



CANADA

# House of Commons Debates

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OFFICIAL REPORT  
(HANSARD)

**Monday, November 14, 2005**

—

**Speaker: The Honourable Peter Milliken**

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# HOUSE OF COMMONS

Monday, November 14, 2005

The House met at 11 a.m.

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*Prayers*

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● (1100)

[*Translation*]

## VACANCY

VERCHÈRES—LES PATRIOTES

**The Speaker:** It is my duty to inform the House that a vacancy has occurred in the representation, namely: Mr. Stéphane Bergeron, member for the electoral district of Verchères—Les Patriotes, by resignation effective Wednesday, November 9, 2005.

Pursuant to subsection 25(1)(b) of the Parliament of Canada Act, I have addressed on Monday, November 14, 2005 my warrant to the Chief Electoral Officer for the issue of a writ for the election of a member to fill this vacancy.

\* \* \*

● (1105)

[*English*]

## PRIVILEGE

SENDING OF DOCUMENTS BY MEMBERS OF PARLIAMENT

The House resumed from November 4 consideration of the motion, of the amendment and of the amendment to the amendment.

**The Acting Speaker (Mr. Marcel Proulx):** The hon. member for Prince Albert has six minutes plus the comment and question period.

**Mr. Brian Fitzpatrick (Prince Albert, CPC):** Mr. Speaker, I have had the opportunity to give this more thought over the break and I want to start by reviewing the facts as I see them, as it is always good to start from a factual basis. The question of privilege is centred on some mail-outs from the Bloc members to government seats in the province of Quebec. This has certainly caused a lot of anguish to those government members, but I would like to go through what is in the mail-out. It highlights key passages from the Gomery report, which I think is fair. It brings home some facts to people in the key findings of the commissioner. It includes photographs of some of the key government members opposite.

What kinds of messages were left with those constituents in Quebec? One of them was that money was given to Liberal friendly organizations for doing virtually nothing. Millions and millions of

dollars were given to Liberal friendly organizations to do nothing. In return, what were these agencies required to do? They were required to make donations to the Liberal Party of Canada. They were required, I guess, to put Liberal workers on their payrolls to do no work for these agencies but to do political work for the party. They arranged for large amounts of money to be deposited with Liberal constituency organizations to make sure Liberals got elected in those ridings. The mail-out also makes it clear that the Liberal Party was behind this. The Liberals conceived this plan, executed it and carried it out to its fullest.

Individual members from Quebec are offended by the mail-out. They say it is being determined that they are guilty by association. They say they are Liberals involved with the Quebec Liberal Party, the federal Liberal Party and the leader of the party, Mr. Chrétien at that time. There may have been a lot of wrongdoing inside the party and in the Prime Minister's Office and in other departments, but they say they are innocent and they were not party to that. Yes, they say they were lobbying the government to get as much sponsorship money into their ridings as possible, but they say they knew nothing about this other aspect of the program. In fact, even in their own riding associations there might have been cash deposited from the program to pay for their re-election, but they knew nothing about that. They were completely oblivious to that.

It brings me back to a sitcom in the 1960s, *Hogan's Heroes*, with Sergeant Schultz, whose common phraseology was, "I know nothing, I see nothing, and I say nothing". It almost seems that this might be a problem with a lot of the members opposite. They did not participate in this thing, they were not very aware of what was going on and they did not really want to know what was going on, but they sure lined up for the grants if they could get their hands on them.

In fact, I recall that in one situation a minister from Montreal got \$3.5 million in one year for sporting events in a riding, including \$250,000 for the Grey Cup. The Minister of Finance did not do as good a job on the sponsorship as that minister did; he only got \$50,000 for the Roughrider committee in Saskatchewan at that time. The minister in Quebec got \$250,000 for the Grey Cup committee in Montreal. Perhaps the finance minister was not as strong a lobbyist as some of the Quebec members. That particular minister obviously knew about the sponsorship program because she did very well on it in one particular year, that is for sure.

*Privilege*

In our society, as everyone knows, the government has a lot of tools for communicating to the public to get its message out. Opposition members really do not have the same powers to communicate that the government does. One of the tools we do have is our 10 percenters. It is a way of getting the message out. Clearly, a lot of government members do not like opposition members trying to get their message out.

• (1110)

Quite frankly, I believe the mail-out that was sent to the people of Quebec was perhaps a hard message. Maybe it was something the Liberals did not want to see because it threatened their political careers, but I think what was contained in the householder was fair comment. That is really the test on these things.

I am surprised that the House of Commons would actually entertain the idea of taking away the freedom of expression and the democratic rights of opposition members to provide fair comment to people in this country. That would take away the charter rights of Canadians, especially those of members of Parliament, which is something the Prime Minister guaranteed his government would never entertain. The motion before the House would shut down the most fundamental of our freedoms, the freedom of expression, our democratic right, and would shut down our abilities as opposition members. I am truly amazed that members opposite would even consider such a motion.

I can understand why members opposite would be upset with this. As I mentioned before, when political scandals take place there are innocent bystanders and those innocent bystanders are going to go down with the ship. They are identified with the organization. It may be guilt by association, but the point of correlativity is that when the ship goes down, the innocent are going to go down with it. Quite frankly, I think Quebec members should have known a lot more about this sponsorship program than they pretended—

**The Acting Speaker (Mr. Marcel Proulx):** Questions and comments.

[*Translation*]

**Hon. Denis Coderre (Bourassa, Lib.):** Mr. Speaker, I am continuing to find increasingly deplorable how much the Conservatives enjoy being in bed with the separatists and saying the same dumb and ridiculous things. I have heard this member suggest that there is basically nothing wrong with making criminal allegations. He said that, in the name of freedom of expression, one can say just about anything.

Does this mean that, in the name of freedom of expression, he agreed with Ernst Zundel, who contended that the Holocaust never happened? Does it go that far? There comes a point when the institution needs perspective. The nonsense must stop. And, more importantly, so does the hypocrisy whereby one can basically say just about anything in the name of freedom of expression.

I would like to ask a question along these lines. I heard an interesting statement. This probably explains why the Conservative Party has no members in Quebec, understandably so. I would like the member to comment on the following statement:

“In a society, attitudes fraught with hypocrisy and innuendo are not to be tolerated. If there is evidence, let it be known, do not let the

rumour mill run. Rigour is required at all times; otherwise, we end up with statements starting with 'Someone told me they have heard'. That is hearsay, gossip, and it is not right, be it directed at politicians or anyone else. There is nothing more harmful than rumour because it is not factual. If it turns out that the rumours were unfounded, those who floated them will have to face the consequences. What goes around comes around. It is the reverse slingshot theory. Eventually, it comes back and hits you in the face.”

I do not always agree with him, but this was a quote from the member for Laurier—Sainte-Marie, the leader of the Bloc Québécois, who probably—

**Some hon. members:** Oh, oh!

[*English*]

**The Acting Speaker (Mr. Marcel Proulx):** Let us listen to the questions and comments, please. Then we will listen to the answers.

[*Translation*]

**Hon. Denis Coderre:** Mr. Speaker, does my colleague agree with the statement made by the member for Laurier—Sainte-Marie? Personally, I do. Of course, there is a discrepancy because there is a lot of hypocrisy. There is a double standard here. This is acceptable for André Boisclair, who will have to live with the consequences. However, is it acceptable to act as they did with the Liberals? Is it acceptable for the member for Argenteuil—Papineau—Mirabel to send a document referring to the dirty money trail when he was saying that it was not about that at all?

Could the member tell me if he finds acceptable, in the name of freedom of expression, that criminal allegations be made with taxpayers' money in a flyer, a householder or a 10 percenter?

• (1115)

[*English*]

**Mr. Brian Fitzpatrick:** Mr. Speaker, I would just remind the member that when the Auditor General first released her report she said that every rule in the book had been broken. Judge Gomery also confirmed that basically every rule in the book had been broken and that this was a conspiracy. The effect of the conspiracy was to unlawfully take tax dollars away from Canadian taxpayers to pay for the Liberal Party and its friends and to run election campaigns and so on.

This matter goes much further than just being a civil tort. The plea of innocence on the part of members opposite is rather strange because the Gomery report confirms that the rules were broken and that the Liberal government was behind this plan to abscond with millions of dollars of taxpayer money. We all know that Judge Gomery could not assign individual criminal liability because the Inquiries Act prohibits him from doing so.

*Privilege*

However it raises suspicions in a lot of minds about the list of people who were actually embroiled and directly involved in this massive fraud committed against the Canadian public. I have often been asked by constituents in Saskatchewan where the charges are and when these people will be before the courts and pay their dues. They see it the same way as they saw Enron or WorldCom or, as I mentioned in my speech to the House, the Devine administration where 14 people were convicted on the political side and served time in jail. People in my riding are asking when it will happen here and how far it goes.

For members in Quebec to say that they did not know anything about this program is really hard to accept.

**Mr. Pat Martin (Winnipeg Centre, NDP):** Mr. Speaker, it seems to me that the member for Bourassa's main complaint is in the content of the literature that was circulated in his riding, not the fact that the Bloc has the right to mail into his riding.

I would ask my colleague from Prince Albert if he agrees that part of this issue is about the fact that the sponsorship money was used to circumvent Elections Canada spending rules in election campaigns and to give envelopes of money to individual Liberal campaigns in the federal election.

Would it not have been perfectly valid for the Bloc Québécois to raise the fact that dirty money was being used to subsidize Liberal election campaigns in Quebec? Also, would it not be suitable if the Bloc had even called upon the Chief Electoral Officer, Jean-Pierre Kingsley, to investigate each one of those ridings that received envelopes of dirty money stolen in the sponsorship scandal and that the official agents of those campaigns be investigated because they clearly signed off that all of the spending in that election was perfectly legal and in accordance with the rules? Would he not also agree that any Liberal members of Parliament elected under those circumstances should lose their seat and not be allowed to run for office again as per the Elections Act?

Would it not have been suitable and within ethical guidelines for the Bloc Québécois to point out these things in mailings to the voters of Quebec? Would he agree that the Chief Electoral Officer should investigate every Liberal Quebec riding where they may have received dirty money and that the official agent should be charged as well as the member of Parliament should be dealt these consequences?

• (1120)

**Mr. Brian Fitzpatrick:** Mr. Speaker, I have three points on this matter. As Judge Gomery basically outlined, if money went into Liberal constituencies contrary to the Elections Act it was a violation, especially when somebody drops \$8,000 or \$7,000 cash into a constituency association. My goodness gracious, if any candidate does not have a clue or even asks a question about where the money comes from, it raises clear-cut suspicions among reasonable people. Those are the candidates who want to come to Ottawa and run our government. They do not even know where the money is coming from in their ridings when cash shows up. That is a problem.

People were working in the advertising agencies and on the payroll and they were not doing any work for the advertising agencies except doing political work for the Liberal Party in Quebec.

The other problem is the cash kickbacks, the money in brown envelopes. Anybody involved in any of those activities in my view was part of a criminal conspiracy. This is a serious matter. We need to get a full list of who these people are. We should have no more inquiries. These people should be facing the criminal justice system and the full consequences of our criminal justice system and, hopefully, we will have mandatory minimum sentences in place for the culprits who were involved in this when that day comes.

[Translation]

**Ms. Françoise Boivin (Gatineau, Lib.):** Mr. Speaker, I have a question for the Conservative member. Does he make a distinction between knowing about the sponsorship program and knowing about criminal acts being committed? He might want to read an interesting article.

I heard the member for Bourassa quoting the leader of the Bloc Québécois who was talking about the rigour required when one talks about public people and individuals. The leader of the Bloc Québécois, who is very vocal these days—and we all know why—made some confessions in the *Hill Times*. He said that, like probably all those who were in the House at that time, and unfortunately I was not, he knew about the sponsorship program.

Therefore, I would like him to tell us if he makes a distinction between knowing about the sponsorship program and knowing about criminal acts being committed in this program?

[English]

**Mr. Brian Fitzpatrick:** Quite honestly, Mr. Speaker, not everyone was aware of the sponsorship program. It seemed like there was a club of MPs who were tuned into it.

I remember when I first came here there was a sponsorship for the Montreal Alouettes, the Montreal Expos, the Ottawa Senators and the football team, I believe. Four outfits that participated directly in sponsorship payments but in the CFL, the Toronto team, the Hamilton team, the Winnipeg team, the Rough Riders, the Eskimos, the Stampeders and B.C., they did not know anything about this and did not have any of the money.

Other NHL teams, such as the Oilers or the Calgary team, did not know anything about that but sponsorship money was flowing into the professional teams in Quebec. Obviously somebody was beating the drums in Quebec very well for these programs and people elsewhere in the country were oblivious to even the existence of these programs. It had a secretive nature to it. It is part of a veil of secrecy that the government has brought to the House of Commons where it hides things from the public to keep us in the dark.

*Privilege*

● (1125)

[*Translation*]

**Hon. Jacques Saada (Minister of the Economic Development Agency of Canada for the Regions of Quebec and Minister responsible for the Francophonie, Lib.):** Mr. Speaker, it is with some sadness that I rise today to address the House. I would have preferred to have used the little time we have in the House to talk about issues we consider fundamental. What are we doing together to help the regions? What are we doing together to address globalization? What are we doing together to help people who lose their jobs? What are we doing together to promote the social economy? What are we doing together to prevent young people from having to leave the regions, which are dying as a result? I wish we had the time to talk about all that.

Unfortunately, for some time now in the House, such debates have become increasingly rare.

**Some hon. members:** Oh, oh!

**Hon. Jacques Saada:** Mr. Speaker, I know that you will ensure that I can speak without these constant interruptions. I have that absolute privilege.

The Bloc Québécois purports to be the great champion of integrity, rigour and Quebec. I think that, on all three fronts, the Bloc Québécois wants to assume power and an image that it does not have. It is easily proved wrong, in substance, on all accounts.

In 2002, we noticed, as did all the political parties, that the Parti Québécois was involved in a scandal. Before that, 11 Conservative government ministers were forced to resign due to a scandal. We had the sponsorship scandal. I say this because, in 2002, the Parti Québécois was affected by what was known as the Oxygène 9 scandal. Some very senior PQ officials, including a minister in the Quebec government as well as Premier Landry's chief of staff and director-general of the PQ, were involved.

At the time, a well-known and very credible journalist, Mr. Lessard, wrote, "Some influential people in Bernard Landry's entourage—with connections throughout government—too many, according to some— managed to spin a huge spider's web, all the ramifications of which we have barely begun to uncover". A little later, he talks about "revolving doors" and "cronyism". He said that "in particular, Oxygène 9 received commissions on funding or contracts obtained" and so on.

Why do I speak about that today? It is because I think that if one wants to be the champion of integrity, moral values and rigour, one must apply the same set of principles to similar events. If, at the time, there had been a scandal involving the Parti Québécois, which financed the Bloc's election campaigns of 1997 and 2000, I would have expected to see the leader of the Bloc stand up in his place to ask for a public inquiry on Oxygène 9, as Mario Dumont, from the ADQ, and Quebec's Liberals did. Apparently, when the Parti Québécois is involved, we must forget everything, but when it is the Liberals, that is a different story.

What is remarkable in this instance is that, contrary to what happened in the past with the Conservative Party or the Parti Québécois, which had the implicit agreement or complicit silence of

the Bloc Québécois, our Prime Minister declared that enough was enough and that a standard of ethics and integrity was necessary to restore people's confidence in the political system. The situation goes far beyond the Liberal Party. The Prime Minister of Canada made a decision unprecedented in our democracy. He decided to strike an independent commission of public inquiry to formulate conclusions without knowing how far-reaching they might be or what might be revealed. In spite of those risks, the Prime Minister has been honest, frank and visionary and said that the inquiry was in the public interest.

● (1130)

That public inquiry has been held, and produced some conclusions that revealed certain important points. The first: that certain Liberal Party senior managers had brought dishonour to the party. The immediate reaction was to expel those people from our party, and the amounts given in the report were immediately reimbursed.

Another conclusion was that certain agencies had managed to pocket huge amounts of money through manoeuvres that were dubious, to say the least, some of them even leading to allegations or charges of criminal acts. The Prime Minister made the decision to initiate proceedings against these agencies in order to recover the lost funds, the money that had been misappropriated.

There is a third point. Interestingly enough, my colleagues often raise the first two, but not the third. They do not talk about the one that clearly establishes that the Prime Minister, the ministers, and the current MPs are fully exonerated for any acts of omission or commission, whether relating to administration or misappropriation. All have been fully exonerated. They just happen not to talk of that point. All of a sudden they do not know what to say: either one believes Justice Gomery or one does not.

Justice Gomery was on television for months. Everyone knows just what a man of integrity and extreme credibility he is. People respect him to the utmost. If that integrity is accepted, then the integrity of his findings must be accepted as well. There cannot be a double standard; people cannot pick and choose what to believe and what to reject. There must be consistency and integrity. I would humbly submit that this is exactly what we have done. We have adopted, approved, received in their entirety, as presented, all the findings by Justice Gomery, both good and bad

If I am revisiting this question, the reason I really felt the need to speak of this today—although, like many of us here, I was a simple MP at the time—is because the Bloc Québécois has had its scandals as well. It did not bat an eyelid over them nor said a word; it has demanded no independent investigation as it did when the Liberal Party was concerned. Now that is a double standard.

