbyists often take it one step further and say, "When you organize a cocktail party, would you like us to help?" One thing leads to another and if they are not careful, people get caught in situations that are not democratic in our society and they empower lobbyists.

We were disappointed by this bill. We will support the bill, as amended by the Senate, but our problem is that Bill C-15, as a whole, does not suit us.

As I said at the beginning of my speech, we put forward many amendments that were defeated. Among other things, there is the obligation to disclose meetings with officials and ministers. There are officials such as deputy ministers or senior officials, who can become victims of lobbyists. When I say victim, I mean they can become influenced by these individuals and become convinced that such and such a bill or policy could be detrimental.

If they were required to disclose the names of ministers they meet with or the fact that they met with the Prime Minister, this would give us a primary indication of the people who rub shoulders with ministers, the Prime Minister or senior officials in a department. This could alert us to what is going on and allow us to better control the situation. The amendments we put forward to address this were defeated.

• (1655)

As far as disclosing the amounts devoted to lobbying, everyone listening will understand that a \$4,000 lobby campaign is not the same as a \$400,000 one. The latter will be far more intensive. Moreover, in the bill this is referred to as the intensity of the lobby—that is what we called it.

It is certain that, if a lobbyist is paid \$400,000 a year and has a \$4 million budget at his disposal for a campaign—and this is a plausible figure because there are some among the top 10 contributors to the Liberal Party who can afford that—understandably, the lobbying can be intense.

The higher the figure, the more the lobbyist is paid, the more it is felt that there will be pressures on the government, departmental officials, ministers, the Prime Minister or MPs, in order to sell their idea, block a reform, or change it in such a way that it will not affect the organization for which he works.

This is, therefore, an important point for us, and the reason we introduced our amendments.

Government Orders

As far as disclosure of the amounts is concerned, this too was turned down. Another point that could be addressed—and which I touched upon here—is lobbyists' fees. There are often differences. Lobbyists can be consultants or paid lobbyists. Some have an annual salary. Understandably, if one person earns \$40,000 and another \$400,000, this affects the intensity of the promotion campaign or lobbying that is carried out. Once again, this has been dropped from the bill. It is not there.

Then there are the fees with strings attached, about which there have been scandals. We had the sponsorship scandal in which certain companies could get back a percentage of what was going to be charged to the government. This too was turned down. It is not in the bill.

As for the disclosure by lobbyists of their positions, it is also important to know which person on a list of lobbyists has held a high-level position in the federal administration. These are, unfortunately, all things that were left out of the bill. Today we find ourselves dealing with a totally wishy-washy bill that does not provide what is needed to protect society. This is most unfortunate.

I had examples, like the sponsorship scandal I just mentioned. There is also another aspect. I am the defence critic for my party, and hon. members should see all the lobbying going on for the replacement of the Sea Kings. There are many lobbyists representing various companies. Four big consortiums have submitted proposals to the government. Members should see what these lobbyists are focusing on. Even if I am only a backbencher, I often meet with these people, and they tell me, "You know, our approach is the best. Our proposal is the best overall". All these people are moving in our circles and the ministers' circles.

Another example is strategic air transport. The government indicated it needs aircraft to transport troops to any theatre of operations around the world. So, the number of aircraft required is being considered. All major strategic air transport companies are consulting together and hiring people to meet with us, sometimes to appear before us and to convince us that Boeing or Airbus, for example, is the best option.

Lobbying causes a great deal of distortion. As I said earlier, it is unfortunate that the amendments we proposed were all defeated. Certainly, the amendment coming back from the Senate fosters a bit more transparency. It will ensure that people who have held senior management positions in government are required to provide some background. This will give a better idea of where they are coming from and probably where they are going as well. This is the kind of thing we would have liked to see expanded on in the bill. Unfortunately, it was not.

There are even lobbyists being hired by the Prime Minister now.

• (1700)

Earlier I mentioned the Sea King example. The Prime Minister's office hired a lobbyist to advise him on the matter. It was a lobbyist from Eurocopter, which provoked a great deal of mistrust among government officials because the individual was working in the Prime Minister's office. I do not know if he is still there because this goes back about two years ago now. This person worked for

Eurocopter, one of the consortiums bidding on the Sea King contract two years ago, and he was brought into the Prime Minister's office.

Therefore, it is easy to understand all of the mystery surrounding lobbyists. How many are there? What do they do? How much are they paid? Whom do they meet? None of this is taken into account in the bill, and all of the amendments were rejected.

We do not take issue with the amending act from the Senate. It will add transparency; however, we would definitely have liked to see much more transparency.

I am pleased to have had this opportunity to express my views. I know I was interrupted by an alarm, but I feel that, like my colleague, the member for Elk Island, I was able to summarize my thoughts. I am now ready to answer questions from my colleagues.

[*English*]

Mr. Ken Epp (Elk Island, Canadian Alliance): Madam Speaker, I want to respond to something the member said early on in his speech before our little outdoor break. In his opening statements he commented on the Senate and said that it was his view that the Senate ought to be abolished.

Just to add a little light to the argument against that, I would like to point out to him that one of the big grievances that we have in the outlying areas of this country, whether it is Newfoundland and Labrador, the Atlantic provinces or way out west where we come from, is that we are totally electorally overrun by the huge majority in Ontario and Quebec. We have a lot of respect for them and, yes, in this House we have representation by population, but the fact is that when there is an election 60% of the members of Parliament come from those two provinces.

We currently have 301 members and I believe 178 of them come from Ontario and Quebec. We think that if the Confederation is to work smoothly, and for those of us in the outlying regions being defined as outside of Ontario and Quebec, we need some way to balance that power, which is where a triple E Senate would come in. It would have an equal number of senators from each province, or at least from each region, and they would be elected to give them legitimacy. However right now bills cannot become law unless they pass both Houses.

We could even have some other rules engaged there. However if it is a good rule or a good law that is being proposed, I think the senators, who would represent all the provinces equally, would agree to those laws because they would be good for the country. If there were a deliberate attempt, as we have seen on numerous occasions, by the central Canada government to ride roughshod over those of us in the more distant regions, a triple E Senate would provide a good balance of power.

The reason we are promoting the continuation of the Senate is to improve it by making it equal and by making it elected so that it can actually do its work. We would still have population representation here in the House of Commons and Ontario and Quebec would continue, we expect, to dominate this place.

Government Orders

•(1705)

[*Translation*]

Mr. Claude Bachand: Mr. Speaker, even though I do not agree with the hon. member for Elk Island, I think he has made an interesting contribution to the debate. It is true that one could discuss the Senate at length, and whether or not it should be elected. For our part, we suggest abolishing it.

If he is looking for equity in votes and in the way power is exercised, we think it is not necessarily attainable through the Senate, since an elected Senate will cause other kinds of problems I would like to tell him about.