Therefore, I wonder why. What is the ultimate objective of the Bloc Québécois? Is it trying to disparage the Liberal Party because of the misconduct which may have occurred and for which some people should be blamed? No, it is even more important. The objective of the Bloc is to use all available means, including slander, to systematically undermine the credibility of any spokesperson of the federalist cause in Quebec. The ultimate objective of the Bloc is to attempt to muzzle anybody who is at the same time proud to be a Quebecer and a Canadian and who wants to speak up for this country.

The objective of the Bloc is once again to try to destroy the spokespersons of an idea which is not their idea. Its goal is not integrity, nor transparency, nor objectivity, nor the limpidity of the public accounts. The objective of the Bloc is the independence of Quebec, and it does not care at all if it needs to destroy reputations to reach this objective. This is why, in the mailing, very credible spokespersons of the federalist cause are shown as being involved. Be it the member for Bourassa, the Minister of Intergovernmental Affairs, the Minister of the Environment, the Prime Minister or other persons, we are all devoted, on this side of the House, to defending our country because this is the best solution for Quebec. The Bloc does not like this idea. It does not act for the sake of integrity.

For some time now, and I regret it deeply, a new standard has been used in Quebec, under the influence of the Bloc Québécois and the Parti Québécois. Either we agree with them, and therefore we are very good, very nice and very intelligent, or we do not agree, and then, they try to shoot the messenger.

• (1135)

They did this recently with commissions and political spokespersons. This is a grand scheme that goes way beyond the Gomery case. They do not realize that this is a totally unfair and outrageous tactic to destroy those who been the voice of Canada in Quebec. This is what the Bloc Québécois is doing.

What saddens me is to see how arrogantly they manipulate this House, the debates and public opinion in order to advance a cause that, in the beginning, might have been noble. I do not share it, but it was noble. It is being misrepresented. Is the kind of country that the Bloc Québécois wants to build based on defamation, on rejecting the right of speech, on rejecting debate, on a lack of integrity? Is that the kind of country that Quebec would build under the Bloc Québécois? This is what that party is trying to do now. To build that country of Quebec, it wants to rely on fraudulent tactics. It is intellectual fraud to try to smear in order to destroy spokespersons.

No one anywhere is perfect. We do not have a perfect country. We have had our scandals, as have others. The difference is that we faced them with integrity, while they refused to do the same.

[English]

I find something extremely interesting. I understand the objective of the Bloc. I even understand the positioning of the Conservatives. Defending Canada may not be a top priority for the Conservatives. Let me quote something.

[Translation]

In saying this, I am relying not on sensational political allegations, but on direct quotations that I will read. In a speech made during the

### *Privilege*

Colin Brown Memorial Dinner, when he was chair of the National Citizens Coalition in 1994, the current leader of the Conservative Party said:

Whether Canada ends up as one national government or two national governments or several national governments, or some other kind of arrangement is, quite frankly, secondary in my opinion—

This is a direct quotation. The fact that the Conservatives are joining forces with the Bloc Québécois does not even surprise me. The truth is the Conservatives are placing their own political interests ahead of the national interest of the country that is Canada. This is what the Conservatives are guilty of doing.

[English]

I accuse the Conservatives of placing their own political interests, in the short term, above the interests of Canada.

[Translation]

I do not understand why the NDP is playing along. I believe the NDP acts in good faith. And so I would ask it to recognize that, manipulating the House for election purposes in the short term, it is adding both strength and credibility to a movement intended not to protect Canada and Canadians but to protect the sovereigntist option, which the Bloc is trying to promote. The NDP cannot align itself with that, because if there is one party here in this House, aside from the Liberal Party, with a tradition of defending the country's interests, it is the NDP. I cannot therefore understand why childish short term strategies for an election we have already promised, in any case, are leading the NDP to support action that has nothing to do with Canada's best interests, but with Quebec's independence. That is what I find deplorable.

I would now like to speak of democracy for one simple reason. In my opinion, it is the ultimate objective of our efforts here. We are elected by our fellow citizens because we want to initiate progressive measures to help the public and in the most democratic manner possible. When we speak of democracy, we must speak of justice and, accordingly, of the fair treatment of similar questions. The Bloc Québécois members, however, have refused. Democracy involves debate. Killing debate by shooting the messenger is what they have just done. It limits debate and therefore one of the most important and fundamental components of our democracy. They are prepared to prevent debate and force an election to be held at a moment particularly inopportune for Canadians to be going to vote because they are prepared to sacrifice public participation in the election on the altar of personal political ambition. It is democracy gone wrong.

I rose today because I have a fundamental belief in our party's integrity, in our country's future and in the need for everyone to come to the defence of beleaguered democracy.

• (1140)

[English]

**Mr. Ken Epp (Edmonton—Sherwood Park, CPC):** Mr. Speaker, the musings of that member would be funny if it were not so tragic. His accusations against our party are totally unfounded. I know I have to stay within parliamentary rules, so I simply say that he is full of hops.

*Privilege*

I will exercise my freedom of expression in saying this. It is very sad that he can stand in the House and somehow defend what happened in the province of Quebec in the last election and over the last number of years. Judge Gomery has put it right on the line. All one has to do is read the first six pages of his report, his executive summary, and it is very clear. All the things that we suspected and that were reported by the Auditor General took place.

The member is somehow trying to deflect what should be a contriteness of heart on the part of the Liberals by blaming us. It is like blaming the policeman who came across a bank robbery and stopped the robbers. What he is doing is complaining about the policeman for breaking up a very good party. This is incredible. I really am ashamed of that member.

Is it possible that none of the 30 members of Parliament from Quebec had no knowledge whatsoever of the fact that money was being shipped to them, cash in brown envelopes? I can hardly believe that.

I would like the member's comments on that. As well, I recommend to him that what he should do is stand up, hang his head in shame and say to Canadians, "Sorry, we blew it". I would like him to say that.

[*Translation*]

**Hon. Jacques Saada:** Mr. Speaker, allow me to make a suggestion to my colleague. If he had kept reading the report beyond the first six pages and had read the entire thing, perhaps he would have gotten the whole picture, including the fact that the Prime Minister and the current ministers were exonerated.

Again, the statement made by the leader of the Conservative Party during a speech, for which I gave the exact reference, goes entirely against the interest of national unity. My colleague stands there looking shocked. Will he ask his leader to stand up in this House and apologize for his statements that cast doubt on the integrity of our country? Does his leader have the courage to apologize for his statements that go against our national interest?

Short of not paying any attention to what goes on around here, it was hard not to know about the sponsorship program. Everyone knew about it. The Bloc Québécois took advantage of it and applied for sponsorships for some of its ridings. Everyone did. That is not the issue. The issue is whether anyone here knew that some people were using the program to commit any wrongdoing. I say no.

• (1145)

**Mr. Raynald Blais (Gaspésie—Îles-de-la-Madeleine, BQ):** Mr. Speaker, I am pleased to comment on the statements of the Minister of the Economic Development Agency of Canada and to ask him some questions on the speech he just delivered. To me it sounds like he is in a panic.

When he talks about sadness when we are currently discussing a topic that was presented in this House by his own colleague from Bourassa, he is targeting the person who raised the question of privilege. The debate could have easily been on something else, given the chance.

The minister talks about sadness and wanting to teach others a lesson. I will humbly remind him that he should take a second look

at his own work. Just recently he made a long awaited announcement on an initiative for the fisheries, an announcement he even postponed. In this initiative, he forgot—

**The Acting Speaker (Mr. Marcel Proulx):** The hon. member for Bourassa.

**Hon. Denis Coderre:** Mr. Speaker, I rise on a point of order. I can understand why the member for Gaspésie—Îles-de-la-Madeleine would feel bad about sending this piece of trash in an attempt to tarnish our reputation. However, I would appreciate it if we stuck to the issue of this debate, which has definitely nothing to do with fisheries.

**Mr. Raynald Blais:** Mr. Speaker, the minister does not have any lessons to give to anybody when it comes to economic issues. In fact, he should redo his homework regarding what is going on back home, in the Gaspé and Magdalen Islands region. He really—and literally—missed the boat regarding fisheries, when he excluded part of the Gaspé region from the program that he just announced.

I want to go back to the real sadness that we should feel. This sadness is related to the existence of the sponsorship scandal. Considering that \$250 million were spent in a shameful fashion, this situation is indeed a scandal. I refer the minister to the Gomery report, and more specifically to page 329. I would like to get his opinion on this excerpt, which is very clear:

Other politicians less directly involved in the Sponsorship Program did not hesitate to accept Mr. Lafleur's hospitality. There was, throughout the period when sponsorship funds were being freely handed out by PWGSC, a sort of culture of entitlement—

This "culture of entitlement" is expressly mentioned in the Gomery report. It sounds like a Liberal culture "according to which persons enjoying Mr. Lafleur's largesse apparently did not feel that there was anything wrong in being entertained by someone who was receiving, and hoped to continue to receive, obviously lucrative federal contracts". This is clearly spelled out on page 329 of the Gomery report.

Let us hear the minister talk about the Gomery report, instead of trying to teach lessons to others, when he does not really know what he is talking about.

**Hon. Jacques Saada:** Mr. Speaker, I refuse to respond to my colleague's statement to the effect that I do not know what I am talking about. I think that my reputation speaks for itself.

That said, this is another very clear example of something I just condemned. I am not trying to teach anyone anything, but I am asking that everyone be treated fairly. I ask that we refrain from any defamatory remarks and we respect the very foundation of democracy. I rise to ask for a return to values that are absolutely fundamental to this country.



As for the fisheries, since this very interesting issue has been raised, the only region excluded did not have any groundfish processing plants listed. It is sad nonetheless. In passing, let us use New Richmond as an example. A plant there is closing. We are working with a Quebec minister to ensure rapid intervention within 10 days. The leader of the Bloc Québécois visited the day after we did. He noted that we rapidly intervened with substantial measures. However, the only thing he said, to reassure workers who had lost their jobs, is that they would check to see if the owner had the right to close the plant. This is what they call really helping people. When we do something right, this party systematically says that it was thanks to them. However, if we do something wrong, the members of that party attack us.

Is there not a limit to how little integrity one can have? Should they not recognize that all good things are not necessarily the result of their requests but are also things that we were able to do well? If they paid tribute to things that are done well, they would have more credibility when calling us to account for things we do not do well.

• (1150)

[*English*]

**Mr. Pat Martin (Winnipeg Centre, NDP):** Mr. Speaker, the remarks of my colleague from the Liberal Party in Quebec have reminded me of an analogy I heard that the 1997 and 2000 elections were not unlike the Olympics, where one team would be all doped up on steroids and the other team had to live by the rules and was at a severe disadvantage.

Where I come from the official agent tells a candidate if he or she has spent one dollar more than the spending limits. If the candidate wins, he or she loses the seat and is not allowed to run again; the official agent is led away in handcuffs and everybody associated with the campaign is guilty of election fraud. Many, many ridings in Quebec were in that very situation. They were getting illegal money during the course of the 1997 and 2000 campaigns.

Would the member join me in calling for the Chief Electoral Officer to revisit every one of those ridings and disallow them, make them null and void in the context of the illegal spending that went on?

[*Translation*]

**Hon. Jacques Saada:** Mr. Speaker, all these allegations and declarations were made before Mr. Justice Gomery, who held an inquiry and did not see fit to draw negative conclusions about anyone. I do not want to repeat this inquiry. It has already been held.

The reason I raised this issue is that the Parti Québécois made perfectly clear and legal contributions to the Bloc Québécois's electoral campaigns to the amount of \$163,929 in 1997 and of \$166,400 in 2000, and that is without taking into account the contributions made by some of the Parti Québécois' provincial associations. I have nothing against that. However, I would have hoped, since there were interrogations about what happened with Oxygène 9, that the facts were checked and that every one treated on an equal footing.

**Mr. Yvon Godin (Acadie—Bathurst, NDP):** Mr. Speaker, I am pleased to take the floor on the question of privilege which has been submitted to the House and accepted by the Speaker concerning not only our 10 percenters but also our householders. Today the House

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of Commons is therefore seized of this matter. Although some think it undemocratic to do this, such in fact is democracy.

There is a problem, and we, the hon. members on each side of the House, are in the process of presenting and arguing our points of view.

Earlier, I was listening to the hon. Liberal member saying that he did not understand how the NDP could have joined forces with the Bloc Québécois and the Conservative Party. We have come to the point where the Liberals think only of themselves. A proposal has been made to the Liberals so that the House of Commons might continue to sit. So long as the House is in session, things can be provided for Canadians. Our aim is not in fact to support the Liberals but to work in the interest of Canadians. We want to be here, in the House, to pass bills and budgets that will help Canadians.

This was done last spring, when \$1.5 billion was allocated toward reducing student debt. The NDP was proud of this. Similarly, \$1.5 billion will be granted for affordable housing. This fall, however, after the tabling of the Gomery report, when the NDP wanted to have a productive Parliament, the Liberals were asked if they were prepared to save our public health care system. It was sad to hear the Prime Minister reply that he was prepared to grant the provinces new money, while preventing private-sector physicians from benefiting from it. But as for the \$41 billion that was allocated last spring, given that this is federal money, he was not prepared to require the provinces to spend that money only on the public health care system. It is simple: the Liberals favour a private health care system. When the Liberals say that money from the federal government can be given to the private health care system in Canada, and that they cannot backtrack on the \$41 billion, they are telling us they want a private system. They are turning a blind eye to this issue. That is what is really happening, and it is dangerous.

Just recently, the Liberal Party of Quebec announced in the National Assembly that it wants a parallel private health care system. This shows that the Liberals want a private health care system in Canada. They want their friends, the large insurance companies, to be able to sell insurance like companies do in the United States, because people will have to get their own insurance and pay for it.

I gave an example the other week. Imagine that, today, we have two health care systems in Canada: a private system and a public one. Canadians fought so hard for a public health care system. The NDP is proud to say that, 50 years ago, Tommy Douglas at the time forced the government to establish a public health care system across Canada. We believe that, rich or poor, those who are sick should be able to receive the same services. What kind of idea is that: the rich could be treated the same day, while the poor would have to wait for six months? That is unacceptable here, in Canada, one of the most wonderful countries in the world. The Liberals have decided to turn a blind eye on this.

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To be productive, while waiting for an election after the second Gomery report was tabled, the Liberal government could have taken position and said that it had an agreement with the NDP. But why should the NDP have to continue supporting a Parliament that is not working, and a government that has been caught red-handed taking money from the taxpayers to give it to its political party in Quebec and would have us believe that it did not know what was going on? As the story goes, the Prime Minister of Canada, who was finance minister at the time, the President of the Treasury Board, who was from Quebec and handled the sponsorships, and the Minister of Public Works, who was a minister from Quebec, none of them knew that money was going into the Liberal coffers.

• (1155)

I am sorry but the people back home do not buy that.

**The Acting Speaker (Mr. Marcel Proulx):** The hon. member for Bourassa on a point of order.

**Hon. Denis Coderre:** Mr. Speaker, I can understand that, being so passionate, the member can get a little carried away, but we should never challenge the integrity and respectability of the members. He is making false accusations and that is not acceptable in this House.

**The Acting Speaker (Mr. Marcel Proulx):** I did not hear the member for Acadie—Bathurst make such accusations. I might have been distracted. I think that the member for Acadie—Bathurst knows the rules of the House of Commons well enough to respect all his colleagues, whether individually or collectively.

The hon. member for Acadie—Bathurst.

**Mr. Yvon Godin:** Mr. Speaker, thank you for your comment on the speech I am in the process of making. I greatly appreciate it.

I can understand the member for Bourassa. He was worried because the Liberal Party has been caught with its hands in the till taking money from taxpayers to give it to the party in Quebec. That is unfortunate.

Just imagine, there is a national unity fund. I was listening a moment ago to a Liberal colleague who was saying that hon. members knew that there was a sponsorship program. Yes, we knew there was one, but we did not know that it was there to be stolen from. It was there so sponsorships could be obtained, and not only in Quebec. In our part of the country, we had the Canada Games in Bathurst and Campbellton and the money was used for sponsorships. It was a good system.

As I recall the Auditor General made the comment that it was not a bad program. There are programs that are good, but if they are badly administered, they will be lost. The Auditor General said that she had not asked that the sponsorships be abolished, she had asked that the sponsorship scandal be stopped. She said that the program was badly administered. Justice Gomery said the same thing.

That was done with taxpayers' money, the money of people who get up in the morning and work very hard. The money comes here to Ottawa, and these people want the government to manage it properly. Today the Liberals are trying to make us believe that they manage money properly. They took \$48 billion from the Employment Insurance Fund. They put the money into the general fund to pay down the debt, to balance the budgets and they put it into the sponsorship scandal. It was done with money taken from our people

who are suffering and who are hungry. You can imagine what happened when the time came to vote.

On Friday, in *L'Acadie nouvelle*, in the column headed *L'opinion du lecteur*, one of our provincial Liberal elected representatives asked me and Jack Layton to make sure that Employment Insurance was on the table if there were any negotiations with Paul Martin. I told our local Liberal member that he should ask his colleague, Paul Martin, to finally grant the best 12 weeks. He should not ask me. I am not the Prime Minister of Canada. He should be asking Paul Martin, his colleague and friend the Prime Minister.

• (1200)

**The Acting Speaker (Mr. Marcel Proulx):** Order, please. I was assuming that the member for Acadie—Bathurst was quite familiar with the rules. I must assume he got carried away. I wish to remind the hon. member that he cannot refer to members of this House by name, but rather by their title or responsibilities.

I would ask the hon. member for Acadie—Bathurst to comply with the rules.

**Mr. Yvon Godin:** Mr. Speaker, thank you for reminding me that I should not have named the current Prime Minister, who was the finance minister at the time of the sponsorship scandal. I apologize sincerely.

Let us get back to debate now. We are talking about \$48 billion taken out of the employment insurance fund. I want to tell the Liberal member from my region that, if there was one day of debate in June, it was because of the NDP and its motion to restore the criterion of the best 12 of 52 weeks. The seven Liberal members from New Brunswick voted against that motion. In fact, my dear friend Denis Landry should be asking those seven Liberals to support the member for Acadie—Bathurst and the NDP members when they present a motion to the current federal Prime Minister. Maybe we would see changes if we were to ask the question of the right persons and to put pressure on the right persons.

Let us look at what is happening now. Fishers from our region came to Ottawa last week or two weeks ago to demand the right to fish for herring, something that had been shut down since last spring because of Prince Edward Island. Four Liberal members from that province and the Minister of Fisheries and Oceans had no valid reason for shutting down the herring fishery. These four Liberal members from Prince Edward Island are preventing these people from fishing in Canadian waters under federal jurisdiction. That is what the Liberals are like.

The election campaign has already started. The member for Beauséjour announced in the papers on Thursday that \$100 million would be invested in his riding. Do the Liberals have a right to campaign using Canadians' taxes? Have there not been enough scandals? The Liberals should be ashamed of themselves.

When I requested funding for the Lamèque arena, I was told that there was no program for an arena. But the minister responsible for ACOA, who is from Prince Edward Island and is responsible for the entire Atlantic region, is prepared to invest \$3 million in Saint-Léonard, a Liberal riding. It is a disgrace to see how the Liberals are governing these days using billions of dollars.

I believe that Canadians want a government that will be fair to them for once. It is too bad that our Canadian people, whether they live in Quebec or any other province, are losing confidence in politics.

Look at what is going on now. It is totally unacceptable. As I said, people in my region do not believe that the Liberals were unaware of the money they were receiving. It was millions of dollars. Do they think people are crazy? Do they think people cannot see straight? People feel used.

The Liberals tell us that if we propose calling an election in January, we are playing into the hands of the Conservatives and allying ourselves with them. No, we have a proposal for an election to be called in January with the voting day in February. Why does it matter whether the voting day is in February or March? There is a big difference. The Liberals are playing favourites now with taxpayers' money. That too is scandalous in my view. They should be studying the bills before the House of Commons and ensuring that our bills are passed because they are important for our people.

●(1205)

That is what we should do. We should ensure that this government puts a stop to the privatization of health care. But the Liberals are not prepared to do that. They are in the process of selling our health care system. This is shameful, and I want to speak out against it today. They want to sell our health care system to insurance companies, as in the United States. The poor will be unable to pay for this and will have to wait six months in hospital corridors. That will be the result.

The rich, who have the resources, will show up at their doctor's office and say, "Look, here's the money, I want care". Other people will be waiting in line like animals.

This is not the sort of country I want to live in, nor the sort of country I want to promote. The Liberals should be ashamed today that they are incapable of saving our health care system. They like to boast; they are very happy with the things we have. But we have certain principles which hold that this health care system should be saved. Another of our principles is to have an employment insurance system that permits people who lose their jobs to be covered by that system.

For example, consider this. I will relate a few facts which show how the government is misusing the money of Canadians. To celebrate Canada Day, New Brunswick receives \$120,000 for a population of 720,000, and Ontario receives \$700,000 for a population of 11 million, yet for that same occasion Quebec receives \$5 million for a population of 7 million. That is unacceptable. This year, for the first time, Quebec received only \$3.5 million. Millions of dollars do a lot of good in a community. But everyone should be treated the same.

We are annoyed that there was a sponsorship program to save Quebec and that such a program caused a scandal. We may lose Quebec because of the Liberals. They should not cast blame on the opposition, but on themselves.

You have been incapable of managing the money of Canadians. If we lose our Canada, it will be your fault. You had the money in your hands and you mismanaged it. That is regrettable. The minister can

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say what he likes. You mismanaged the money and today we may be paying the price for it.

●(1210)

**The Acting Speaker (Mr. Marcel Proulx):** I would remind the member for Acadie—Bathurst that he must address his comments through the Speaker. If the member wants to accuse me, I will then disagree with him. I therefore ask the member to rephrase his statements or his questions.

**Mr. Yvon Godin:** Mr. Speaker, you are too kind to accuse. Your work is truly impeccable. I did not intend to accuse you. I am sure you did not take the sponsorship money, so I will not accuse you.

In closing, we have before us a question of privilege in the House. The question is whether our householders or 10 percenters—call them what you will—are used correctly.

According to the Standing Orders of the House, when such a thing happens, the question must be referred to the Standing Committee on Procedure and House Affairs. I will not comment on the content nor base my observations on it. However, one committee, that is the Standing Committee on Procedure and House Affairs, could look into this as quickly as possible. We know that Liberals do not like 10 percenters and householders. They can go into any riding to make political announcements, but they do not want the opposition to have the right to speak or criticize in other regions of the country. I do not agree with that.

Householders or 10 percenters are important for the opposition. Such is democracy.

If the content of the pamphlet is that bad, the member for Bourassa could still press charges against those who are responsible. He can take them to court. The court will decide if there was defamation. However, I will never accept my privilege as a member being taken away from me.

[*English*]

**Mr. Borys Wrzesnewskyj (Etobicoke Centre, Lib.):** Mr. Speaker, it was interesting to hear my colleague from the NDP say that his party was not entering into an alliance, an unholy alliance, with the Conservative ideologues and the Quebec separatists. So I am just curious what in fact this is. Is this a political ménage à trois? It is a pretty scary thought.

More interesting, the member mentioned that in the spring they were not allying with the Liberals, but in fact were helping to govern to ensure that very important legislation would get passed. We have some 30-odd bills on the order paper that, if there is a non-confidence motion, will not get passed. Following that logic, I would assume the NDP is now saying that these are not important bills for the people of Canada.

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What sort of bills are these? There is Bill C-66, the energy relief bill, which would provide relief in January for people on fixed incomes, our seniors and families on low incomes. It would fall to the side. Does his party not feel that is important legislation? There is Bill C-69, the agricultural marketing programs act bill; or Bill C-64, the vehicle identification bill or, as some would call it, the Chuck Cadman bill. It would unfortunately fall by the wayside. There is Bill C-16, the impaired driving bill and Bill C-54, the oil and gas exploration bill. I am sure that the members opposite from Alberta will be happy to see that one fall by the wayside. There is Bill C-11, the whistleblower protection bill, and Bill S-39, the sex offender database bill. Which of these bills does the member feel is not important enough to be passed?

• (1215)

**Mr. Yvon Godin:** Mr. Speaker, I have to laugh a bit, not at my colleague, but at the comment as to which bill is not important enough to pass. I remember when the Liberals put Bill S-3, the official language bill, before the House four times and voted against it four times. That was a very important bill to Canadians.

When we look at this question, does it mean that we should not have an election in March because it is dangerous that we vote and that the separatists have a vote? Is that what we have to stop? Do we have to stop elections in Canada? What is the difference between now and March? Is it just because the Prime Minister of this country has decided so? Is that all it is?

The NDP has a motion that says that we would not call an election before Christmas and that we should call the election in January when the House of Commons is adjourned anyway until February. The House of Commons is not sitting from the middle of December. The NDP is proposing that the election is called in January and takes place in February.

Negotiations are already taking place among House leaders. We are ready to fast-track bills like the reduction on the fuel bill, to put it before the House, and pass it in one day. I have seen the Liberals pass a bill in the House in one day when they had the majority. When they wanted to legislate people working for Canada Post, it was done in one day. We could pass bills here in one day as long there is a majority or as long we have the unanimous consent of the House. All the opposition parties are willing to put bills before the House that are important to Canadians. We are prepared to allow Parliament to continue to allow for time for certain important bills to go through.

If we have an election before Christmas, it is because the Prime Minister of this country and the Liberals have decided so. We are proposing to begin the election when the House of Commons is adjourned. Any Canadian could see through that. That is what we are proposing. We have good bills that should go through. We have bills that have been on the waiting list for 12 years that have not gone through and should have gone through before now.

We are ready to look at bills that are important and put them through before Christmas. I would like to thank my colleague for asking this important question because maybe people did not know we could do that.

**An hon. member:** Are they going to do that?

**Mr. Yvon Godin:** Yes, they will. He is looking at the Bloc Québécois members. Will they? Yes, they will, on some bills that we will bring before the House. We will see how much this House can get done in the next month.

**Mr. Myron Thompson (Wild Rose, CPC):** Mr. Speaker, I have been here quite a while and I would like to mention that during the period of time I have been in the House of Commons there was the HRDC scandal, the tainted blood scandal, the pepper spray scandal and the Pearson airport scandal. Everyone will remember the hotel Shawinigate, the golf courses and the water fountains. There was the Airbus scandal. The residential schools affair also came up. There has been more money spent on lawyers than it would have taken to compensate the people who suffered in those residential schools.

Now there is the sponsorship scandal, the Dingwall scandal and the Ouellet scandal. We had strippergate or the stripper scandal, whatever we want to call it. This has all occurred since the Liberal government has been in power. Day after day, year after year, these kinds of things happened based on lies, fraud, theft, mismanagement, corruption and downright incompetence.

Could the member tell me why the government should have one more day to govern in this manner in this kind of situation?

• (1220)

**Mr. Yvon Godin:** Mr. Speaker, that is why Canadians have lost confidence. There are still a few things we can do in a few days which we believe could be done, except if the Prime Minister decides not to do it. I think that is the direction the Liberals are going in, which shows how bad they are.

It is a scandal when they take \$48 billion away from working people, and put it in a general fund to pay the debt and balance the budget on the backs of men and women who lost their jobs. Every time there is an election, they build their platform on it and campaign on it. What the Liberals have done is wrong. There are many wrong things they have done and they will be judged.

A man called me this morning and said he could not believe we were asking people to vote during the holidays. I said it was not me, that the Prime Minister of this country will make that decision. It is much better to take half an hour to vote for the democracy of one's country than spending eight hours in a store or going to a bingo, or going here or there because of the vehicles we have today. If it needs to be done for our country, we should do it because we have to save our country and Canadians are very—

**Some hon. members:** Oh, oh!

**The Acting Speaker (Mr. Marcel Proulx):** Order, please. Does the hon. member for Acadie—Bathurst want to continue answering the question or has he finished?

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**Mr. Yvon Godin:** Mr. Speaker, I will quickly finish answering the question by saying that Canadians are very smart people and will know what to do. The only message I want to give to Canadians is that some countries go to war to obtain the right to vote and all we have to do is get in our cars. We have that democratic right. I want to encourage all Canadians to vote when it comes time whether it is in December, February, March or July, it does not matter. We should use the right we have that other countries do not have. I hope Canadians will do that.

[Translation]

**Hon. Claude Drouin (Parliamentary Secretary to the Prime Minister (Rural Communities), Lib.):** Mr. Speaker, I want to share my time with my colleague, the Parliamentary Secretary to the Minister of Health.

The question of privilege granted to my colleague from Bourassa shows just how serious this is. When a party like the Bloc attacks people's reputations instead of sticking to a debate about ideas, as we should here in the Parliament of Canada, it shows how prepared this separatist party is to do just about anything to break up our country.

What I find disgraceful in what the Bloc members are doing is that they are attacking the reputations not just of members of Parliament but of their families and friends as well. I know that the Bloc members have families too. If they would just take two seconds to stop and think, they would immediately cease this disgraceful approach and unfortunate lack of judgment.

I should emphasize, though, that some Bloc members are not descending to conduct like that of their colleagues.

We heard the member for Roberval—Lac-Saint-Jean tell the House that some members had thin skin but his was thicker. I was hardly surprised to see that he could not stop laughing when we were debating a matter of privilege here over a serious attack on someone's reputation.

I would like to return to the thick skin of the member for Roberval—Lac-Saint-Jean. When his opponents pointed out during the last election campaign that he lived in a residence in Gatineau worth more than half a million dollars and had a shiny Cadillac, all of a sudden his skin became very thin. And yet, this was as true as can be. Here we see it every day with the Gomery report, and everybody is quoting it over and over and no party in this House has cast any doubt on the report. It acknowledges that no member of the government was involved in the scandal. So why does the Bloc not apologize and stop its smears and disinformation campaigns? The Bloc members often quote us this page or that of the report. They should read page 77 of the summary, where they will see Mr. Justice Gomery acknowledge that the government was not involved in these misappropriations.

All of politics loses because of the Bloc's behaviour. No time must be wasted in returning to debating ideas. This is why I am interested in the real reasons behind the thoughtless attacks by the separatists. They are supposed to be defending the interests of Quebecers, but they have ignored a number of issues. There was the metro scandal in Laval, Quebec, which occurred while the mother house was in government. Some \$178 million was involved. The work is not complete, and the cost is over \$1 billion. It is a scandal. And yet, the Bloc members neither criticized the mother house nor called for it to

investigate. Then there is Gaspésia, where costs spiralled \$200 million over the original estimate. It could be called a scandal. There is the Caisse de dépôt. There are a lot of examples.

I will spend a little time on Oxygène 9.

**An hon. member:** In the case of the employment insurance, the figure was \$46 billion.

**Hon. Claude Drouin:** I would remind the Bloc member that it was not \$46 billion in the case of Oxygène 9. We will never know the figure, because the sovereignists lacked the nerve to investigate. They lacked the courage. Here, however, we did not lack the courage to acknowledge malfeasance and to have the guilty pay the price. We have sent this message here since the outset and will continue to do so.

Instead of being a responsible and transparent government, they had the minister Gilles Baril resign and promoted him to the position of vice-president of Hydro-Québec in Chile. They never investigated and never found out who was guilty. And the Bloc members are trying to teach us a lesson, we who established the Gomery commission and called in the RCMP to uncover the guilty parties.

● (1225)

Criminal charges were laid against four individuals, and 32 civil cases were initiated against individuals or companies for a total of \$57 million. In so doing, we have demonstrated our desire to take action to ensure that such major problems never recur. That was the action of a responsible government. We have recreated the position of Comptroller General of Canada as well as comptroller positions for each department, in order to ensure that any program put in place will comply with Treasury Board standards and regulations.

My reading of these tactics is that the Bloc does not know what to do with a government that respects its commitments. This shows how important it is for the government to do exactly that. I will list but a few of our commitments, as time is unfortunately limited.

A few weeks after the election, a health agreement was signed for a total of \$41.5 billion, \$9.6 billion of that to go to Quebec over 10 years. Health is the ultimate priority of Quebecers and Canadians. That was the action of a responsible government. We noted a major problem relating to equalization, and wanted to ensure its stability, so that the provincial governments will not be caught unawares because of an adjustment to the highly complex equalization program rules. What was the outcome of that? Within just weeks of the signing of the health agreement, an equalization agreement was concluded for \$33 billion over ten years.

I would remind my colleagues in the Bloc Québécois that, this year, the agreement will see \$4.8 billion going to Quebec in equalization payments. Next year, the amount will exceed \$5.3 billion, or an increase of over \$500 million in direct payments to Quebec. This is proof of how the Government of Canada respects its commitments.

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We talked about parental leave. We have made an investment of \$750 million per year to enable the province of Quebec to make its own decisions concerning parental leave and to enable families to have children, which is essential for our country. Subsequently, we have seen that Quebec is a leader in early learning and child care programs and we wanted to establish a national program. Therefore, an agreement of over \$1 billion over five years was concluded. That enables Quebec, as a leader in this area, to share its know-how and expertise with the other provinces and territories, while respecting the fields of jurisdiction.

Too often we hear our colleagues from the Bloc Québécois say that the government does not respect provincial jurisdictions. The Charest government mentioned a while ago that it had concluded 150 agreements with the federal government. This is proof of mutual respect. And the interim leader of the Parti Québécois added: "One hundred and fifty agreements! The Parti Québécois has concluded 400 agreements with the Government of Canada." This shows things are working out in this country. We are able to get along. However, when we are dealing with the Bloc Québécois, no agreement is possible.

It is too bad that I only have one minute left, because I could have continued for hours and hours to show just how much the Government of Canada has the interests of Quebeckers and all Canadians at heart.