There would be a certain division and overlap of powers. I am a Bloc Québécois member from the riding of Saint-Jean and if there were a senator who was not from my party—from any party at all, if he is not with the Bloc—he would always contradict me in some way: me, the elected member. He could neutralize some of my authority. Things are no better if you create constant dissension between the elected senator and the elected member for the riding.

If I were in his place, I would be working instead for proportional representation in the House of Commons. It is true that under our system the person with the most votes is elected. We have seen some situations, for example, such as in 1997 when the Progressive Conservative Party received more than 20% of the votes, but only had two members in the House of Commons. That is a problem.

I fully agree that people should be free to discuss the ways a vote coming from British Columbia could be equivalent to a vote coming from Ontario. It might be possible to do this with proportional representation, or in combination with another model; it could also follow the current model. The Canadian people could elect someone based on the proportion of votes received. There are many ways to do it. It is a debate that is going on in Quebec at present.

Still, to go from there to saying we could now elect the Senate, which would compete with the elected members of the House of Commons, I have a problem with that, although I am always ready to discuss it with my hon. colleague when the occasion arises.

[*English*]

Mr. John Bryden (Ancaster—Dundas—Flamborough—Aldershot, Lib.): Mr. Speaker, I certainly want to assure the House that of all MPs in the opposition, the member for Saint-Jean leads in his concern for transparency and accountability, and he has been active on that file in many ways. His very presence in the House on this debate on the amendments to the Lobbyists Registration Act is an indication of his passionate desire to further legislation that calls for transparency, not just to make the Government of Canada operate more efficiently but to ensure that the Government of Canada leads the world in terms of transparency and accountability.

I think the member for Elk Island, the member for Saint-Jean and myself would agree that while Bill C-15 has brought in some improvements to the Lobbyists Registration Act, they fall far, far short of what could be done, and I think all three of us will continue to campaign to get the government to bring in better amendments.

I wanted to comment very briefly on the issue of the Senate and direct a question to the member for Saint-Jean on that issue. I

certainly do not agree with abolishing the Senate. I have great reservations, as the member for Saint-Jean has, on having an elected body because if the Senate were an elected body, then it would greatly diminish the power and authority of the House of Commons and it would make it eminently more difficult to do business as Parliament. We would have to have a separately elected president as they have in the United States to have two elected houses if we were going to have a workable situation.

I ask the member for Saint-Jean, if he suggests that the Senate be abolished, why would we even be here debating today because the Senate has addressed an amendment, it has improved upon that amendment, an amendment by a backbench MP, and has returned it to the House. I would submit that the Senate has done a very fine job, at least in this instance.

•(1710)

[*Translation*]

Mr. Claude Bachand: Mr. Speaker, I too would like to congratulate my hon. colleague from Ancaster—Dundas—Flamborough—Aldershot for seeking transparency; he is clearly concerned about this concept. The excellent work he has done with regard to access to information shows too that he is concerned about this issue.

Now, he is talking about the example before us today. Even if we recommend abolishing the Senate, it has not been abolished. There are currently two Houses, and the Upper House considers all the bills from the House of Commons. Sometimes, the Senate returns the bills with amendments, as is the case today.

If I say that we want to abolish the Senate, this raises another discussion about whether having two Houses is mandatory. Some countries have a second House, others do not.

I have faith in the elected representatives of the people. Those sitting in the House of Commons are elected, they are invested with electoral and democratic powers by the voters, who are responsible for putting us here. I think that if they have put their trust in us, we could, at the least, consider in full all of these bills, without submitting them to the consideration of a second House. We have sufficiently debated them in committees and elsewhere to make this kind of amendment.

There is no obligation, today, to adopt the Senate's amendment. The House could say that it does not consent and that would be the end of it. So, in terms of the second House, we are prepared to discuss the matter because, as things currently stand, senators are appointed by the Prime Minister, and as I was saying earlier, there are some one hundred lobbyists in the Upper House currently. Should it be desirable to get rid of some of them, it might be a good opportunity to say that we are abolishing the Senate. But I am interested in continuing this discussion with my hon. colleague on this matter.

Mr. Serge Marcell (Parliamentary Secretary to the Minister of Industry, Lib.): Mr. Speaker, I have heard what my colleague from Saint-Jean has said. In a way, he is not wrong, but even one of the greatest sovereignists in Quebec, Mr. Lebrun, has described the Canadian parliamentary system as the finest parliamentary system there is. Churchill said that, while not perfect, there was nothing better.

Government Orders

In all countries, be it France, England, the United States, Canada, any of the major countries, there is a second chamber. There is a reason for this. I was one of those who questioned senatorial appointments. I would likely prefer to see them elected rather than appointed, except that I do see the Senate as having a role to play. It is the one to balance things out for the regions, compared to the House.

Quebec can elect 75 members, and Ontario 101. For Prince Edward Island and the west, however, the situation is a bit different. Thus its role becomes more important, but the role of those who are in the Senate should be that of wise men and women. Perhaps there ought not to be any partisanship when senators are appointed; perhaps they would need to be appointed the same way judges are.

In this instance, I find that the amendment proposed by the Senate is justified. It is one, moreover, that had been raised by an Alliance MP at the time, and the Senate reworked it. The senators found a flaw and have proposed this amendment, which is totally in order today.

Mr. Claude Bachand: Mr. Speaker, I do not want to persist with my colleague from Beauharnois—Salaberry on the purpose of the amendment before us because we support it. Nor do I want to engage in a big debate on the Senate either. I do not think that was the purpose of the amendment. However, I am still interested in continuing this discussion.

Currently, senators are appointed on a partisan basis by the Prime Minister. The Prime Minister does not appoint many people who are not Liberals. At present, the equity that my colleague speaks of does not exist. There are 28 Progressive Conservative senators and the rest are all Liberals, except for a few independents.

I maintain my argument that the Senate should be abolished and that perhaps there should be a review of how to restore the balance of power with election to the House of Commons under a system of proportional representation.

• (1715)

[English]

Mr. Bill Casey (Cumberland—Colchester, PC): Mr. Speaker, I am pleased to rise to comment on the Lobbyists Registration Act and the amendment. It has been very interesting to listen to the comments by the members. I especially was interested in the comment by the member for Ancaster—Dundas—Flamborough—Aldershot who said that it would be better if the government brought forth better amendments. The very distinguished member for Saint John and I were just talking about these amendments. Right now we think perhaps there is another that could be made to the registration act, and that would be an amendment to include ministers.

I am sure the member for Ancaster—Dundas—Flamborough—Aldershot would support this amendment if we were to move it. Therefore we will talk about it right now and see where it goes. It ties in with another subject we have been talking about and that is the softwood lumber issue.

As we all know, the Minister for International Trade recently put on the table in Washington an offer with which hardly anyone in Canada agreed. We do not know where it came from and why the offer was put forth because we cannot identify who the minister was

representing. He should be representing Canadians, the Canadian provinces and the softwood lumber association but we have a hard time finding out exactly from where this came.