In conclusion, I will talk about Bill C-9. Over \$300 million will be given to the regions of Quebec, which constitutes concrete action. Going back to the main point of the debate, I would like to quote the Bloc leader:

On a sharply critical note, [the leader of the Bloc Québécois] said that in a society, attitudes fraught with hypocrisy and innuendo are not to be tolerated. If there is evidence, let it be known, do not let the rumour mill run. Rigour is required at all times; otherwise, we end up with statements starting with "Someone told me they have heard". That is hearsay, gossip, and it is not right, be it directed at politicians or anyone else. There is nothing more harmful than rumour because it is not factual.

● (1230)

When the Bloc leader made this statement in *Le Soleil*, to whom do you think he was referring? He was referring to the separatists, who attack each other personally. This is reflected here when unaddressed householders contain personal attacks. Bloc members quote liberally from the Gomery report, saying it contains real and concrete facts, and yet, they do not say a word about the government. This is unacceptable and I hope they will apologize and demonstrate sound management and good behaviour in the House.

**Mr. Marc Lemay (Abitibi—Témiscamingue, BQ):** Mr. Speaker, I listened very carefully to the speech my colleague from the other side delivered. Since the Gomery report is the topic of the day, let us talk about it. I want to tell my colleague across the floor that we have read the Gomery report. I am a lawyer so I will refer to the report and the summary.

Here is what Justice Gomery says on page 9 of the report:

As an initial finding, which will be expanded upon in the pages that follow, it became apparent to me throughout the hearings that, with virtually no exceptions, the conclusions of the Auditor General of Canada, expressed in Chapters 3 and 4 of her 2003 Report to Parliament, have been confirmed. With only one exception of a purely technical nature, relating to the purchase of horses by the RCMP, no one has seriously suggested to me that any of her conclusions were unfounded.

Thus, we must look at the conclusions and I am coming to my question. The conclusions of the Auditor General quoted on page 12 of the summary are as follows:

Parliament's role was not respected;

there was a breakdown in internal controls;

there were problems related to the selection of agencies;

files were poorly documented; amendments were made irregularly;

there were serious problems relating to section 34 of the Financial Administration Act;

commissions and production costs were excessive; and

the Government's Transfer Payments Policy was not observed.

Therefore, I read the report and I could keep asking questions for the remainder of the month. Do you agree with the conclusions of the Auditor General quoted by Justice Gomery on page 12 of his report? If so, since you must agree—I suppose you agree with the report entirely—what do you intend to do? What guarantee do we have? This is the reason why we have informed our constituents about this scandal.

Do you agree with the conclusions of the Auditor General stated again in the Gomery report, which is about one of the worst scandals in Canada?

● (1235)

**Hon. Claude Drouin:** Madam Speaker, I am somewhat surprised that the member would dare rise in this House to ask this question. I told him in my comments that, as regards the metro in Laval, it was over \$900 million. With the sponsorship program, it was \$350 million over a ten-year period.

Many organizations from which Bloc Québécois members benefited did receive the money as agreed. However, there was some misappropriation of funds, and we took action. We fully accept the content of the Gomery report. On page 77 of the Summary, it is mentioned that no government member was involved. Therefore, how can the member for Abitibi—Témiscamingue, who is a lawyer, dare accuse some people, when the Gomery report tells the truth? The member refers to various pages, he says that he has read everything and that he is prepared to ask questions for weeks and months. He sent this piece of trash to his constituents and indirectly accused, through some comments, people who were exonerated by Justice Gomery himself in his report. But the member is nevertheless accusing these people. He has the nerve to rise in this House and ask questions, but we never saw him protect the interests of Quebeckers in the numerous scandals that involved his party's head office for years. Perhaps a reminder is in order here. Perhaps the member was pleading cases before the courts when these scandals occurred, and perhaps he was not aware of what was going on. Just think of the metro in Laval, the caisse de dépôt and Oxygène 9.

Given all this, perhaps the member should just keep quiet for a while.

*Privilege*

**Ms. Françoise Boivin (Gatineau, Lib.):** Madam Speaker, I would like to take my colleague back to the householder issue, which is at the core of the question of privilege. We are hearing all sorts of things back and forth across the House. Some people seem to find the question of privilege raised by the hon. member for Bourassa very funny. However, all of us in this House maintain that we want to defend our democratic rights, and this is central to our role as politicians. We are supposed to be leaders of Canadian society, but there are times when some might wonder, given the level of some debates.

We are talking about a householder. I have here the householder of the member for Drummond. It is one of those that was sent out. It covers a lot of things. Indeed, it tries to make certain innuendoes. I would like to draw the attention of the honourable member—

• (1240)

[English]

**The Acting Speaker (Hon. Jean Augustine):** A member called for a point of order. I would imagine he wanted to remind the member that she should not be using a prop. The member is not reading from it.

**Ms. Françoise Boivin:** Madam Speaker, I was actually reading from it, but that is okay.

**Hon. Peter Adams:** Madam Speaker, on a point of order, I protest. I certainly would not debate your decision, but in my view it was not a prop. The member was using it. She had to. She is functioning in both languages at once and on these occasions I think members do from time to time have to read material such as this.

**The Acting Speaker (Hon. Jean Augustine):** Could the member for Gatineau please get to her question as the time is very brief.

[Translation]

**Ms. Françoise Boivin:** Madam Speaker, I simply stressed the fact that we are discussing a question of privilege concerning mailings. If we want to call the material that is central to this issue a prop, then I have some problems.

That said, I will go straight to the point. I would like to hear the comment of the honourable member concerning the following:

Yesterday, in an editorial interview with *Le Soleil*, the leader of the Bloc Québécois had some fairly harsh words about certain people who, like candidate Jean Ouimet, fuel the rumours about André Boisclair's past.

Various things are being said. Here is what the leader of the Bloc Québécois said:

On a sharply critical note, [the leader of the Bloc Québécois] said that in a society, attitudes fraught with hypocrisy and innuendo are not to be tolerated. If there is evidence, let it be known, do not let the rumour mill run. Rigour is required at all times... it is not right, be it directed at politicians or anyone else. There is nothing more harmful than rumour because it is not factual.

He also added:

If it turns out that the rumours were unfounded, those who floated them will have to face the consequences. What goes around comes around, warned [the leader of the Bloc].

I would like to have the opinion of the hon. member concerning this quote, in the context of the question of privilege—

[English]

**The Acting Speaker (Hon. Jean Augustine):** The time has expired but I will give the hon. parliamentary secretary a brief opportunity to answer.

**Mr. John Williams:** Madam Speaker, on a point of order, if you are going to give the government side extra time, are you going to give the opposition members extra time when their time runs out too?

**The Acting Speaker (Hon. Jean Augustine):** I am sure the member will not object to a 30 second answer.

**Mr. John Williams:** Madam Speaker, my question was, if you give the government extra time are you going to give the opposition extra time too?

**The Acting Speaker (Hon. Jean Augustine):** If there is an opportunity for a 30 second answer with respect to the members we do stretch it for a 30 second answer.

**Mr. John Williams:** For the opposition too, Madam Speaker.

**Hon. Peter Adams:** Madam Speaker, I know you are very polite to us all and we do appreciate that, but if the member opposite checked the blues, he would discover the opposition has already received these opportunities.

[Translation]

**Hon. Claude Drouin:** Madam Speaker, I thank my colleague from Gatineau for the relevancy of her question.

I only want to stress that further to the statements of the hon. member for Laurier—Sainte-Marie, the Bloc members do not even dare apologize and they take the same stand. As I mentioned earlier, it should be noted that when the leader of the Bloc Québécois speaks, he addresses the people of the Parti Québécois and of the Bloc Québécois who are accusing one another without proof. This is what we see in the householders where people were attacked without proof. In addition, he cites the Gomery report which does not mention anyone specifically.

**Hon. Robert Thibault (Parliamentary Secretary to the Minister of Health, Lib.):** Madam Speaker, I am happy to rise in this House to speak to this question of privilege.

We have had some debate on whether the document in question was or was not a prop, but everyone will agree that it was propaganda. I would go so far as to say that it was propaganda in the worst sense of the word: something that is not produced or distributed to inform anyone, but to influence people's ideas, to misinform them and lead them to conclusions that are not strictly consistent with the facts.

They chose not to wait until Judge Gomery, a respected figure and a leader in his profession, had finished his work. He is a man with a great deal of experience and had access to all the documentation he wanted. He asked for millions of pages of documentation. For the first time in the history of our country, if I am not mistaken, he was immediately given cabinet and Privy Council documents, not only those of the current government, but those of the previous government. We said we were raising the curtain on secrets that are not normally divulged. Judge Gomery had access to all the expertise he asked for, whether accountants or lawyers. He summoned hundreds of witnesses and prepared his report.

*Privilege*

And what did the Bloc Québécois choose to do? As a political party, they published this flyer bearing a photo of the leader, a letter from the leader and numerous references to the party. The matter was then raised here as a question of privilege. I acknowledge that, as a member of Parliament, I have certain privileges and certain rights. I also have responsibilities. I am given the tools to do my job. I have an office and the right to take a plane to visit my riding, which I did all last week. I have the right to send householders and parliamentary newsletters in which I can state my opinions. I can inform people about government programs. If I do not agree with the government's actions, I can also say so. I can give people an opportunity to contact me and tell me about their opinions and concerns.

I believe it is essential to be correct in terms of my responsibilities, to give all the information rather than to make allegations interspersed with photographs of people without any captions, which can only lead to suspicions of inappropriate acts. This kind of activity by a member has no place in Parliament. In this case, the judge has examined the facts and most of the people were exonerated.

Are we now going to do what should be done? Will the Bloc Québécois send the corrected information to those 26 ridings and 1.2 million households to tell them that the Prime Minister and all ministers from Quebec have been exonerated? To me, that would be the reasonable and respectful thing to do.

It is important that we show respect to one another here in the House. Our debates must remain honest and focused on the matters of the day, on the future and on our plans for our country and its communities. However, we know that what we are talking about right now is not necessarily in everyone's best interest.

Some people would like to destroy our institutions, to demean them, because these institutions represent our country and they do not want our country to work. Other people, who will ride on their coattails when it suits their political ambitions, will sometimes enter into socialist, separatist or opportunist alliances. They will seize any opportunity to demean our institutions. We experienced it at the time of the "beau risque". We saw the Bloc coming.

Some say there have been scandals. To me, the worst scandal in the history of our country was when the Bloc formed the official opposition. A party whose objective was to destroy our country was the official opposition. They are here, they have been elected and they have the right to be here. They are entitled to their statements and their ideas. They have every right to take part in the debate, because they have been elected, just like me and just like you, Madam Speaker. However, they have the responsibility to be honest and to use the tools available to them carefully.

•(1245)

They must not use these tools just to spread propaganda and to attack individuals or their reputation. I do not agree with this practice.

I am told it may be slanderous it is so unethical. We should have our own sense of ethics. We should not have to refer to any documents. In my opinion, this is not ethical. There is no justification for this type of document that tarnishes reputations. These hon. members work hard for our country, for their province

and their constituents in order to advance matters. The Bloc has decided to tarnish their reputations and to blame them. That is not right.

The Bloc will use any tool it can to tarnish our institutions because it is trying to convince people that every problem will be solved with Quebec's independence: dogs will smell better, blueberry season will last longer, and everything will be perfect in Quebec. However, nothing will change.

The Minister of the Environment summed it up quite nicely. The Bloc members said we should break up this country and destroy it for economic reasons because we had a deficit and a national debt. Now they are arguing that Canada has too much of a surplus and too many jobs. Too much money goes into the EI fund. We should now dissolve this country. In my opinion, this is the most successful country in the world. It is certainly one of the best places to live. According to them, those are the reasons we should break up this country. Nothing will stop them.

I understand why people from Quebec feel this way. However, I am also confident they will be realistic. They will consider this carefully. If we have an honest debate with all the information and a clear question, then we have to talk about the advantages that Canada offers to all residents of all the provinces. We must certainly never accept Canada as it is. We must always strive for better. We must see what we can do with our country in the future.

I think the people of Quebec, like those from Nova Scotia, will see that Canada is the best country, the best institution and the best tool we have for advancing our issues.

We use the argument of language and culture. One million French-speaking Canadians live outside Quebec. As an Acadian from Nova Scotia, I cannot imagine a Canada without Quebec, New Brunswick, Manitoba or Saskatchewan or without the francophones from British Columbia or from any other province or territory. They are all parts that make up this country. When we work together, when we help each other and give each other a hand, we can succeed in the international arena, as someone said earlier. We have had the value of cultural products recognized and had them removed from international trade negotiations in order to protect our institutions and our cultures.

I do not know if a small island or a small country of 8 million people could have as much success. With 30 million people, and that includes all of our people, we are not a very big country on the international scale. We have advantages, however, in this country, which I think works well and must continue to make progress.

This document is one of the tools being used to undermine credibility once again. Credibility is being destroyed by some parliamentarians, not by Parliament. It is the credibility of the Bloc Québécois which is in doubt with that publication. I would invite the Bloc to apologize and take corrective action. I think that it is time to get back to work and discuss important issues. In Nova Scotia, people want a budget and want to see the bills that are now before us get passed. That is what we should be discussing. Improvements are needed. I think that it is important to invest more in the seaports of the Atlantic provinces.



As for the Conservatives, who made an alliance with the Bloc, they have no interest in these issues since Atlantic Canada is barren ground for them and a “culture of defeatism”.

• (1250)

[English]

What has the Liberal Party done and what does it continue to do? We continue to invest in Atlantic Canada, not in a culture of defeatism. We continue to invest in the future and the gains of our champions.

We have seen incredible improvement. Canada is at its lowest rate of unemployment in 30 years. I have seen great improvement in Nova Scotia and all Atlantic Canada. I have talked to people who are fighting for the future. They have a dream of where they want to go. It is important we provide that.

All the discussion has been on Gomery and the sponsorship program. The sponsorship program was managed well in Nova Scotia. I am very proud of Liberal Party volunteers in Nova Scotia. I do not like the idea that people took advantage of the program. In my mind they are crooks. They are unethical people and they should be dealt with.

I am very proud of the institution to which I belong. Like Nova Scotians, I believe we should wait for the full report of Justice Gomery and the response of the Government of Canada on how we implement its measures and recommendations.

[Translation]

**Ms. Nicole Demers (Laval, BQ):** Madam Speaker, I want to say at the outset that I do not question the good faith of my colleague, the Parliamentary Secretary to the Minister of Health. I have had the opportunity to work with him on the Standing Committee on Health, and I do not doubt his good faith.

However, as he says, we need to be responsible, to show respect for our fellow citizens and to tell them the truth. It is a matter of respect, to support democracy and restore people's confidence in it. In fact, he should do so himself. He should stand and tell us the names of those who received money from Marc-Yvan Côté and who should not be here today. This would really respect democracy and restore people's confidence in democracy, because they have lost faith in it.

My colleague should have the courage to blow the whistle. I am sure that many Quebeckers and Canadians would be very proud of him.

• (1255)

**Hon. Robert Thibault:** Madam Speaker, I was part of the former government. We referred all issues pertaining to the sponsorship program to the Auditor General. We encouraged the RCMP to get the facts. The current Prime Minister of Canada appointed Justice Gomery and created the Gomery commission. When he received the report, he referred it to the RCMP. I am in no way responsible for the issues raised by the member. The question of privilege raised by the member for Bourassa is the only question that must be addressed today.

Like my colleague, I recognize the importance of being respectful to each other. This document, this publication, does not show any

### *Privilege*

respect. It is defamatory. It attacks individuals, their family, their honour and their reputation without giving any facts.

When Justice Gomery submitted his preliminary report, the first report of the facts, most of those individuals were exonerated. The Prime Minister and Quebec ministers were exonerated. Yes, mistakes were made in the Liberal Party in Quebec. Some individuals benefited from some situations and lined their pockets. We do not accept that. That is unacceptable. We do not defend the indefensible.

With this motion, we are trying to encourage people to respect the rules, the privileges of the House of Commons.

**Hon. Denis Coderre (Bourassa, Lib.):** Madam Speaker, the leader of the Bloc Québécois has already received a formal demand from my lawyers, and the rest will soon follow.

However, I would like to ask a question of my colleague, who has the utmost respect for this institution and has its best interests at heart.

Does he find it acceptable that some people use taxpayers' money to produce libellous documents that contain false allegations or even criminal allegations? When he sends out this type of documents, does he think about the fact that people only want to be informed, that they do not want any smear campaign against members on either side of the House?

**Hon. Robert Thibault:** Madam Speaker, if ever there was a lesson to be learned from the Gomery report, from the problems that resulted from the sponsorship program, it certainly has to do with the need to manage the taxpayers' money appropriately. It cannot be used for political or personal gain.

When one reads this type of document, one can see that its sole purpose is to sully the reputation of innocent people, namely members of the House, to score political points and to use public funds to mislead the public. This is totally unacceptable and unethical.

I certainly believe that this is indeed a question of privilege. The members and the party who sent out these householders should do what has to be done in these circumstances, and they should start by apologizing to the House.

[English]

**Mr. Dave Batters (Palliser, CPC):** Madam Speaker, the member for Etobicoke Centre talked about the important initiatives the government apparently has on the books which are of pressing importance. What Canadians and my colleagues in the Conservative Party of Canada are wondering is that it has been 12 years and if these initiatives were so important why have we not seen them. These important initiatives, according to the Liberal Party, include such things as the decriminalization of marijuana. Certainly no police officer that we talk to in this country wants to see that.

Canadians clearly are ready to render judgment on the government and the Conservative Party of Canada is ready to take immediate actions to address the real needs of Canadians.

*Privilege*

The member for Acadie—Bathurst talked about the importance of voting, and I cannot emphasize that enough. I agree with him. It is extremely important for everyone to be motivated to vote in the upcoming federal election. It is important that we clean up this culture of entitlement and corruption that exists in the party opposite and let everybody know here today that, with the developments currently going on in Ottawa, if there is a Christmas campaign, the blame will rest on the shoulders of the Prime Minister of Canada and no one else.

I am very proud to rise today on behalf of the good people of Palliser to speak to the question of privilege put forward by the hon. member for Bourassa. The hon. member for Bourassa has asked that we no longer be permitted to discuss Canada's most important issue of the day, the sponsorship scandal, with Canadians. It is a tragedy that this is the important issue that is dominating the news but that is a tragedy of the government's making.

The Gomery report has not even looked at other scandals, other things that need to be delved into, such as the Prime Minister's contracting practices at Earncliffe, which is the only area where it has been suggested that there may have been direct involvement in improper activities.

It is very difficult to see the members opposite and the member for Bourassa as victims, which is the way they portray themselves. The only victims in this entire mess are Canadian taxpayers, good, honest, hard-working people who send their money to Ottawa and want it to be used to address their priorities of health care, front line policing and a new equalization deal for Saskatchewan, a fair deal that would allow my province of Saskatchewan to retain its oil and gas revenues that rightfully belong to the people of Saskatchewan which only the Minister of Finance is against. Of the entire province of Saskatchewan, provincial representatives and federal representatives, only the finance minister refuses to stand up for the people of Saskatchewan. These are the issues people would like to see debated.

Those are the priorities which Canadians want their taxpayer dollars to go toward. Therefore it is difficult for Canadians to see the members opposite as victims. The member for Bourassa paints himself as a victim but it looks like the member for Roberval—Lac-Saint-Jean has hit a nerve and I guess some of the truth hurts.

Let us be very clear. Justice Gomery confirmed in his report that millions of hard-earned taxpayer dollars were stolen from the public treasury to benefit the Liberal Party of Canada. That money should have been put into the priorities of Canadians. Leaders of the Liberal Party must be held politically and democratically responsible. When we are fortunate enough to have the members on this side of the House on that side of the House, we can finally clean up this mess and ensure that guilty parties are prosecuted and people are charged and prosecuted to the full extent of the law. People in my riding would like to see Liberals go to jail for this scandal and that is when they will be satisfied.

**Hon. Raymond Simard:** Only the guilty people will go to jail.

**Ms. Françoise Boivin:** The guilty ones.

**Mr. Dave Batters:** Yes, the guilty ones will go to jail and there will be a lot of them.

● (1300)

It has been confirmed by Justice Gomery that there was political direction of the sponsorship program. This culture of entitlement is confirmed. Mr. Dingwall perhaps said it best when he stated, "I am entitled to my entitlements". That is the attitude that exists among the Liberal members opposite. Justice Gomery specifically admonished the Liberals for equating the interests of the Liberal Party with those of national unity, and Canadians deserve better.

What people in my riding and Canadians throughout the country know is that even though some people were not directly fingered by Justice Gomery, a lot of wilful blindness went on. It is tough to track envelopes of money passed under the table in restaurants. There was a lot of wilful blindness on the part of members opposite and on the part of the Prime Minister of Canada.

It is clear that Liberals received kickbacks. The Liberal Party itself admits that it will repay \$1.14 million that it stole. Since when do people in this country get to choose their penalty? Where is the punitive component if people just have to repay the money that was stolen? Clearly the government needs to step forward, do the right thing, sue the Liberal Party of Canada and recover the money.

Again, there needs to be a punitive component. If Liberal members opposite robbed a bank, they would not just have to give back the money bags. This is ridiculous. The Bloc Québécois puts the number of dollars that went directly to the Liberal Party of Canada at closer to \$5.5 million. If truth be told, \$40 million are unaccounted for. Canadians are incensed by this scandal.

What did the Prime Minister know about this scandal? I sat in my seat and watched as the Prime Minister of Canada one day was asked a very simple question: Did he ever have lunch with Mr. Claude Boulay of Groupe Everest and discuss sponsorship contracts? He refused to answer that question probably a dozen times, until a long term member of the House, I believe from Ottawa Centre, said that it was the most disgraceful thing he had ever seen in the history of this Parliament. That indicates some of what the Prime Minister may have known.

We know that when the Prime Minister was finance minister, his chief political aid, Lucie Castelli, picked up the phone and secured \$250,000 for Serge Savard, the Prime Minister's golfing buddy who happened to raise \$1 million for the Prime Minister's leadership bid. Did the Prime Minister not know about that? Canadians will be the judges of that. The people in my riding have already made up their minds based on sworn testimony and are ready to render their judgment.

Justice Gomery has used words such as "culture of entitlement" and the phrase "rotten to the core". Clearly there is systemic corruption in the Liberal Party of Canada, the result of arrogance of a four term Liberal government. There is terrible abuse of Canadian tax dollars. The good people in Moose Jaw, Regina, Pense, Wilcox, Mossbank and Rouleau, hard-working taxpayers in this country, are incensed. The government needs to be held politically accountable. The Liberals may think that Canadians will simply forgive and forget but they will be wrong.

*Privilege*

In 1997 the Liberal majority resulted perhaps because of the illegal money that helped the Liberals increase their seat count in Quebec. This money was used to illegally fight election campaigns. It breaks every rule in the book and Canadians know it.

I will paraphrase the member for Newmarket—Aurora. When she sat on this side of the House she said that the Prime Minister was the first mate on the good ship Chrétien before she decided to join that ship.

• (1305)

Canadians know that the Prime Minister was the finance minister and the vice-chair of the Treasury Board at that time. He was the one writing the cheques for the sponsorship program which has become the sponsorship scandal. Canadians will judge in the coming election what the Prime Minister truly knew about this scandal.

It is the culture of corruption. How many examples do we have to point to? Let us talk about the strippergate saga and the Dingwall affair with questions about his lobbyist activities. Let us talk about the misuse of the Challenger jet by the government. It is shameful. Let us talk about the immigration minister's ferocious appetite for pizza and the \$138 bill for two people, which is more than a family of four spends in a week for groceries. Let us talk about the Minister of Foreign Affairs and his travelling chauffeur if we want to talk scandal. Let us talk about crony appointments to the Senate. Let us talk about André Ouellet from Canada Post. I can go on and on.

**Hon. Pierre Pettigrew:** And you are the fifth party in Quebec.

**Mr. Dave Batters:** The member is obviously upset about the chauffeur comment.

Palliser residents want Liberals in jail and only a Conservative Party government will ensure that those accused are charged and prosecuted to the full extent of the law. This, of course, is for the RCMP to handle. Again, we need to have a punitive component. It is not enough to simply repay the money that was stolen and slipped under the table in brown envelopes.

We in the Conservative Party of Canada are ready to face the electorate at any time and put our record and the honesty and integrity that exists with the Leader of the Opposition and this entire party against the members opposite who are steeped in corruption.

The sponsorship program—

• (1310)

**The Acting Speaker (Hon. Jean Augustine):** On a point of order, the member for Bourassa.

[*Translation*]

**Hon. Denis Coderre:** Madam Speaker, I understand that people can get carried away, but nobody in this House is dishonest. Each time we speak, we must ensure that we do not question the honesty of any member of this House.

[*English*]

**The Acting Speaker (Hon. Jean Augustine):** The member is correct. At the same time, I will ask the member for Palliser to continue with debate.

**Mr. Dave Batters:** Madam Speaker, I hope that time is added on because I still have many things to say. Canadians are very interested

in having laid out for them, not the Liberal version, but the real version of what went on.

The sponsorship program has divided this country like nothing we have seen before. It is the biggest gift the separatists have ever received. Former prime minister Chrétien almost presided over the breakup of Canada in 1995, and the Liberal government and the current Prime Minister are threatening the unity of this country like nothing we have seen in the history of Canada.

Let us talk about what the Prime Minister knew about the sponsorship program. He sat in a cabinet retreat in 1996 when the Liberal Party hatched the sponsorship program, so he has to accept his share of the blame.

The people in my riding want to know when they will see some justice. They want to know when they will see Liberals sent to jail for their horrendous abuse of tax dollars, money laundering and fraud. These are not little things, but relatively speaking, it is the little things that have incensed people. I am talking about things like Mr. Lafleur who paid his son \$245 an hour to pack boxes. How many people in Moose Jaw, Saskatchewan have jobs that pay \$245 an hour to pack boxes? None. People work very hard to send their money to Ottawa, not to have it funnelled to Liberal friendly ad agencies or to take care of Liberal friends in Quebec, or funnelled into the Liberal Party of Canada to fight election campaigns and shape the outcome of elections. It is shameful. The Liberal Party has said that it is going to clean up things. Let us look at whether it is cleaning things up.

The Liberal MP for Honoré-Mercier, who is also president of the Quebec wing of the Liberal Party, said on November 2 that the Prime Minister's announcement was in part a symbolic one. Seven of the 10 individuals named by the Prime Minister's Quebec lieutenant, the transport minister, are not even members of the Liberal Party, yet Liberal members made a big thing of saying they would be stripped of their memberships. Seven of the 10 are not even members of the Liberal Party.

Let me get back to the member for Bourassa's question of privilege about householders and mailing privileges.

On May 3 the member for West Vancouver—Sunshine Coast—Sea to Sky Country raised a question of privilege after Liberals sent franked mail of a partisan nature into his riding. That franked mail cost 50¢ an envelope, just like it would cost normal Canadians to send mail. It was sent to every household in my colleague's riding.

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The member for Toronto—Danforth has sent franked mail to every household in my riding. This franked mail is not like a 10 percent which costs a minuscule amount in comparison, maybe 5¢ a copy. Franked mail costs 50¢ an envelope. People in Moose Jaw and Regina and the rural part of my riding were outraged at this abuse of taxpayers' dollars. This is not the intent of our mailing privileges. The intent is not to send franked pieces of addressed mail at 50¢ a pop into other members' ridings. The member for Toronto—Danforth should be ashamed of himself.

Justice Gomery has confirmed that there was political direction in the sponsorship scandal. The evidence has been accepted that envelopes of cash were sprinkled through Liberal ridings in Quebec with political direction. Both ad agency executives and senior Liberal deputy ministers have been named. As the Prime Minister stated, there was political direction for this whole sordid affair.

Canadians are asking themselves which politicians are responsible. They will only find that out when the leader of the official opposition sits on that side of the House as the prime minister of Canada.

•(1315)

It is interesting to note, and the people of Canada know this, that the Prime Minister called the Gomery commission only after he was caught. That is a key point.

I will quote a respected Canadian, Mr. Rex Murphy. On the CBC program *The National* on November 2 he said:

If two years of ad scam, plundering the public purse, reigniting separatism, confusing their party [speaking of the Liberal Party] with our government, and wounding the very system of politics itself doesn't argue it's time for a change, it's time to question why we bother having elections in the first place. Ad scam was institutionalized theft via the party in power [the Liberal Party of Canada].

Rex Murphy went on to say, "That's some platform for a fifth term". He obviously said that quite facetiously, tongue in cheek.

Let us talk about how we are going to clean up Ottawa. Canadians want to know there is a bright side to this and that we are going to clean up Ottawa.

The Leader of the Opposition has announced that his first piece of legislation as prime minister would be a new federal accountability act which would, among other things, ban corporate and union donations while limiting personal donations to \$1,000. Individual Canadians would determine who would be their government, which is a wonderful innovation.

The Leader of the Opposition in his federal accountability act would ban ministers, their staff and senior public workers from lobbying government for five years and would give more power to the lobbyists registrar, Ethics Commissioner, Information Commissioner and the Auditor General. Canadians can be very thankful for the role of the Auditor General.

The Liberal Party used the sponsorship program to enrich Liberals and finance Liberal campaigns. The Conservative Party's accountability act would end the influence of big money in Ottawa and would crack down on a lobbying culture that has thrived under the current Prime Minister.

The government exists to serve ordinary Canadians who work hard and play by the rules. Those in government must serve the public interest, not their own personal interest.

•(1320)

[*Translation*]

**Ms. Françoise Boivin (Gatineau, Lib.):** Madam Speaker, I listened carefully as the hon. member from the Conservative Party raised various issues. He covered many areas and delivered a good political speech. I would like to put a very specific question to him.

We have a question of privilege which was raised by the hon. member for Bourassa concerning an attack on his reputation. The Bloc Québécois apparently abused the tool provided by householders. One might share the view of the hon. member from the Conservative Party that these are horrendous expenses made on behalf of our taxpayers, and for not much. Having been a member of the Committee on Procedure and House Affairs, I had the opportunity to hear the various questions of privilege put by a number of members of this House, regardless of political affiliation, on the abuse of the famous 10 percenters, householders and other mail.

My question to the hon. member deals specifically with the question of privilege raised by the hon. member for Bourassa. Does the hon. member from the Conservative Party think that the hon. member for Bourassa is somehow involved in the sponsorship scandal? If so, this means that what this flyer says is true. If not, should the member for Bourassa not have the right, like his colleague from Vancouver, the former Conservative House leader, to be heard by the Committee on Procedure and House Affairs to go over the content of this flyer? Does he think that the member for Bourassa is involved in any fraud whatsoever in connection with the sponsorship scandal, yes or no?

[*English*]

**Mr. Dave Batters:** Madam Speaker, I would hearken back to my original comments that it is very difficult to see members of the Liberal Party opposite as victims in this whole scenario. The only victims are the Canadian taxpayers.

The member wanted a yes or no answer. When there are countless money envelopes and millions of dollars flowing under restaurant tables, who knows exactly who was involved?

The member for Bourassa opposite sat in the cabinet at the time this was being discussed, as did the Prime Minister of Canada. He was there when they hatched the whole sponsorship program. It is about the wilful blindness. Who knows who knew what, opposite. Justice Gomery has sorted through this sordid affair. He has used words like "rotten to the core" and "culture of corruption". It is really difficult to see the members opposite as victims. The member for Bourassa sat in when all those discussions were taking place. I will end by saying that I guess some of the truth hurts.

[*Translation*]

**Hon. Denis Coderre:** Madam Speaker, we should be looking at the facts. At no time did I sit in cabinet in those days. If the member wants to question my integrity, he should say so now, and repeat it outside this House.

*Privilege*

**Some hon. members:** Oh, oh!

[*English*]

**Mr. David Anderson (Cypress Hills—Grasslands, CPC):** Madam Speaker, I would like the member to comment on another thought along that same line.

We know that the Prime Minister spent about 10 years trying to take over the Liberal Party and that during that time he controlled the vast majority of the Liberal riding associations in Quebec, if not all of them.

Those of us who are responsible MPs know what money comes into our riding and what money is in our own kitty for campaigning and those kinds of things. There are requirements to pay very close attention to how that money is coming in and how we are using it.

It seems that during that whole time money was coming in to a number of Liberal Party organizations. Knowing what the member knows about fundraising and how important it is to keep track of the money in our own riding associations, does he think that money could have come into one, two, 13 or 20 of those riding associations under the table without either the candidate being very aware that the money was in the riding or the person who controlled the riding associations knowing exactly what was going on during that time?

• (1325)

**Mr. Dave Batters:** Madam Speaker, the member certainly would know where the money came from. In studying his finances in his electoral district association of Cypress Hills—Grasslands, his Conservative association, he would know exactly where that money came from and which good honest Canadians had sent in \$50 or \$100 to help the good member get elected to this honoured place.

As the member for Palliser, I know exactly when someone has made a donation to the Palliser Conservative Association. It is completely within the rules. A receipt is issued from Elections Canada. I know exactly who has given what money to help me in my efforts in the Palliser Conservative Association to send good honest representation to Ottawa. If I were to receive \$50, \$100 or \$200, I would be thanking those individuals personally by calling them or sending them a card.

The member alluded to the fact that the current Prime Minister of Canada plotted for years to take over and become leader of the party opposite. The members opposite who have sat in the House for a long time will remember that when he left cabinet—and one has to wonder why that happened—he was holding cabinet meetings at the same time as the then prime minister, Mr. Chrétien. He was taking over the Liberal Party of Canada riding by riding by riding, knowing who the power players were. He would know how much money was in the kitty and how much was there to fight election campaigns.

We are talking about millions of dollars in this scandal. The Liberals themselves admit that \$1.14 million was stolen from Canadian taxpayers. It had to show up somewhere, and it showed up in the coffers of some of the electoral riding associations. The members opposite smile, but Canadians are not smiling. They are outraged. This money showed up in their kitties to run election campaigns. It is dirty to the core. The Liberals cannot paint themselves as victims in this scandal. The victims are the taxpayers

in this country, in Palliser, in Cypress Hills—Grasslands. It is terrible.