Perhaps an amendment should be considered to ensure that ministers, if they were to lobby on behalf of a private sector or something like that, should have to register.

The minister talked about a Team Canada approach and working together with a unified program and everything, but we cannot find who he is representing. We would like to know who he represents. Perhaps this should come under an amendment to the Lobbyists Registration Act so ministers, if they did happen to represent someone else, should have to register.

The minister often stands up and says that they represent the regions. He has often said that they represent the Maritimes because it wants them to do certain things. However recently it became very clear that he did not represent the Maritimes. Four Atlantic provinces wrote a letter to him dated May 30, just days ago, about his proposal to drag Atlantic Canada into the quota system for softwood lumber. The four Atlantic premiers said:

Certain of Canada's actions have ignored the conditions specific to the region, and have thus been contrary to Atlantic Canadian interests

We would think that the minister would represent interests of all regions. Therefore we wonder who he is representing.

Then the premiers go on to say:

The most recent, and possibly most serious, of these actions is the unilateral offer made on May 23 by the Government of Canada to the United States. This offer includes Atlantic Canada with the rest of Canada in a two-year interim arrangement, where we would be restricted by a tariff rate quota.

We have never had tariff rate quotas and the four Atlantic premiers are saying that they do not agree with what the minister is doing.

We will explore this more. The minister is not obviously representing Newfoundland and Labrador, New Brunswick, Nova Scotia or Prince Edward Island because the premiers have all signed a letter to him just days ago saying, "Don't do this".

Again, we do not know who the minister is representing. The letter goes on to say that this unilateral Canadian offer is unacceptable to both industry and government. Therefore the minister does not represent the industry in Atlantic Canada. We have to hone in on whom he is representing because we really do not know.

He has said in the media that he represents the Maritime Lumber Bureau and he is acting on its behalf. That is strange because the Maritime Lumber Bureau just wrote him a letter on May 29, just days ago, and sent a copy to all the Atlantic ministers and most of the MPs. This letter could not be clearer. It states, "We were excluded from the quota system and we must again be excluded from any attempt to allocate quota".

Government Orders

This is diametrically opposite to what the minister is trying to do. He is trying to drag Atlantic Canada into the quota system. Therefore I guess he does not represent the Maritime Lumber Bureau. He said he did. He said that he was asked to work on behalf of the Maritime Lumber Bureau and speak on its behalf, but based on this letter from the Maritime Lumber Bureau, it appears that he does not represent it. Therefore we still have not found out who the minister represents in this case.

• (1720)

I just spoke to the Maritime Lumber Bureau in Fredericton at its annual meeting. The directors passed a motion authorizing the executive of the Maritime Lumber Bureau to take whatever action is necessary to prevent the government from going ahead with the offer that was tabled in Washington, for some strange reason on behalf of someone who we still have not found yet. A motion was tabled at the Maritime Lumber Bureau's annual general meeting which says that the executive is authorized to take whatever action is necessary, through liaison or action with members of Parliament, or just lobbying, or whatever the law allows. The directors of the Maritime Lumber Bureau are authorizing the executive to take legal action against the government to redress this situation where the government has put an offer on the table in Washington with which nobody in Atlantic Canada agrees.

If it is not Atlantic Canada, maybe he represents the people from Alberta. Amazingly enough to me, we have a copy of a letter that the Alberta Softwood Lumber Trade Council sent to the minister which says that the people in Alberta absolutely oppose this offer. They are against it completely, for different reasons than Atlantic Canada, but they are against this quota system which drags them into the system again. Again, the Minister for International Trade obviously is not representing the people of Alberta.

Mrs. Elsie Wayne: Who is he representing?

Mr. Bill Casey: That is the thing. We do not know who he is representing. That is a good question. We do not know who he is representing. That is what we are trying to explore here and find out. If he is only representing a small number of companies, then perhaps he should be registered under the Lobbyists Registration Act, so that we know who he is representing. He does not represent the people of Atlantic Canada. He does not represent the governments of Atlantic Canada. He does not represent the people from Alberta.

Maybe he represents the people from British Columbia. But no, yesterday in the newspaper, the British Columbia minister of forests, Mike de Jong, said that B.C. wants no part of the proposed Canadian quota scheme aimed at resolving the softwood lumber trade war with the United States. Mr. de Jong said that he has told Ottawa that British Columbia is not interested in that deal, period. He went on to say that he will not support a new Canadian plan to resolve the lumber dispute if it involves a return to the quota system. He said that he has concerns not so much about what is being discussed at this stage, but about what it might lead to. The article went on and on. He said all kinds of things. There are a host of problems that emerge when trying to assign quotas based on historical quotas.

We have just gone through six of the ten provinces. I do not know what the other provinces are saying. They have not said yes or no, but strangely enough today, I asked the minister in question period if

he would stand and name just one province that supports what he is doing. He said he has a team Canada approach, that he has wide support, that he is in consultation with all the provinces and all the industries and all the associations. I asked him to name just one. I asked him to name one province. I asked him to name one association. He did not name one.

Maybe it is the business community, but holy mackerel, here is a letter dated June 2 from the Canadian Federation of Independent Business, which represents 105,000 small and medium size businesses. The federation took the time to write to that very minister on June 2 to say that over 1,200 of its members operate businesses in the logging and forestry services and wood products businesses. Its members also totally oppose the offer that somehow was put on the table in Washington. The Canadian Federation of Independent Business took the time to write to say that it does not want to be part of that and the 1,200 businesses that it represents and the thousands and thousands of employees do not want the government to do this.

There is another thing and that is the way it evolved and the way it happened. At 4:30 on the afternoon of Wednesday, May 21, the Minister for International Trade met with representatives of the governments of Nova Scotia, New Brunswick, P.E.I. and Newfoundland, and also representatives from the Maritime Lumber Bureau, for a briefing and an update on the negotiations. There was not a word about the offer which was dated the very next day, Thursday, May 22, which dragged everybody from across the country into the quota system and took away the exemption that Atlantic Canada has had for 17 years.

Not a word was said. On Wednesday afternoon they had a meeting and on Thursday, the minister, or the department, sprung this proposal on everybody. Before they did that, before they told anybody, they took it down to the U.S. Then on Saturday, the government called and told one industry in Atlantic Canada about this. That was the first word they had.

• (1725)

Just imagine how you would feel, Mr. Speaker, if you sat in this room thinking you were being treated fairly, having gone to all the trouble of coming here from Atlantic Canada to be briefed by the minister himself and not being told what the government was going to do the very next day. They were kept in the dark totally about what the government was going to do the next day.

The minister has also broken trust with the industry and the governments in Atlantic Canada. I cannot imagine why the government presented this proposal, which again drags Atlantic Canada into the quota system and takes away the exemption it has had for 17 years.