[*Translation*]

**Mr. Pierre Paquette (Joliette, BQ):** Madam Speaker, I would like to hear the comments of our colleague from the Conservative Party on the fact-finding report.

On page 329 of the report, after having given the list of a number of Liberal members and heads of crown corporations who profited from the liberalities—so to speak—of Mr. Lafleur, a representative of an advertising agency with which these Liberal members were associated, Mr. Justice Gomery writes:

Some of these same persons were members of an informal “club des cigares” (cigar club) and would meet a few times a year to eat, smoke cigars and talk. Mr. Lafleur was the only representative of an advertising agency to attend meetings of the “club.”

Other politicians less directly involved in the sponsorship program did not hesitate to accept Mr. Lafleur’s hospitality. There was, throughout the period when sponsorship funds were being freely handed out by PWGSC, a sort of culture of entitlement according to which persons enjoying Mr. Lafleur’s largesse apparently did not feel that there was anything wrong in being entertained by someone who was receiving, and hoped to continue to receive, lucrative federal contracts.

I would very much like to hear the member’s comments on this extract from Mr. Justice Gomery’s fact-finding report.

[*English*]

**Mr. Dave Batters:** Madam Speaker, I thank the member for pointing out the exact page in the report of the Lafleur example, the lengthy report detailing Liberal corruption and the culture of entitlement. I did not have that with me today.

We were supposed to wait for Gomery. The Minister of Public Works constantly said that we should wait for Gomery. We have seen it and phrases such as “the cronies club”, “the cigars club”, and “the culture of entitlement”. I thank the member for bringing all this forward to the House today.

The residents of Palliser, the good people in Regina, Moose Jaw, Caronport, Wilcox and Mossbank are sick of the club. They do not want to be in the club. They want good honest government, which is what the leader of the official opposition is ready to deliver as soon as we go to the polls, hopefully not over Christmas but that is up to the Prime Minister of Canada.

• (1330)

[*Translation*]

**Mr. Pierre Paquette (Joliette, BQ):** Madam Speaker, it is a pleasure for me to take part in this debate. Attempts have been made in recent years to hugely minimize the impact of this sponsorship scandal. We should be very clear. Beyond the fact that we are talking about \$250 million, 40% of which went to kickbacks to the ad agencies, it is primarily the democratic principle, and the fact that they were trying to buy something, that should be our focus here.

Madam Speaker, I wish to indicate to you that I will be sharing my time with the hon. member for Montmagny—L’Islet—Kamouraska—Rivière-du-Loup.

*Privilege*

Beyond the \$250 million and the 40% in kickbacks to the ad agencies, there is a democratic principle which I believe has been violated. They tried to use an advertising campaign to buy the soul and conscience of Quebeckers. Obviously, this did not work. Still, one would have to have a rather low opinion of the conscience and soul of Quebeckers to think that visibility operations could be a means of selling Canadian federalism to the Quebec nation. This is an abuse which must be denounced over and above the financial scandal as such, which is unacceptable.

In a democracy, it seems to me totally responsible for a government, first of all, to go about the proper spending of taxpayers' money. We have had an example, which was mentioned in the debate. Unfortunately it is not the only one.

Consider firearms control, for example. How do they explain to us that they reached nearly \$2 billion in spending for a program that was supposed to cost \$2 million a year? Certain computer firms certainly benefited from this. I hope that the Auditor General's report will enlighten us as to where this nearly \$2 billion went.

There is also the whole scandal surrounding the billion dollars spent under the Canadian job creation program, which was used for all sorts of things, including hiring dancers in bars. I even believe that this was here, in the Outaouais region. Another billion dollars irresponsibly spent by the Liberal government. There is no end to the other examples that can be added here.

From the standpoint of good governance, the Liberal government, the federal government under the current Prime Minister, as under the other one, Mr. Chrétien, no longer has the moral authority to govern. The polls tell us so, especially in Quebec. People no longer have confidence in this government so far as good governance is concerned. As I was saying earlier, this abuse of having employed visibility operations to try and buy the soul of Quebeckers must also be denounced.

On the international level, the damage is quite major. I am not saying that it is irreparable, but it is major for Canada. Members were able to see in the newspapers, as I did, that Canada's position in terms of various indices related to transparency and good governance has greatly dropped. This drop is largely due to the government's management.

It is important to go back to the conclusions of the Gomery report. Not only did the government mismanaged taxpayers' money, not only did it try to buy the conscience and soul of Quebeckers, but, in doing so, the operation went further astray, because it became an operation to fill the coffers of the Quebec wing of the Liberal Party of Canada. The facts are obvious and cannot be denied. Judge Gomery himself mentions this on page 7 of his summary: "certain agencies carrying on their payrolls individuals who were, in effect, working on Liberal Party matters". These are not coincidences or unfounded allegations, since Judge Gomery wrote this himself. Earlier, he talks about:

Five agencies that received large sponsorship contracts regularly channelling money, via legitimate donations or unrecorded cash gifts, to political fundraising activities in Quebec, with the expectation of receiving lucrative government contracts;

It is not only the government but also the Liberal Party of Canada that committed wrongdoing and that must be punished in the next election.

• (1335)

They cannot wash their hands of it. The current Prime Minister cannot wash his hands of it. He was number 2 in the government as the Minister of Finance and was the vice-chair of the Treasury Board, whose job it was to oversee all government spending.

On a number of occasions, Mr. Chrétien himself told us so. He turned to his ministers on the Treasury Board, including the current Prime Minister, saying that he heard things—I imagine it was more than hearing in his case—about there being difficulties, asking them what should be done. He was reassured a number of times. So the Prime Minister had to know. I am not saying that he was directly involved in the management of the program, any more than certain Liberal members were. However, he knew. He could not be unaware of the existence of this system.

In this regard, the present Liberal Party of Canada, the current Liberal government and the current Prime Minister are all just as responsible as the former Liberal Party of Canada under Jean Chrétien, the former Liberal government under him and former Prime Minister Jean Chrétien himself.

They cannot wash their hands of it. Quebeckers know that very well, and I am certain that this is the case in Canada. Canadians are well aware of it. Polls indicate that some 70% of people questioned do not believe the current Prime Minister was unaware of what was going on.

They can also tell us—and this is the argument of the current Prime Minister—that there was an undeclared leadership race and that Jean Chrétien kept things from him. That does not hold water. A candidate in a leadership race, as is currently taking place in the Parti Québécois, tries to keep a listen in all regions and listening posts at all levels of the party they hope to lead. The current Prime Minister should therefore have been aware of even the rumours circulating in his party. It does not hold water.

Furthermore, toward the end of 1999, as we know, the papers were already alluding to some difficulties—I am using the term difficulties as a euphemism—with the sponsorship program, to such an extent that not only were the rumours persistent, but the facts troubling. In the Bloc Québécois 2000 election platform, to which I contributed, we identified the very agencies that are now named in the Gomery report as responsible for some of the misappropriations that occurred in the sponsorship scandal. In 2000, the Bloc Québécois knew it. I certainly never dreamed that the current Prime Minister or any Liberal MP read the Bloc Québécois 2000 platform, but they should have at least read the papers.

Hiding behind the fact that they did not know is not a valid excuse in a democracy. I believe that Quebeckers and Canadians are entitled to penalize this government as soon as possible because it no longer has the legitimacy to govern.

Whether we like it or not, election campaigning has already begun. In my home region of Lanaudière I have never seen as many federal Liberal ministers walking around as I have in the past few weeks. Last week the former President of the Treasury Board was in the region, as was the Minister of the Economic Development Agency of Canada for the Regions of Quebec. This is the first time we have seen them in years. The hon. member for Bourassa comes quite regularly, but—I will share a secret—he got married at the Joliette cathedral and is therefore a member of the community.

The opposition parties cannot accept the fact that the Liberals are already campaigning with taxpayer dollars in yet another attempt to buy the conscience not only of Quebecers, but also of Canadians. It is the moral duty of the opposition to ensure that this government is brought down and that it is penalized by voters as soon as possible. The Bloc Québécois is prepared to fully assume this responsibility.

• (1340)

**Hon. Denis Coderre (Bourassa, Lib.):** Madam Speaker, I would first like to thank my colleague for bringing back wonderful memories of my wedding, in my home town. I would also congratulate him on his decision not to distribute this rag. So the first question he should be asked is why he did not do so. We may disagree on a number of points. The member for Hochelaga is an eloquent speaker. I do not agree with the substance of the question, but we have always been able to have frank and honest debates without sully people's reputations.

I would like to know what the member for Joliette thinks of the comments made by his leader. Are we not in a situation of "Do as I say but not as I do"?

On November 10, 2005, in *Le Soleil*, he tried desperately to defend his friend Boisclair. He said, "In a society, attitudes fraught with hypocrisy and innuendo are not to be tolerated." I agree with this comment.

He also said: "If there is evidence, let it be known, do not let the rumour mill run. Rigour is required at all times; otherwise, we end up with statements starting with 'Someone told me they have heard'. That is hearsay, gossip, and it is not right, be it directed at politicians or anyone else. There is nothing more harmful than rumour because it is not factual." I do not know why, but he has become an expert in the Salem witches. He ends by saying, "If it turns out that the rumours were unfounded, those who floated them will have to face the consequences. What goes around comes around. It is the reverse slingshot theory. Eventually, it comes back and hits you in the face."

Does the member not agree with me that the most honourable thing to do, in this House, is to accept this question of privilege and to apologize formally, to repay the money that his 26 colleagues used improperly to sully reputations and to make appropriate amends?

**Mr. Pierre Paquette:** Madam Speaker, what has struck me from the start of this debate is the Liberal's capacity to play the victim. I am greatly impressed. Every time they are presented with facts, whether by us, by the Conservatives, or by the NDP, there are accusations of rumour mongering and character assassination. We are basing ourselves solely on the contents of the Gomery report. Yet we had to ask questions of the government in order to get that report.

### Privilege

As the member for Bourassa often says, in recent years question period has not been answer period. So we have had to keep our questions coming. Had any answers been forthcoming, things might not be where they are today.

As for the fact that I have not used the material, I was preparing to but preferred to wait for the release of the Gomery report. So as far as future mail-outs are concerned, there is nothing to prevent my using the material that has been made available to Bloc Québécois members in the weeks to come, if we have the opportunity to do so, of course. I believe that it was absolutely their responsibility as elected representatives to denounce these unacceptable situations. In that, I wholly support their decision.

That said, the Gomery report is not a rumour. When I read the Gomery report, I always come back to the brief summary, which refers, first to "clear evidence of political involvement in the administration of the sponsorship program". We had our suspicions. So, we asked questions, questions that went unanswered.

Since 2000, as I mentioned, this has been part of the Bloc's platform. I was vice-president of the Bloc Québécois prior to the 2000 election, and I remember quite well that we were accused of spreading rumours about these allegations.

In 2000, we asked questions, which went unanswered. We had to wait for the Auditor General's report before the federal Liberal government was no longer able to pass the buck and was forced to accept its responsibilities. At first, it was very minor. Mr. Chrétien did not consider it to be a major scandal since it was to defend Canadian unity, an end that justified almost any means. So, there was no recognition or any real admission of guilt.

Then, the Auditor General tabled her report and they had to do some talking. The opposition parties, especially the leader of the Bloc Québécois, asked their questions again in order to clarify things based on the Auditor General's report. Once again, no answers were forthcoming. The public started to ask some serious questions, as did journalists, the media and the opposition parties, which led the current Prime Minister to create the Gomery commission. So, without pressure from the opposition parties, especially the Bloc Québécois, the facts laid out in the Gomery report would never have come to light. So it is thanks to the Bloc, the opposition parties and the public that the government and the current Prime Minister were forced to do what they did and it is not over yet.

• (1345)

**Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ):** Madam Speaker, I thank the member for Joliette for agreeing to share his time with me in this debate.

I want to come back to the original motion, which was introduced by the member for Bourassa. It reads as follows:

That the matter of the Bloc Québécois Members' householder, which affects the privileges of the Member for Bourassa, be referred to the Standing Committee on Procedure and House Affairs.

*Privilege*

The Speaker determined that we needed to debate this matter, and the Bloc Québécois introduced two amendments. Those are the reasons behind this debate. Our amendment and our subamendment speak to the substance of the motion.

The amendment reads as follows:

That the motion be amended by adding after the word “householder” the following:

“on the subject of the Gomery Commission”;

The subamendment reads as follows:

That the motion be amended by adding after the word “Commission” the following:

“, which had completed its public hearings at the time of the mailing.”.

In fact, when we consider the householder we sent out, its pictures, advertising and information, and when we consider the recommendations in the summary, we see that they are almost identical. One has pictures, symbols, meanings; and the other has the words written by Commissioner Gomery.

For example, our householder identifies Mr. Chrétien and the current Prime Minister. By the same token, the first recommendation in the summary by Commissioner Gomery states:

It is those facts that allow me to draw the following conclusions:

The Commission of Inquiry found: clear evidence of political involvement in the administration of the Sponsorship Program;

It is therefore absolutely normal for a householder like this to include a photo of former Prime Minister Chrétien, judged by Commissioner Gomery as responsible, and of the current Prime Minister, who was then the vice-president of the Treasury Board. Two images of a kind. One is depicted photographically, and the image of the other is in the text of the Gomery report.

There are other recommendations. For example, the third, which refers to:

a veil of secrecy surrounding the administration of the Sponsorship Program and an absence of transparency in the contracting process;

That is what is represented in our document. There was a veil of secrecy surrounding the administration of the sponsorship program, and it took a number of years to lift that veil. There are, however, some elements that are still to come, such as the list of ridings, those 18 eastern Quebec ridings where there were cash payments made. In ten or so of that number, money was paid directly to candidates when the Liberals' national campaign was launched in Shawinigan that year. Those are not my words, the statement is word for word from Justice Gomery's main report.

Once again, our mailing reflects the reality of the report. Our subamendment amendment is therefore important. We mailed this out after the hearings and we reached our own conclusions, which were just about identical to those of the Gomery report.

In the second recommendation, it says:

insufficient oversight at the very senior levels of the public service which allowed program managers to circumvent proper contracting procedures and reporting lines;

This refers to key political personnel and to the political agent, Charles Guité. In my opinion, that connection is very clearly identified in our document and reflects the Gomery findings.

I would like to draw your attention to a fourth recommendation, which also concerns him and reads:

reluctance, for fear of reprisal, by virtually all public servants to go against the will of a manager who was circumventing established policies and who had access to senior political officials;

Did we write anything different in our householder, by identifying Mr. Charles Guité, director of the Public Works sponsorship program? Once again, two images of a kind.

We can see that, for each item in the mailing, there is a similar item in the Gomery report. We have been told that we should not have included the Liberal logo in the householder.

I will quickly read recommendations 9, 10, 11 and 12 from the synopsis.

Here is what recommendation 9 states:

—a complex web of financial transactions among Public Works and Government Services Canada (PWGSC), crown corporations and communication agencies, involving kickbacks and illegal contributions to a political party in the context of the sponsorship program;—

Recommendation 10 states:

—five agencies that received large sponsorship contracts regularly channelling money, via legitimate donations or unrecorded cash gifts, to political fundraising activities in Quebec, with the expectation of receiving lucrative government contracts;—

The agencies involved are listed in the mailing. These include, for instance, Groupaction/Gosselin. The sponsorship money received was of the order of \$105.7 million, of which an amount of \$36.49 million was retained by the firm. That is a completely staggering percentage. Contributions to the Liberal Party of Canada fund amounted to \$171,261. As for Groupe Everest, the amount received was \$67.7 million. This firm retained \$36.4 million and contributed \$194,832 to the Liberal Party of Canada fund.

● (1350)

What we have put in our table simply reflects the facts reported in the Gomery report. The commissioner mentioned something with even more direct relevance, when he stated, “certain agencies carrying on their payrolls individuals who were, in effect, working on Liberal Party matters—”

The use of the word “Liberal” in our householder is merely a reflection of the reality as described by Justice Gomery. There is no reason to consider this mailing as unacceptable. In fact, it paints a picture of the situation that Justice Gomery and ourselves have observed and that the public at large has evaluated. The amendment and subamendment to the motion by the member for Bourassa that the Bloc Québécois has put forward have demonstrated that our householder only reflects the reality. Now, we say that the motion has to be amended to take into account the Gomery report published following the hearings. This clearly shows that, after all, our presentation paints a pretty realistic picture of the events.

I would like to quote another finding, which I think may be the most meaningful of all, “—the refusal of ministers, senior officials in the Prime Minister's office and public servants to acknowledge their responsibility for the problems of mismanagement that occurred”. This steps into an area that was not part of Commissioner Gomery's mandate. It is legitimate for him to make this observation, but it will be up to the public to pass judgment on this matter.



That is the whole political debate we are now having in Quebec and Canada. One can understand that Quebec has been appalled and upset by what the Liberals have done, for this has struck us to our core. They have tried to organize and buy the minds of Quebeckers. A program designed to promote Canadian unity was transformed into a kind of program to buy the soul of Quebeckers, on top of the fact that money was diverted to the Liberal Party of Canada and certain people profited from this personally. So when we inform the public about this situation, I do not believe we can be accused of anything whatsoever. We have simply done our job.

What strikes me in the description of this situation, particularly in eastern Quebec, is the mention of Mr. Marc-Yvan Côté receiving envelopes of money, and I quote: "Mr. Côté divided the money into ten envelopes, which he gave to the candidates in need of assistance at the time the Liberal campaign was officially launched in Shawinigan, for payment of their personal expenses". The text also states that of the 21 ridings for which Mr. Côté was responsible, 18 received this type of envelope, about 10 of which were delivered directly to the candidates. At the Gomery hearings, when Mr. Côté was asked to identify these persons, one person objected to their being named, and that was counsel for the Liberal Party of Canada. In no way did he want those names to come out. In a press conference last week, Mr. Marc-Yvan Côté denounced the current Prime Minister and said that he would be prepared to testify if the RCMP has any questions. I can understand that he wants some form of immunity when he makes the names public.

In no way does the Bloc Québécois' effort to inform the public on the issue of the sponsorship scandal deserve the blame that the hon. member for Bourassa wants to cast upon it. The best solution to the present fiasco is a verdict by the population of Quebec and Canada, and the sooner the better for democracy as a whole in Quebec and in Canada.

• (1355)

[English]

**Mr. Pat Martin (Winnipeg Centre, NDP):** Madam Speaker, I can only speculate that the member for Bourassa wishes he had never ever moved his question of privilege because rather than having one day of humiliation in his riding with his constituents reading this literature, he is getting three days of bombardment about the malfeasance of the Liberal Party in Quebec.

There is one particular phrase that I want to ask my colleague about. He was quoting from the Gomery commission and in fact from the leaflet that was circulated in the riding of Bourassa that says that the sponsorship scandal was channelling money in unrecorded cash gifts to Liberal election campaigns, which I have learned was in as many as 18 ridings. Would he agree with me that it is illegal to give unrecorded cash gifts to candidates in election campaigns?

Would he agree that where we come from, elsewhere in Quebec and from ridings like my own, the official agent would be in serious trouble, in fact would be guilty of a criminal offence, if that person signed off on the election papers of any campaign where there were illegal cash donations given to that campaign? That is out and out fraud.

Would he agree with me that the recommendation should be that any members of Parliament who were elected in the 1997 or 2000

### *Privilege*

campaigns under these conditions should be stripped of their seats, thrown out of office, and their official agents should be led away in handcuffs and put in prison for knowingly violating the Elections Act by which the rest of us are bound? Would he agree that it would be a suitable punishment to throw them out?

[Translation]

**Mr. Paul Crête:** Madam Speaker, I think that the most negative effects of this situation are on the candidates who did not get this money. What is important is that we are speaking of about ten candidates in 21 ridings. A number of people have been tarnished so far because the list is not known. It is important to find out as soon as possible who benefited from this money.

The Minister of Transport tells us that the Gomery report ends everything, all is settled, they are absolved, there is no problem, and nothing more will be done from here on. But I think that the Gomery report should be an implement we use to finally clean things up. The people will decide in the next election on the legal steps that should be taken, if applicable. In this particular regard, Mr. Côté must be allowed to provide the list as soon as possible in order to clear those people who are not guilty and ensure that those who took money and did not record it suffer the consequences. Finally, we must see the real situation as it actually was and get to know these people. As things currently stand, the situation is neither clear nor transparent and it is impossible to determine the extent of everyone's involvement.

In conclusion, a member of the Liberal Party of Canada with an important position in the Quebec organization in 21 ridings accepted cash that he should not have taken and gave it directly to people, as he himself stated. The people who received the money did not have to account for it. This entire situation is due to the political involvement or is the responsibility of the Liberal Party. In my view, the Liberal Party is the main culprit and must take responsibility in the next election.

• (1400)

**Hon. Denis Coderre (Bourassa, Lib.):** Madam Speaker, the issue is very clear. If the member does not want anyone to be smeared, why did he smear the member for Bourassa without waiting for the results of the Gomery report? These results are very clear in regard to what is in the householder and show very clearly that we were exonerated. Was he inspired by the member for Argenteuil—Papineau, who sent out a householder explaining the dirty money trail?

**Mr. Paul Crête:** Madam Speaker, this is why we proposed a subamendment saying that our householder was sent out after the hearings ended. Actually, we were able to pass the same judgment as Mr. Justice Gomery. We said that some cabinet ministers appeared before the Gomery commission. These are proven facts. If the member for Bourassa feels uncomfortable with this, he will just have to live with it.

*S. O. 31*

## STATEMENTS BY MEMBERS

[*English*]

### FOREIGN AFFAIRS

**Hon. Peter Adams (Peterborough, Lib.):** Madam Speaker, let us talk about sovereignty and Hans Island, which is halfway between Greenland and Ellesmere Island at 81°N. This 1300 x 1100 metre and 150 metre high rock was named after an Inuit during an expedition of 1871-72. It has fresh water, but otherwise is an inhospitable place.

As currents funnel ice down the channel between Greenland and Canada, it is a good spot for ice impact studies providing useful information for marine engineering. Canada-based companies conducted such experiments there in the 1980s, watching ice bounce off the island.

The channels on either side of the island are only 20 kilometres wide. In 1963 a big piece of ice hit the island and jammed up the passage on the Greenland side for two years.

There has been bickering about the sovereignty of Hans Island. We should try to get back to the days when Canadians and Danish groups used to leave bottles of Canadian Club and Danish Aquavit for later visitors.

Meanwhile, let us ensure Canada strengthens its sovereignty and makes a great contribution to the International Polar Year.

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### JUSTICE

**Ms. Diane Finley (Haldimand—Norfolk, CPC):** Madam Speaker, the Liberal government is responsible for crime being exported from the big cities to our nation's rural communities.

We now have marijuana grow-ops, even in Haldimand—Norfolk. Why? Because the government's lax laws and weak sentences have taught criminals that it is worthwhile to target small towns.

The Liberals naturally try to escape responsibility for their own misdeeds, and now they are also allowing the gangs and drug dealers who are ruining communities and killing Canadians to escape justice. Canadians want mandatory minimum prison sentences for drug dealers, gunmen and the perpetrators of serious violent crimes. They do not want a justice minister promising social programs.

Canadians will hold the government accountable for the Liberal use of home jail and house arrest for repeat and violent offenders.

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### YITZHAK RABIN

**Hon. Anita Neville (Winnipeg South Centre, Lib.):** Madam Speaker, I rise today to commemorate the 10th anniversary of the assassination of the former Israeli prime minister, Yitzhak Rabin.

The first native born Israeli prime minister, he was a general who waged both war and peace. Not only was he a military leader, he was also a diplomat, a statesman and a politician.

A consummate tactician, he had a leadership style that was said to be both candid and direct. His was a career that was marked by both

successes and challenges, always focused on ensuring the security of the state of Israel. He was gunned down by an extremist at a peace rally on November 4, 1995, and he was cited by president Clinton at the time as a martyr for peace.

Mr. Rabin believed that peace was a prerequisite for the building and viability of the Jewish state. His legacy which was articulated in his memoirs and reiterated that fateful night was, "There is no doubt whatsoever in my mind that the risks of peace are preferred by far than the grim certainty that awaits every nation in war".

May his words have meaning today.

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[*Translation*]

### SENIORS

**Ms. Nicole Demers (Laval, BQ):** Mr. Speaker, last week focussed on seniors' safety. This year's theme was "It's easy to make your home a safer place". Seniors whose eyesight is failing or who are becoming less independent are most likely to have an accident at home, such as a fall.

Falls account for nearly two thirds of the injuries requiring hospitalization in persons aged 65 and older and more than 40% of admissions to nursing homes. They are the main cause of fatal injuries among the elderly.

Most falls occur at home. We must therefore pay particular attention to stairs and bathrooms, the two most dangerous locations.

Let us work to keep our seniors healthy so they will remain active in our society.

\* \* \*

● (1405)

[*English*]

### FOREIGN AFFAIRS

**Mrs. Susan Kadis (Thornhill, Lib.):** Mr. Speaker, yesterday the Prime Minister spoke in Toronto at the annual meeting of the United Jewish Communities General Assembly. The meeting is the largest yearly gathering of Jewish community leaders in the world.

I am very proud that the Prime Minister expressed his support for Israel. As he said yesterday, Canada will continue to press for the kinds of reforms that will eliminate the politicization of the United Nations and its agencies and, in particular, the annual ritual of anti-Israel resolutions.

I was equally pleased that the Prime Minister again spoke out against the hateful remarks made by the Iranian president. Canadians should be encouraged by the Prime Minister's message yesterday.

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### FOREIGN AFFAIRS

**Mrs. Joy Smith (Kildonan—St. Paul, CPC):** Mr. Speaker, I rise in the House today to condemn the remarks of the Iranian president calling for the annihilation of Israel.

Speaking to an audience marking Jerusalem Day in Tehran, an audience which contained known terrorist organizations, the president of Iran's words shocked the world and must be condemned. The Government of Canada should, at this moment, rally other nations of the United Nations in support of a motion to remove Iran from membership of the world body of nations until Iran explicitly withdraws and repudiates these words.

This is shocking and dangerous, and cannot be tolerated. The government must put action to words, take leadership and demand Iran withdraw these words.

\* \* \*

### REPRODUCTIVE TECHNOLOGIES

**Mr. Lloyd St. Amand (Brant, Lib.):** Mr. Speaker, I rise today to detail how significant results are often realized by tenacious people whose efforts overcome extensive challenges.

We live in a remarkably unprecedented era in which technological advances, medical procedures, and scientific discoveries are being rapidly revealed in exponential numbers. One such method which has continually improved is in vitro fertilization. This technique has brought joy to many couples unable to conceive through conventional methods.

In particular, I wish to sincerely congratulate Kevin and Colleen Cook for their ceaseless faith, patience, and hope to have children as advancements like IVF enabled them to recently become the proud parents of special twins, Kasha and Gibson.

\* \* \*

[Translation]

### ANNUAL PUBLIC HEALTH DAYS

**Mr. Guy André (Berthier—Maskinongé, BQ):** Mr. Speaker, the ninth edition of annual public health days will run from today until November 17.

This major annual professional development event in Quebec public health draws doctors, researchers, teachers, students, nurses, social workers and many other public health professionals.

It plays a vital role in the acquisition of ever evolving scientific and medical knowledge, enabling participants to increase their effectiveness and expand their expertise.

The Bloc Québécois is proud of the commitment by all of these people to excellence in public health. We wish the event success.

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[English]

### YITZHAK RABIN

**Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.):** Mr. Speaker, I rise today to pay tribute to the late prime minister of Israel, Yitzhak Rabin. He spent his life defending his people. Rising from the rank of soldier of the Palmah in the second world war to that of Israel's chief of defence staff, he partook in all the battles that shaped the young Jewish state.

*S. O. 31*

[Translation]

But it was as politician, prime minister, that he truly made his mark in the region.

A hawk turned dove, he had the courage to extend the hand of peace to his adversary, Yasser Arafat.

[English]

He made agonizing concessions and signed the Oslo accords that broke the paradigms of the Arab-Israeli conflict. He made peace with Jordan and infused the region with hope.

[Translation]

Ten years ago, a Jewish extremist tried to put an end to the democratic process of the people of Israel by assassinating the prime minister.

[English]

However, Rabin's legacy of peace perseveres, as does our memory of this great peacemaker.

\* \* \*

### GOVERNMENT OF CANADA

**Mr. Bob Mills (Red Deer, CPC):** Mr. Speaker, this past week in the riding has been a new experience for me, even though I have been an MP since 1993.

I attended five remembrance services at which both young and old paid tribute to those men and women who paid the maximum price for our freedom.

The level of true appreciation for their sacrifices has never been stronger, but at every event I attended, the message I received was the same. My constituents are embarrassed and ashamed at the Liberal arrogance and disrespect they see. The fact that the Liberal government of the present Prime Minister takes no responsibility for the ad scam deception and scandal has shocked them. They are frustrated that the man who has bragged about being second in command, budget balancer, senior member from Quebec, vice-chair of the Treasury Board, and finance minister can say with a straight face that he knew nothing, saw nothing and heard nothing.

They find it inconceivable that this is possible and as a result want him removed immediately from power. My constituents, to the last person, say it is time the Prime Minister should go.

\* \* \*

● (1410)

### HEALTH PARTNERS INTERNATIONAL

**Mr. Francis Scarpaleggia (Lac-Saint-Louis, Lib.):** Mr. Speaker, I rise to congratulate Health Partners International of Canada, a humanitarian aid organization in my riding, for its 15 years of dedicated leadership in distributing medical aid to over 100 countries around the world.

*S. O. 31*

Health Partners International turns monetary donations from Canadians into donations of badly needed medical supplies for people in crisis around the world. For every dollar donated to Health Partners International, the organization obtains at least \$10 worth of donated medical supplies, including brand name medicines from Canadian health care companies.

Health Partners International also works with Canadian doctors, health care professionals and NGOs to distribute the donated supplies on the ground, as well as with individual Canadians travelling abroad who agree to bring with them travel packs of donated supplies for local distribution.

[*Translation*]

Since it was founded in 1990, the organization has sent over \$175 million in drugs, vaccines and other supplies to 111 countries. The agency is currently sending \$2 million in medical supplies to earthquake survivors in Pakistan.

Once again, I want to congratulate the men and women of Health Partners International of Canada.

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[*English*]

#### GOVERNMENT OF CANADA

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Mr. Speaker, Canadians are increasingly concerned about the lack of action of the government to recover the \$5 billion illegally taken by the Bush administration.

There is a 10 year old in New Westminster, Luke McAndless-Davies, who has been calling for a boycott of McDonald's to protest the U.S. refusal to pay us back. He has done more on this issue than the Liberal government.

There is George, a firefighter who went to New York after September 11 to help our American friends. George told me at the legion hall in Burnaby last Friday that what the Bush administration did was wrong. These Canadians have a champion in the NDP.

Unbelievably, the Liberals are negotiating more concessions to the Bush Administration and deeper integration with the U.S. behind closed doors right now.

Since the time Justice Gomery delivered a guilty verdict on November 1 on the government's cultural of entitlement, we have been calling for a comprehensive ethics package. The Liberals have done nothing. They have done nothing on softwood, and on so many other issues the government has failed.

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#### DIABETES AWARENESS MONTH

**Ms. Rona Ambrose (Edmonton—Spruce Grove, CPC):** Mr. Speaker, November is Diabetes Awareness Month and today is World Diabetes Day in honour of the birth of Canadian Sir Frederick Banting who, along with Dr. Charles Best, discovered insulin.

Diabetes affects more than two million Canadians. By 2010 that number will rise to more than three million. Rising obesity and a lack of physical activity have resulted in an increase in the number of Canadians with diabetes.

The young Conservative caucus is proud to be working with the Canadian Diabetes Association to discuss the role that preventative health measures can play in the fight against diabetes. This month the CDA will be sharing important information about the seriousness of diabetes and encouraging Canadians to eat well and be physically active.

The CDA is recognized as a world leader in raising awareness for the prevention and treatment of diabetes. It offers support and services to people affected by diabetes in over 150 communities across Canada.

Please join with me in congratulating the Canadian Diabetes Association for its tireless efforts on behalf of all those affected with this terrible disease. I would urge all Canadians to get serious about diabetes.

\* \* \*

[*Translation*]

#### YITZHAK RABIN

**Mr. Benoît Sauvageau (Repentigny, BQ):** Mr. Speaker, November 4 marked the tenth anniversary of the assassination in Tel Aviv of the Prime Minister of the State of Israel, Yitzhak Rabin. He was shot by a Jewish extremist opposed to the peace process while singing a song of peace.

Yitzhak Rabin was passionate about safety and prosperity for his people. He reached the highest rank in the military as chief of staff of the Tsahal during its stunning victory in the Six Day War.

This courageous and generous man and winner of the 1994 Nobel peace prize, realized very early on that Israel's security required withdrawal from the occupied territories that he himself took over, as well as the creation of a viable and democratic Palestinian state side by side with the Jewish State of Israel.

The Bloc Québécois remembers this great man and supports his solution: two viable states, one Jewish and one Palestinian, living peacefully and securely next to one another.

\* \* \*

● (1415)

[*English*]

#### GOVERNMENT OF CANADA

**Mr. Gerry Ritz (Battlefords—Lloydminster, CPC):** Mr. Speaker, the Liberals are scrambling to hide their latest scandal and buy taxpayers as if the nation's budget was their own personal gift bag.

The finance minister abuses Parliament to give himself a soapbox to launch his election campaign. A budget etched in stone last March, then changed to buy votes in May, is now rewritten as a third attempt to buy voters this January. Investors are having a hard time trying to keep up with the Wascana shuffle.

Agriculture announcements consist of a quick photo op and a long wait, for little or no results. Victims of hepatitis C have waited years for justice, even after the House voted for their relief. Compassionate caregivers have watched \$70 million flow to bureaucracy while a paltry \$11 million have actually helped Canadians take care of dying relatives. The military is told overdue equipment is on the way, just as soon as the rules are bent to change contracting procedures. Does it sound familiar?