Private Members' Business

The Maritime Lumber Bureau spent millions of dollars and spent years negotiating this with the United States. They never have accepted a cent of government money. They did it all themselves. Yet the government has put this proposal on the table which takes away the 17 years of hard work and millions of dollars by the Atlantic Canadian industry, with no consultation, no input, no opportunity to object.

Again, I do not know who the minister is representing. Today the minister has been quoted in the newspapers. He is saying things that we cannot nail down. If we find out who he is representing, perhaps we should move an amendment and have him register under the Lobbyists Registration Act.

Today's *Edmonton Journal* quotes him as saying:

Our team Canada approach is very solid. We don't have to be in total agreement on every comma.

This is not about commas, and there is no agreement. He says that we have agreement, that our team Canada is very solid. Team Canada is completely split. He is going one way and six of the ten provinces are going exactly diametrically the opposite way. There is no team Canada. There is no unified approach. There is no agreement on this. In fact there is more disagreement by far than there is agreement.

If he is saying that he is representing team Canada, it just is not true. Again, we are still trying to find out whom he represents.

Then we come east. In an article in the *Halifax Chronicle Herald* he said:

The Maritime [Lumber] Bureau has also asked us to work on their behalf.

The Maritime Lumber Bureau said exactly the opposite. The Maritime Lumber Bureau said "We want the minister to do the opposite of what he is doing" and he stands in the House or says in the media that he is acting on behalf of the Maritime Lumber Bureau.

The Maritime Lumber Bureau said just a couple of days ago, on May 29, in a letter addressed to the minister "We were excluded from quota and we must again be excluded from any attempt to allocate quota". But he, all by himself, or his department, went down to Washington and put on the table down there, without asking anybody, a proposal that drags everybody back into the quota system, exactly against the wishes of the Maritime Lumber Bureau.

We have to ask ourselves, where is the team he talks about? Where is the unified position? He talks about everybody being together and representing everybody, but I cannot find out whom he represents.

He does not represent the people in Nova Scotia. They have said so. He does not represent the people in New Brunswick, as the very distinguished member for Saint John has pointed out. He does not represent Prince Edward Island. He does not represent Newfoundland, as the very distinguished member for St. John's East pointed out to me a minute ago.

He does not represent any of the governments and he does not represent the industry. They have all said that they want to go in a different direction than the one the minister is going in. He does not represent Alberta. He does not represent British Columbia. Who does he represent?

The deal was written on May 22. It was given to the Americans on Friday, May 23. On the following Monday, I met with the minister to ask why he would do this. Why would they table such a proposal which sabotaged 17 years of work by the Maritime Lumber Bureau and the entire Atlantic industry? He said that it really was not a government proposal, that it was transmitted on behalf of the industry. I said that it was not the industries that I know of because they are totally opposed to this. He said that it was the five major companies. I think it was five; he either said five or six, I do not recall exactly. He said it was either the five or six major companies.

If he is not representing the people, if he is not representing the governments of the provinces, if he is not representing the softwood lumber industries, perhaps he should register under the Lobbyists Registration Act. Perhaps we should move that amendment.

● (1730)

The Acting Speaker (Mr. Bélair): I am sorry to interrupt the hon. member. I remind him that he still has five minutes for his speech and also will have a 10 minute question and comment period when the House resumes debate on Bill C-15.

[Translation]

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

PRIVATE MEMBERS' BUSINESS

[English]

STATUTORY INSTRUMENTS ACT

The House resumed from March 24 consideration of the motion that Bill C-205, an act to amend the Statutory Instruments Act (disallowance procedure for statutory instruments), be read the second time and referred to a committee.

Mr. Derek Lee: Mr. Speaker, on a point of order, I want to indicate that there has been extensive consultations involving all parties in the House. The member for Surrey Central will be making a motion at this time based on those consultations.

Mr. Gurmant Grewal (Surrey Central, Canadian Alliance): Mr. Speaker, I seek the unanimous consent of the House for the following motion. There has been discussions with various members from all political parties. I table a document and I move:

That, the text of the said document be substituted for the text of Bill C-205; and that the bill, as amended, be reprinted; provided that the bill, as amended, retain its status and precedence; and that the motion standing on the Order Paper in relation to Bill C-205 be amended by substituting the name of the Standing Committee on Justice and Human Rights for that of the Standing Committee on Procedure and House Affairs.

The Acting Speaker (Mr. Bélair): Is there unanimous consent to adopt the motion?

Some hon. members: Agreed.

Private Members' Business

(Motion agreed to)

Mr. Gurmant Grewal: Mr. Speaker, Bill C-205 is a little bit technical. Many members are asking me some questions about the bill since I am the sponsor of the bill. I ask for unanimous consent that my concluding remarks, which were originally for five minutes, be extended to approximately ten minutes.

[*Translation*]

The Acting Speaker (Mr. Bélair): Is there unanimous consent of the House for the request made by the hon. member for Surrey Central?

Some hon. members: Agreed.

[*English*]

Mr. Garry Breitkreuz (Yorkton—Melville, Canadian Alliance): Mr. Speaker, I am pleased to speak to Bill C-205 sponsored by my colleague from Surrey Central who has done a lot of work in this area. It fixes some essential procedures here in the House.

The member for Surrey Central has worked tirelessly on behalf of his constituents and for the people of Canada to bring a greater degree of democratic accountability to the House of Commons. He has spent many long hours in the House and in various committees in the pursuit of parliamentary reform. This bill is a product of his experience and hard work as co-chair of the scrutiny of regulations committee. It should be given very careful consideration.

The purpose of the bill is to provide for a disallowance procedure for statutory instruments or delegated pieces of legislation which are more commonly known as regulations. Disallowance is one of the traditional means for a legislature to oversee the creation of regulations. A disallowance procedure would give parliamentarians an opportunity to reject a statutory instrument made by a delegate of Parliament.

It is significant to note that 20% of laws in Canada stem from legislation debated and passed by Parliament. The remaining 80% of laws are made up of regulations. As opposed to legislation, regulations receive virtually no debate in the House of Commons or Senate. There is no public input or study and there is no media scrutiny.

The Standing Joint Committee for the Scrutiny of Regulations carries out the only scrutiny, which is very limited, of regulations in Parliament. This committee, although generally misunderstood, is an essential watchdog protecting democracy, controlling bureaucracy, and holding the government to account. The committee does not judge regulations on the basis of policy matter, general merit or necessity. Its study of regulations is instead limited to the questions of validity and legality. Members follow uniform and clearly defined criteria in their examination.

When the joint committee agrees that a regulation should be revoked, it makes a report to the House of Commons containing a resolution to the effect that a regulation or part thereof should be revoked. Once that report is tabled in the House the applicable procedure will depend on a decision by the responsible minister. Unfortunately, the current disallowance procedure is seriously defective.

The procedure currently practised resulted from a recommendation of the special committee on reform of the House of Commons back in 1986. Before that time there was no general disallowance procedure in place at the federal level in Canada. The government of the day placed the disallowance procedure in the Standing Orders with the intention it would remain there on an experimental and temporary basis until such time as a decision could be made to its effectiveness. If successful, it was the intention of the government to implement a statutory procedure.

In the last 16 years we have seen the effectiveness of having a so-called temporary disallowance procedure, but still nothing has been done to give it a statutory footing. The current procedure, because it is contained in the Standing Orders, limits the possibility of disallowance to the statutory instruments that are made by the governor in council or by ministers of the Crown. As a result, the considerable body of delegated legislation created, for example, by the CRTC, the Canadian Transportation Agency or the National Energy Board is not subject to the disallowance procedure provided in the Standing Orders.

All members would agree that it is desirable that all statutory instruments subject to review by Parliament under the Statutory Instruments Act be subject to disallowance. There is no reason why a regulation made by the governor in council or a minister can be disallowed by Parliament while a regulation made by some other delegate of Parliament cannot.

● (1735)

Another defect of the current procedure is that it relies on the cooperation of the governor in council or the minister concerned to carry out a disallowance after the House of Commons has ordered it.

In itself, an order of the House of Commons cannot effect the revocation of a regulation. The authority that made a disallowed regulation must still formally intervene in order to revoke that regulation following the creation of a disallowance order. While the House could deal with the matter as one of contempt, there are no other legal sanctions or even consequences that arise from a failure to comply with the disallowance order. An order of the House of Commons that a particular regulation be revoked is not binding on the author of the regulation and cannot be enforced by a court.

Placing the disallowance procedure on a statutory footing, as this bill recommends, would remove the need for a regulation making authority to take subsequent action to give effect to an order of this House, thus eliminating the potential for conflict between Parliament and the executive. The procedure would also be made more efficient as there would no longer be a need for the House of Commons to address an order of the cabinet ordering the revocation of a statutory instrument. The legislation itself would now deem a disallowed instrument to be revoked by eliminating the need for further action by the governor in council, or the minister who adopted the disallowed instrument. Compliance with the disallowance decision would be improved by eliminating any possibility of a regulation making authority not complying with the disallowance order of the House.

Private Members' Business

By providing a clear legislative basis for the current disallowance procedure, Bill C-205 would, first, allow Parliament's authority to extend to all instruments, subject to review under the Statutory Instruments Act, instead of only those made by the governor in council or minister. Second, it would remove the necessity for additional action on the part of the regulation making authority in order to give effect to an order of the House that a regulation be revoked. This disallowance procedure is important to restore transparency and protect democracy in the House of Commons.

Bill C-205 reflects the all party consensus of the Standing Joint Committee for the Scrutiny of Regulations on the need to strengthen parliamentary oversight of the hundreds of federal regulations made each year pursuant to legislative authority delegated by Parliament.

This private member's bill should appeal to all members of the House, regardless of partisan affiliations. Currently, the powers of the governing party, and particularly the executive, are sweeping. If members are to provide the necessary checks and balances, they must be accorded certain rights. Their views are crucial to the continued functioning of Parliament. Accepting these small changes to the scrutiny of regulations would be a significant first step in our efforts to make Parliament more responsive to Canadians. I urge all members in the House to give the bill very careful consideration and to pass it as soon as possible.

In conclusion, we on this side of the House are trying constantly to improve the democracy in this place by allowing MPs to be more effective in performing their duties here. One of the things that needs to be emphasized is that so much of what happens here concerns enabling legislation. We pass enabling legislation which then allows for a lot of regulations to be made. In effect, we are now saying that those regulations must be more carefully scrutinized. There must be a process, a mechanism, to ensure that those that are disallowed, those that are scrutinized, have the proper attention given to them.

• (1740)

I want to thank the member for Surrey Central for all the work he has done on Bill C-205. Many people listening to this may not be fully aware of the significance of the bill. Let me assure everyone listening that this is a very important step in improving democracy in the House. I again thank the member for bringing Bill C-205 forward. I look forward to everyone passing the bill.

[*Translation*]

Ms. Caroline St-Hilaire (Longueuil, BQ): Mr. Speaker, I welcome this opportunity to speak to Bill C-205, which is specifically designed to strengthen parliamentary control.

I take this opportunity to thank my colleague from Surrey Central for bringing this important question to the House for debate.

As a member of the Standing Joint Committee on Scrutiny of Regulations, I obviously want, and it is my duty, to ensure that our rules are efficient and respectful of democracy.

It is important to point out that the purpose of the bill before us today is to provide a legislative basis for the disallowance procedure for statutory instruments by enshrining it in the Statutory Instruments Act. The current procedure set out in the Standing Orders of the House considerably limits our responsibility as parliamentarians to efficiently oversee delegated legislation.

Under Bill C-205, the disallowance procedure will now apply to all statutory instruments, which seems to me to be very important, given that it is currently limited to regulations made by the governor in council or by a minister of the Crown.

Many regulatory organizations, such as the CRTC or the Canadian Transportation Agency, escape our purview. If we want to extend the control we have over delegated legislation to all statutory instruments, it is imperative that it be provided for in an act, in addition to the Standing Orders of the House; all the more reason to pass this bill.

Many have been hesitant to have such organizations come under the control of Parliament, because of potential interference in organizations which are operating at arm's length to some extent. I do not think that it will prevent them from managing their affairs appropriately and in accordance with their mandates. On the contrary, I think that these organizations should be accountable, since they are publicly funded.

Our committee already reviews the bylaws of these organizations. It would therefore only make sense that we could repeal them. However, these organizations must not forget that they have regulatory power only because it was delegated to them by Parliament. We must never lose sight of the fact that the function of Parliament is to ensure the proper use of public funds and to legislate. It is normal, indeed essential, that Parliament have the right to oversee the use made of this delegated power and hold these organizations to account.

We vote on bills in the House, but we delegate the responsibility for regulating several aspects of these bills. These are aspects that can have a major impact on our constituents. Regulations can mean life or death for projects, individual rights or the economic survival of businesses.

When we consider the fact that the lion's share of the law that governs our society is contained in regulations, and not in the acts themselves, it becomes critical to ensure that regulatory power, this delegated power, is exercised in accordance with the purposes for which it was delegated and that the intent of the legislator has indeed been respected.

One specific aspect of this bill that caught my attention is the fact that after having voted in support of a resolution in the House, the text will be repealed within 30 days, whereas under existing procedure, it is simply an order of the House calling on the government to repeal the text in question.

The problem is that the government has discretionary power to decide when it will repeal a regulation and also to decide whether or not it will repeal it. There is no legal way of punishing the government for violating an order of the House.

Another aspect that also deserves our attention is the fact that prior to using a disallowance procedure, there are all kinds of exchanges, letters and even promises made by the government before it amends the regulation in question.

Private Members' Business

Years can go by from the moment a regulation is deemed to contradict the spirit of the legislation and the time the government finally decides to amend it.

The Fresh Fruit and Vegetable Regulations, which the Parliamentary Secretary to the Minister of Canadian Heritage referred to during a previous debate, is a good example to illustrate that the government is not always quick to respond.

When the Standing Joint Committee on the Scrutiny of Regulations tabled a report recommending that certain articles of the regulations be repealed, more than seven full years had gone by from the time of the initial discussions with the government on the matter. That means that during this time, the government or the department or the organization continues to enforce the regulation illegally, which is an abuse of power. That is extremely dangerous in terms of democracy.

• (1745)

I believe that respect for our democratic institutions is extremely important. As it happens, I had the honour of being a guest speaker at the seminar on Parliament in the 21st century. I have also taken part in other events and published articles on democratic institutions and the importance of making changes that contribute to increasing the public's confidence in and satisfaction with their representatives.

One aspect that seems very serious and may have negative consequences for our democracy is the excessive concentration of power in the hands of executives. For instance, the governor in council and cabinet ministers have been given impressive regulatory power. But they hold this power directly from Parliament itself, and because of this, they must be accountable for the way they exercise this power. If the executive exercises its powers without respecting the spirit and the letter of enabling legislation, Parliament should have a legal means of intervening, and that is precisely the purpose of the bill before us.

Our system and our rules must be flexible enough to permit members to play their role to the fullest and to preserve in this place the rights and freedoms of those we represent. My fundamental belief is that members should have much more power within Parliament.

That brings us back to the very essence of our role as parliamentarians. We must never lose sight of our prerogatives, especially that of creating legislation. Of course, this is a complex task, and the very technical aspects of regulations and many other considerations make it necessary for us to delegate some of this power. But make no mistake, the supremacy of Parliament remains, as does our duty as parliamentarians to ensure it is respected.

Based on this principle, I fail to see why anyone would deprive us of the fundamental right to maintain control over this delegated legislation. No doubt Bill C-205 will be one step closer to the preservation of our parliamentary supremacy. The more democratic this control, the healthier our democracy will be.

We are pleased to give our support to Bill C-205.

• (1750)

[English]

Mrs. Elsie Wayne (Saint John, PC): Mr. Speaker, I am pleased to have this opportunity to express my support for Bill C-205, an act to amend the Statutory Instruments Act.

The bill introduced by the member for Surrey Central would provide a statutory basis for the current disallowance procedure and extend the application of that procedure to regulations made by persons or bodies other than the governor in council or ministers of the crown.

Bill C-205 is in keeping with a long-standing all party consensus of the Standing Joint Committee for the Scrutiny of Regulations for the reform of the current disallowance procedure.

I would like to take a few minutes to deal with one particular feature of the bill. I refer to proposed subsection 19.1(10), which provides that a disallowed regulation is deemed to be repealed at the expiration of 30 days following the day on which the disallowance of the regulation was adopted by the House. It has been argued that this provision would create a situation in which the government would be deprived of the flexibility it needs to consider the implications of a disallowance ordered by the House.

A comparison between the procedure proposed in Bill C-205 and statutory disallowance procedures in other jurisdictions or with negative resolution procedures in existing federal statutes will show that the suspension of the effect of a disallowance for a full 30 days that is proposed in Bill C-205 is unique. In most other jurisdictions, as well as in federal statutes, a regulation is repealed immediately upon disallowance.

In light of these various precedents, including federal precedents, I would argue that in suspending the effect of a disallowance resolution for 30 days, Bill C-205 would provide for far greater flexibility than any other similar procedure. It is precisely in order to preserve the ability of the government to establish an appropriate alternative temporary regime where one is needed that Bill C-205 delays the effective date of revocation by 30 days. That provision strikes an appropriate balance between the need to have a disallowance procedure and the need to give a regulation making authority sufficient time to formulate an alternative course of action.

It is also of interest to note that the usual notice and comment period for proposed regulations following pre-publication in part I of the *Canada Gazette* is 30 days. If the government considers this a sufficient period of time for citizens to assess and comment on a proposed regulatory initiative often involving many pages of regulations, one wonders why a similar period, which is in addition to the minimum of three weeks provided before a resolution becomes an order of the House, would not be sufficient for civil servants to assess and react appropriately to the disallowance of a statutory instrument. Are members expected to believe that our public service is incapable of dealing with a proposed revocation within a period of 51 days while it is perfectly possible for their Australian or Quebec counterparts to do so within 21 days?

Private Members' Business

In her intervention, the Parliamentary Secretary to the Minister of Canadian Heritage emphasized the argument that a statutory disallowance procedure would deprive the government of the flexibility needed to gauge the impact of revocation. Revocation might create a legal vacuum, it was said, and the government could find itself hard pressed to determine the alternative legal measures required to fill the legal vacuum.

Interestingly, the parliamentary secretary chose to illustrate her argument by referring to the disallowance of section 58 of the "Fresh Fruit and Vegetable Regulations" by the House on October 3, 2001. That particular case provides an excellent example of the approach taken by the joint committee with regard to disallowance.

• (1755)

First I would note that the disallowance of section 58 of the fresh fruit and vegetable regulations did not create a legal vacuum, and this was no accident. In electing to disallow section 58, which provided for cancellation of a registration, the joint committee deliberately left section 57 in place, knowing that this section would allow the suspension of any registration where an establishment was found to have contravened the applicable regulations.

The standing joint committee was very careful to propose the disallowance in such a way that the repeal of section 58 would not impair in any way the enforcement capability of those administering the regulations.

The government took a full eight months to comply with the disallowance order of the House, a delay that many would say is not acceptable. The decision to proceed with the amendment of other regulations at the same time as it complied with the disallowance of the House was a decision the government made. It was neither required nor inevitable.

Effective parliamentary scrutiny requires effective parliamentary control. At present there exists a gap between the two, and Bill C-205 is intended to bridge that gap by ensuring that all regulations are subject to oversight by the House of Commons. This can only be achieved by the means of legislation and this is what Bill C-205 is about.

There has been much talk lately of a democratic deficit. Full parliamentary control of delegated legislation, with such exceptions as are warranted, would significantly reduce that deficit. It is simply an anomaly for the House of Commons to have the authority to disallow a regulation important enough to be made by the governor in council or a minister, but to lack any authority with regard to a regulation made by secondary delegates such as the Canadian Transportation Agency or the CRTC. When they exercise regulation making powers, those entities are exercising a power that was given to them by the House and the House has a right to control the exercise of that power in appropriate circumstances.

I want to congratulate the hon. member for Surrey Central on Bill C-205 and I want to state that we support the bill.

Mr. Paul Harold Macklin (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, I am very pleased to speak to the bill today, which relates to the important responsibilities that parliamentarians have to oversee the exercise of the delegated law-making powers.

For the past 30 years these responsibilities have in large part been discharged by the Standing Joint Committee for the Scrutiny of Regulations. It has performed an invaluable service to the House and to the Canadian public in its review of statutory instruments made under acts of Parliament.

The committee examines thousands of statutory instruments each year and carefully notes any concerns they raise in terms of the committee's review criteria. These criteria focus on legal concerns rooted in the rule of law and the Canadian Constitution, particularly the Canadian Charter of Rights and Freedoms.

The committee carefully and diligently pursues its concerns and deals with the concerns of the authorities entrusted with that power to make regulations and other statutory instruments.

One of the ways of ensuring that its concerns are addressed is through the disallowance procedure in chapter XIV of the standing orders of the House. These procedures have worked well. The government has complied with all eight of the disallowance resolutions adopted by the House.

I fully support the principles of parliamentary scrutiny of regulations underlying Bill C-205, as well as the need to recognize the disallowance procedures in law.

However, as I noted during the last session in the debate on Bill C-202, it gives rise to a number of concerns. These concerns have to do with how disallowed regulations are to be revoked, particularly the timeframe for revocation and the challenges it might pose for the making of replacement regulations to fill gaps that may be left by this revocation. I also noted concerns about ensuring proper public notice of revocation and extending the disallowance procedures to statutory instruments made by non-ministerial bodies.

Finally, I drew the attention of the House to the absence of a role for the other place in the disallowance resolution.

Today we have before us a proposal to substitute another bill for Bill C-205. I am pleased to say that the new bill addresses the concerns that I previously mentioned.

I would like to point out that the government is committed to ensuring that parliamentarians have an effective role in overseeing the exercise of delegated legislative powers. Not only has it implemented the eight resolutions under the existing disallowance procedures in the standing orders, the government recently amended the cabinet directive on law making, which is available on the website of the Privy Council Office.

The amendment addresses the treatment of concerns raised by the Standing Joint Committee for the Scrutiny of Regulations. It establishes a series of requirements for government departments, which is extraordinarily important in the process of governance.

Private Members' Business

They are to have one or more designated persons to whom the standing joint committee may address its inquiries. All inquiries are to be coordinated by a departmental tracking office to facilitate timely responses to all correspondence from the committee. Each department is to establish appropriate timelines for responding to inquiries. If a time line cannot be met, the committee is to be advised of the need for an extension. If an inquiry involves a legal issue, the department's legal services unit is to be consulted. Each deputy minister is to receive a status report from their departmental tracking office on a regular basis. A copy of the status report is to be provided to the minister's office.

I believe that these procedures will go some distance toward improving the government's accountability to Parliament on regulation making.

These steps that have been taken clearly demonstrate the government's commitment to the principles underlying the parliamentary scrutiny of regulations. It is extraordinarily important and I urge the adoption of the bill.

● (1800)

Mr. Gurmant Grewal (Surrey Central, Canadian Alliance): Mr. Speaker, I appreciate the opportunity to conclude the debate on Bill C-205, an act to amend the Statutory Instruments Act, or the disallowance procedure for statutory instruments.

Before I begin the debate I would like to take this opportunity to thank members from all five parties in the House who have contributed to the debate, particularly those members who have signed the supporting letter in support of the bill.

I would also like to extend my appreciation to the co-chair, the vice-chair, the general counsel and the very hard working staff of the Standing Joint Committee for the Scrutiny of Regulations.

I would also like to thank the Parliamentary Secretary to the Minister of Justice for his hard work and cooperation on this issue.

Regulations play a significant role in our lives, whether good or bad. Every day everyone is affected by statutory instruments, commonly called regulations.

As many of my colleagues already know, disallowance is one of the traditional means at the disposal of the legislature to control the making of delegated legislation by giving legislators an opportunity to reject a subordinate law made by a delegate of Parliament.

Variants of the disallowance procedure have been in existence in other Commonwealth jurisdictions for many years. The bill is intended to provide a legislative framework for a similar procedure at the federal level.

The bill would provide a legislative basis for the procedure that is currently set out in our standing orders and would extend the application of that procedure to regulations made by agencies or bodies other than the governor in council or ministers of the crown.

I might add that Bill C-205 is consistent with the recommendations made by the Standing Joint Committee for the Scrutiny of Regulations, which I co-chair, and many others, for the reform of the current disallowance procedure.

The Parliament of Canada is the source of all legislative authority that is delegated, not only to the governor in council and ministers, but also to various other regulation-making authorities, such as the CRTC and the Canadian Transportation Agency. When they exercise that delegated authority to make regulations, those entities are exercising a power that finds its source in the House of Commons and in Parliament. Parliament therefore has not only a right but a responsibility to control the exercise of those powers.

For well over 30 years now, regulations made pursuant to the enactments of Parliament have been subject to parliamentary oversight and scrutiny. The members and the staff of the Standing Joint Committee for the Scrutiny of Regulations have painstakingly reviewed thousands of federal regulations.

However effective parliamentary scrutiny must be accompanied by effective parliamentary control. This was not always the case.

The gap was partly addressed in 1986 when the government of the day agreed to be bound by standing orders providing for a disallowance procedure. However, because of the non-legislative nature of our standing orders, the current procedure could only deal with a portion of the regulations subject to parliamentary scrutiny.

When the current procedure was first implemented, it was stated to be an experiment, and with its success leading to a statutory disallowance procedure. The experiment has been a success and this success justifies us in extending the scope of the disallowance procedure in order that parliamentary control coincides fully with parliamentary scrutiny. This can only be achieved by means of legislation, and this is what Bill C-205 is about.

● (1805)

The procedure set out in the bill has been endorsed by the Standing Joint Committee for the Scrutiny of Regulations. I am proud to recognize that Bill C-205 is really a work of the collective efforts of members of all parties in the House, particularly those who now sit on the scrutiny committee.

More than three decades after the enactment of the Statutory Instruments Act, I believe the time has come for the Parliament of Canada to give itself the means to ensure full democratic control of federal delegated legislation. If passed, the legislation will be a major historic milestone in restoring accountability and in democratic and parliamentary reforms.

By placing the current disallowance procedure on a statutory footing it will make it possible to close the gap between parliamentary scrutiny and parliamentary control. It will also ensure that the procedure is legally effective.

This legislative proposal has been carefully designed to allow parliamentarians to exercise their responsibility for the effective oversight of regulations, while providing the flexibility required by regulation-makers to respond appropriately to a disallowance.

Adjournment Debate

I am happy to say that the concerns raised by some members earlier did not go to the principle of the bill but focused on some perceived practical difficulties with the bill as it stands now. These comments have been very useful, and I am pleased to report that the members of the Standing Joint Committee for the Scrutiny of Regulations have had discussions as to how the bill might be improved. A consensus was reached among all members on proposals for amendments that will address the issues that were raised.

As I have always said, this is a non-partisan issue. It is the responsibility of all members of the House to make sure parliamentary control over delegated legislation always applies.

Should the House agree to send the bill to the Standing Committee on Justice and Human Rights I can assure the members that it is my intention to propose those amendments in order to address the concerns raised.

Bill C-205 is intended to ensure that parliamentarians are in a position to exercise their responsibility for the effective oversight of the exercise of the legislative powers they entrust to various delegates.

I will conclude with two main issues. First, the disallowance procedure has to be on a statutory footing, which the bill would accomplish. Second, the delegated authority to make regulations has been applied to the issuing of statutory instruments by governor in council, ministers, agencies and boards, but that Parliament's scrutiny only be applied to the regulations or statutory instruments made by the governor in council and ministers and not those made by the various agencies and boards. Knowing that 80% of the laws in this country are made by regulations or statutory instruments, it is very important that Parliament have the authority to scrutinize and review the regulations made by all agencies and boards.

Therefore, with the adoption of the bill, 100% of the federal regulations will be coming under the scrutiny of Parliament. I urge all the members to vote to send the bill to committee. I thank members in advance for their support on this important initiative.

• (1810)

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

Some hon. members: Question.

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

Some hon. members: Agreed.

(Motion agreed to, bill read the second time and referred to a committee)

ADJOURNMENT PROCEEDINGS

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

[English]

SOCIAL PROGRAMS

Ms. Wendy Lill (Dartmouth, NDP): Mr. Speaker, I am pleased to have an opportunity tonight to ask the government side about an important issue which I raised a couple of weeks ago in the House. This is the issue around a CPP disability case for a Regina man named Mr. Foster. I want to raise it again in hopes of coming to some sort of understanding of the government's actions in this case.

Basically, here it is. Mr. Foster is a 60 year old man from Regina who has been unable to work since having two strokes in the late nineties. After four years of denied applications, appeals, poverty and illness, Mr. Foster finally was advised that the review tribunal had accepted his appeal, yet incredibly he has been told by her department that it will overturn the appeal.

Mr. Foster worked for 32 years as a caretaker of an apartment building before suffering his strokes, and he contributed to CPP throughout that time. He first applied to CPP disability in 1999 but was rejected, saying that he could still do light work. His next appeal in March 2001 was denied, citing lack of new evidence. Mr. Foster then tried to get a neurological assessment but it would cost \$1,000, which he could ill afford.

At this point, Mr. Foster already was quite discouraged. He started the process in 1999 and about two years later he was not much further ahead. His wife had severe diabetes and they were living off her disability income, which was not enough. In 2000 they were forced to declare bankruptcy. His adviser was worried because Mr. Foster's mental capacity was starting to deteriorate.

Finally, after a cognitive screening by an occupational therapist, which essentially stated he was unemployable, Mr. Foster's appeal was accepted on February 10, 2003. After almost four long years, Mr. Foster finally got what he deserved in the first place, namely his CPP disability, except that Mr. Foster was advised recently that the minister would try to overturn his successful appeal with no explanation. It is the explanation that I am hoping to garner today.

Perhaps the details of this case seem tedious but I outlined them to show the lengthy and unnecessary process which persons with disabilities are forced to go through. I wish I could say that this case is unique, an anomaly, but that is just not true. The one uniqueness of Mr. Foster's case is that he persevered in his appeals for four years, thanks to the support and persistence of his adviser and his family. Most applicants do not have the strength to go that far, but it should not be so difficult to obtain this support in the first place.

Will the minister explain to me how it is that her department has come to the conclusion that Mr. Foster does not deserve the support of the CPP program, a program into which he has paid throughout his working life in the sincere hope that he would never have to access it? Why on earth is the department denying this man what is rightfully his and to what he is entitled?

Adjournment Debate

•(1815)

[*Translation*]

Ms. Diane St-Jacques (Parliamentary Secretary to the Minister of Human Resources Development, Lib.): Mr. Speaker, the hon. member for Dartmouth will understand that, for reasons related to privacy, I cannot comment on this individual's case. However, I can confirm that, last year, less than 2% of applications for leave to appeal to the Pension Appeals Board were made on the minister's behalf.

The Canada pension plan disability benefit represents an extremely important part of Canada's social safety net, and it provides handicapped Canadians who are unable to work with income support until they are entitled to their retirement pension.

Each year, we pay benefits totalling \$2.8 billion to 280,000 persons, as well as to 90,000 of their children. We know that severely handicapped Canadians face challenges. Our goal is to provide disability benefits to each eligible individual who applies. Only those applications from individuals who do not meet the eligibility requirements set out in the Canada pension plan are turned down.

The Subcommittee on the Status of Persons with Disabilities has undertaken an in-depth review of the Canada Pension Plan Disability Program. I want to thank the subcommittee for this work and for its broad consultation with Canadians, because the government is looking forward to studying this report as well as the suggestions and recommendations it contains.

As the program's administrators, it is absolutely imperative that we make sure that decisions are founded in law. Only when a serious error in law has been made do we seek the authorization to appeal a decision made by a review tribunal in favour of a client.

In addition, the determination of eligibility for CPP disability benefits is a complex process requiring the careful assessment of many factors. To ensure that their decisions are fair to the client, the CPP staff often has to request additional medical information, which may further delay the processing of applications.

To encourage those eligible to apply, we must enhance the understanding the public has of the Canada Pension Plan Disability Program. In recent years, the approval rate of initial applications for disability benefits has increased. In 2001-02, we approved 38% of all initial applications, compared to 32% in 1999-2000.

We will continue to ensure that all clients who meet the program's eligibility criteria are treated equitably and receive the benefits they are entitled to.

•(1820)

[*English*]

Ms. Wendy Lill: Mr. Speaker, I understand the confidentiality of a particular case but I want to make the point again that this man, Mr. Foster, spent four years in a very vulnerable, very ill condition of disability, trying to work his way through the system. At the end of that period, he won a review tribunal appeal. At that point, it seems to me that it is up to the government to respect the decision of the tribunal and to give this person, who is in a very vulnerable state, the assistance that he needs.

If we cannot be there for people who are severely disabled, then this program is a sham. It is not working. Clearly we need to ensure that it is working for Canadians. It is not working now. I hope that message is being sent loud and clear.

[*Translation*]

Ms. Diane St-Jacques: Mr. Speaker, as I mentioned earlier, to urge eligible people to submit an application, we have to do better to make the public understand what the CPP Disability Program is.

Allow me to explain what we are doing to help the public. We are working with private insurers and doctors, who direct their clients to the Canada pension plan, in order to give them specific information on eligibility requirements.

We are also sending, to more than 26,000 general practitioners, guides that outline the medical conditions required for disability benefits. We also phone applicants to explain our decision in their case before we send them a letter.

Again, we are going to continue to ensure that all our clients who meet eligibility criteria are treated fairly so that they may receive the benefits they are entitled to.

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

(The House adjourned at 6:23 p.m.)

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