Canadians may not be in total agreement as to when the national election should kick these bums out, but we all agree their departure is long overdue.

\* \* \*

### MULTICULTURALISM

**Mr. Michael Savage (Dartmouth—Cole Harbour, Lib.):** Mr. Speaker, yesterday residents in my riding of Dartmouth—Cole Harbour awoke to the shocking news that our community had been desecrated by racist graffiti aimed at Lebanese Canadians. These remarks reflect neither the opinions of the vast majority of citizens in our community nor those of communities across Canada.

Lebanese Canadians have contributed enormously to the growth and betterment of Dartmouth—Cole Harbour. In every way imaginable, business, education, health and culture, Lebanese Nova Scotians like the Chedrawes, Khourys, Haddads, Habibs, Fares, Karems, Toulaneys and others have contributed in countless ways to building our common community.

I strongly condemn this racist graffiti which does not in any way represent Canadian values. They represent hate and ignorance, nothing more.

These events, as unfortunate as they are, remind us that we must continue to do more to understand one another and to have the wisdom to embrace our diversity.

Canada was the first country to officially adopt multiculturalism as a national principle. It defines us as a people who believe in celebrating those things that bring us together, not those things that drive us apart.

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## ORAL QUESTIONS

[Translation]

### SPONSORSHIP PROGRAM

**Hon. Stephen Harper (Leader of the Opposition, CPC):** Mr. Speaker, Justice Gomery's report has clearly established that there was a culture of kick-backs and corruption in the Liberal Party of Canada. Justice Gomery has said that the Liberal Party, as an institution, is inevitably responsible for the wrongdoings of its executive and representatives.

There are still \$40 million not yet accounted for. When will the Prime Minister institute proceedings against the Liberal Party of Canada in order to locate those missing millions?

**Right Hon. Paul Martin (Prime Minister, Lib.):** Mr. Speaker, what the Gomery report said is that there were individuals who had done inappropriate things and that the Liberal Party as an institution

was responsible for these individuals. After the report was released, the government handed the document to the RCMP, so that it might look at these responsibilities at its discretion. We acted exactly as we should have in connection with the small group named by Justice Gomery.

[English]

**Hon. Stephen Harper (Leader of the Opposition, CPC):** Mr. Speaker, if the Prime Minister were serious about holding people responsible, getting those millions, he would go after the Liberal Party. He has said that he wants to run on that.

The Privy Council Office has received an "F" from the Information Commissioner for the Prime Minister's first year in office. The commissioner said, "There are so many major deficiencies that a significant departmental effort is required to deal with their resolution".

I am asking the Prime Minister about his own office. It has been almost two years. Why has he failed to deal with the aspect of the democratic deficit in his own office?

**Right Hon. Paul Martin (Prime Minister, Lib.):** Mr. Speaker, I can assure the hon. member that the PCO or any government department will certainly conform to the law and all questions of access to information.

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### DAVID DINGWALL

**Hon. Stephen Harper (Leader of the Opposition, CPC):** Mr. Speaker, I will ask a third question.

David Dingwall was apparently promised a severance when he resigned from the Mint. Everyone knows people normally do not get a severance when they quit their job, but Dingwall apparently is entitled to it.

Could the Prime Minister give us an update on the negotiations between the government and David Dingwall? Does he think David Dingwall will get paid before an election is called?

• (1420)

**Hon. John McCallum (Minister of National Revenue, Lib.):** Mr. Speaker, Mr. Dingwall retired because he said that it was in the interests of the Mint. As for matters of legal obligation, these are under discussion between lawyers. The Prime Minister has made it abundantly clear that he is to receive the legal minimum.

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### SPONSORSHIP PROGRAM

**Mr. Peter MacKay (Central Nova, CPC):** Mr. Speaker, here is another one that hits close to home.

Seats were won by Liberals who received stolen sponsorship money, yet they cannot be touched under election laws because the time to investigate and the time to charge has expired.

*Oral Questions*

The sum of \$8,000 in ad scam cash was used to pay campaign expenses of the Prime Minister's principal secretary, H el ene Scherrer. Her reward for being a losing Liberal candidate was that she was entitled to an appointment to one of the highest paid positions in the PMO.

Why is Mme Scherrer still in this position in the Prime Minister's Office? When will the Prime Minister take action to punish those who used dirty money to win elections in Canada?

[Translation]

**Hon. Jean Lapierre (Minister of Transport, Lib.):** Mr. Speaker, I challenge the Deputy Leader of the Opposition to repeat those same words outside this House. His statement that H el ene Scherrer got \$8,000 is a total falsehood, and he knows it.

[English]

**Mr. Peter MacKay (Central Nova, CPC):** Mr. Speaker, the member might want to learn that he has to answer questions in the chamber. There is nothing like the enthusiasm of a recent convert.

Justice Gomery's report says that there is over—

**Some hon. members:** Oh, oh!

**The Speaker:** Order, please. I am sure the hon. member for Central Nova appreciates all the advice and assistance, but I cannot hear the hon. member. Somebody will get a question and may want to hear it so a response can be given. The hon. member for Central Nova has the floor.

**Mr. Peter MacKay:** Mr. Speaker, Justice Gomery reports that over \$40 million is still unaccounted for. The Prime Minister nor his justice minister cannot credibly say that the agreement between the Liberal Party and the Liberal government to pay back the paltry \$1.14 million, to which they have committed, was all the stolen money that came from Canadian taxpayers, stolen by his party.

When will the Prime Minister sue the Liberal Party of Canada to get a judicial determination of the full amount that his party stole, pay back every red—

**The Speaker:** The hon. Minister of Public Works and Government Services.

**Hon. Scott Brison (Minister of Public Works and Government Services, Lib.):** Mr. Speaker, every penny that was received by the Liberal Party inappropriately has been repaid to the Canadian taxpayer. Beyond that, we based that analysis on the facts in Justice Gomery's report. We know the Conservative Party and the Bloc have been pulling numbers out of the air in terms of what the appropriate figure is. We prefer to base our analysis on the facts in Justice Gomery's report.

[Translation]

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, in his report on the sponsorship scandal, Justice Gomery wrote, and I quote, "Treasury Board no longer considers its oversight function to be an important part of its overall responsibilities".

As for Jean Chr tien, speaking of the sponsorship program, he said he had instructed the Treasury Board to conduct the appropriate audits and it was confirmed to him on several occasions that he had nothing to worry about.

My question is very simple. Is it true that the Prime Minister, who was vice-chair of the Treasury Board at the time, was instructed by Jean Chr tien to report? If so, is it true that his answer to Jean Chr tien was that he had nothing to worry about?

**Right Hon. Paul Martin (Prime Minister, Lib.):** Mr. Speaker, the question is frivolous and unfounded. I can say, as I have said previously, that in my opinion, there were deficiencies at Treasury Board at the time. These are precisely the deficiencies that the President of the Treasury Board addressed through reforms.

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, first, he admits that there were deficiencies. As vice-chair, he could have acted earlier.

Second, my question is simple. Jean Chr tien said that he instructed the minister responsible for the Treasury Board to audit the sponsorship program. On several occasions, he was assured that there were no problems. This is a very simple question. That statement was made after the Gomery report was published.

Is it true that the Prime Minister, who was vice-chair of the Treasury Board at the time, was so instructed? Is it true that his answer was that there were no problems? The question is simple. He should answer it.

• (1425)

**Hon. Jean Lapierre (Minister of Transport, Lib.):** Mr. Speaker, for the benefit of the leader of the Bloc Qu b cois, what Justice Gomery said above all is this. "[The current Prime Minister]... is entitled, like other ministers in the Quebec caucus, to be exonerated from any blame for carelessness or misconduct". Such is Justice Gomery's finding.

**Mr. Michel Gauthier (Roberval—Lac-Saint-Jean, BQ):** Mr. Speaker, Jean Chr tien was quite clear. He said, "I had given the order to Treasury Board to carry out the necessary audits. They confirmed to me on several occasions that I had nothing to worry about". For the edification of our viewers, the Prime Minister was vice-chair of Treasury Board. So, he took orders from Jean Chr tien.

What we want to know today is whether he did well and truly receive such orders and whether he replied that there was nothing to worry about.

**Hon. Jean Lapierre (Minister of Transport, Lib.):** Mr. Speaker, the members of the Bloc Qu b cois want to conduct the inquiry for Justice Gomery, because they are not happy with his findings. Each of their questions aims to continue the smear campaign to their discredit. That is why they should be happy with the findings of Justice Gomery himself and stop trying to go beyond his report because they are not happy with its findings. They should blame Justice Gomery, if they dare.

**Mr. Michel Gauthier (Roberval—Lac-Saint-Jean, BQ):** Mr. Speaker, I do not see how quoting former Prime Minister Jean Chr tien constitutes a smear campaign against the government. Perhaps the Minister of Transport is in disgrace and will be even more so.

My question to the Prime Minister is as follows. Jean Chr tien, his predecessor, said that he had asked for an update and was told that everything was fine. He was a member of Treasury Board. Is it true that Jean Chr tien asked him this? If so, what answer did he give? It is not complicated.

*Oral Questions*

**Hon. Jean Lapierre (Minister of Transport, Lib.):** Mr. Speaker, the Gomery inquiry into the facts has concluded. Justice Gomery heard all the witnesses, including Mr. Chrétien, who told what he knew about this matter. So, the Bloc Québécois does not need to try to do the judge's job. He has done it and he has drawn his own conclusions. They may not like them but they should be ashamed of trying to prolong the matter. I understand they are not happy that the Prime Minister was exonerated from any blame for carelessness or misconduct. They do not like this conclusion, but that is what Justice Gomery found.

\* \* \*

[English]

**HEALTH**

**Hon. Jack Layton (Toronto—Danforth, NDP):** Mr. Speaker, over this past weekend the Quebec wing of the Liberal Party of Canada passed a motion and adopted the position that there should be a parallel system of private health insurance. We are not talking about Ralph Klein or Gordon Campbell. We are talking about the Liberal Party of Canada, which has been in power for 12 years in Canada and has no rules in place to protect health care.

We know where the Prime Minister stands and now I think we know why. Can he explain why his party is supporting a parallel private system of health care?

**Right Hon. Paul Martin (Prime Minister, Lib.):** Mr. Speaker, first of all, that is not what the party resolution said, but in any event, we are a democratic party. Those who are part of our party have the opportunity to debate issues. We make it very clear, on the other hand, that government follows its policies and is not bound by those that are debated at the party conventions. This is a democratic party. People have opinions and they express them.

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**PARLIAMENT OF CANADA**

**Hon. Jack Layton (Toronto—Danforth, NDP):** Mr. Speaker, first of all, it is not surprising to see the Prime Minister wanting to disassociate himself from the Quebec wing of the Liberal Party, although my guess is he will be happy to have it work to re-elect him the next time around.

When it comes to democracy, the question is whether the Prime Minister will abide by the position of a majority of the House of Commons concerning how the business of the House of Commons should be conducted over the next number of weeks and months. That is a question about real democracy.

**Hon. Tony Valeri (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I am not quite sure what the hon. member was referring to, but in fact this House operates based on Standing Orders and those Standing Orders are there for all members to abide by.

On this side of the House, the Standing Orders that we abide by are certainly those that members have worked on and have brought forward in order for the House to operate in a very effective manner. If the hon. member is asking whether we will be abiding by the Standing Orders and the rules of the House, that is absolutely correct.

● (1430)

**ABORIGINAL AFFAIRS**

**Mr. Jim Prentice (Calgary Centre-North, CPC):** Mr. Speaker, Keeseekoose is a small first nation in Saskatchewan. In the time between 1995 and 2001, over \$600,000 was systematically looted from its education fund. The Department of Indian Affairs and Northern Development has known about this since 2002 and this minister has known since he was appointed, but the minister refuses to help the new chief and council get to the bottom of this.

What is the minister hiding? Why will he not produce a forensic audit that shows who stole the Keeseekoose children's trust fund?

**Hon. Andy Scott (Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, Lib.):** Mr. Speaker, audits are conducted routinely. If those audits find things that should go to the RCMP or other agencies, that is exactly what happens.

**Mr. Jim Prentice (Calgary Centre-North, CPC):** Mr. Speaker, all we hear from the minister is excuses and obfuscation. The current chief and council want to find out who stole their education money. The minister will not help them.

Will the minister admit today that he is trying to protect the former chief because he was the chief when the money was stolen and because he was the Prime Minister's Liberal candidate in the last federal election? Is this why the minister will not produce a forensic audit?

**Hon. Andy Scott (Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, Lib.):** Mr. Speaker, that allegation is absolutely ridiculous.

**Mr. Garry Breitkreuz (Yorkton—Melville, CPC):** Mr. Speaker, Mr. Quwezance, the former chief, was president of the St. Phillip's Rangers hockey team when it received repeated direct transfers from the school account. He knew what was going on and the Liberals recruited him to run as their candidate in 2004 while failing to investigate complaints made to Indian affairs about this matter in 2002.

The Liberals have hit a new low in stealing money from schoolchildren while protecting one of their own from investigation. Is this the new standard of ethics the Prime Minister promised us in 2004: nominating candidates who steal money from schoolchildren and then covering it up?

**Hon. Andy Scott (Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, Lib.):** Mr. Speaker, the new low is across on the other side. That is a ridiculous and scandalous thing to say.

**Mr. Jeremy Harrison (Desnethé—Missinippi—Churchill River, CPC):** Mr. Speaker, yesterday we learned that over \$600,000 was looted from the St. Phillip's school account of the Keeseekoose First Nation while a former Liberal candidate was in charge. We have the records for the school's bank account, which document a long list of charges made directly from this account to places like Zellers, Bata Shoes, Athletes World, Mark's Work Warehouse and the Regina casino.

*Oral Questions*

Why is it that Liberal candidates can get away with taking money from schoolchildren to spend it at the casino?

**The Speaker:** Order, please. I have serious reservations about the questions. This started with questions about funds that the government had some responsibility for getting back. These questions now appear to have gone beyond the recovery of moneys that would be either government money or money for which the government is responsible. In the absence of such a statement in the question or a question on that subject, I am going to rule it out of order.

[Translation]

The hon. member for Chicoutimi—Le Fjord.

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**TAXATION**

**Mr. Robert Bouchard (Chicoutimi—Le Fjord, BQ):** Mr. Speaker, the government has to understand that we have lost faith in its forecasts and that the minister's announcements year in and year out prove that he has enough money to resolve the fiscal imbalance.

Will the government acknowledge that it is time to sit down and finally resolve the fiscal imbalance, which benefits Ottawa and threatens the balancing of the budgets of Quebec and the provinces?

[English]

**Hon. John McKay (Parliamentary Secretary to the Minister of Finance, Lib.):** Mr. Speaker, the premise of the hon. member's question is incorrect. There is no fiscal imbalance and never can be any fiscal imbalance. Such moneys as are received by the provinces, and they have been on an escalating basis over the past number of years as the government's revenues have turned around, have in fact been transferred. In the last fiscal year there were very significant transfers from the federal government to the provincial governments for their needs.

• (1435)

[Translation]

**Mr. Robert Bouchard (Chicoutimi—Le Fjord, BQ):** Mr. Speaker, since the cuts in 1994, the federal government has held Quebec and the provinces hostage. An agreement is needed to resolve the fiscal imbalance permanently, as occurred under Jean Lesage in the 1960s and was recommended by Yves Séguin.

When will the government settle the fiscal imbalance once and for all instead of helping itself to surpluses for its own electoral purposes?

[English]

**Hon. John McKay (Parliamentary Secretary to the Minister of Finance, Lib.):** Mr. Speaker, it is well known that the government has struck a committee with respect to equalization, to review the indices of equalization, to review the measurement figures and to report to the government. At this time, that report has not been received by the government. As a consequence, the premise of the hon. member's question is incorrect. At this point, there are significant transfers to all provinces, including the province of Quebec, in excess of a half a billion dollar increase.

[Translation]

**EDUCATION**

**Mr. Guy Côté (Portneuf—Jacques-Cartier, BQ):** Mr. Speaker, student associations from Quebec and Canada met today in Ottawa and called on the federal government to transfer an additional \$4 billion plus annually for education in order to raise funding to its 1994 level, prior to the cuts by the current Prime Minister, who was trying to balance his budget at the expense of Quebec and the provinces.

Does the government intend to fund 25% of post-secondary education as it did before the 1994 cuts?

[English]

**Hon. John McKay (Parliamentary Secretary to the Minister of Finance, Lib.):** Mr. Speaker, as I indicated in a previous answer, the transfers to the provinces, which include a component for education, have increased quite dramatically over the last year or 18 months since the delivery of the last budget.

The hon. member asked for this. I suggest to him that in fact in large measure the Government of Canada has delivered on it.

[Translation]

**Mr. Guy Côté (Portneuf—Jacques-Cartier, BQ):** Mr. Speaker, will the federal government make a commitment that, should there be any transfers for post-secondary education, Quebec will be able to use this money for education as its priorities dictate and with no strings attached?

[English]

**Hon. John McKay (Parliamentary Secretary to the Minister of Finance, Lib.):** Mr. Speaker, the Government of Canada transfers something in the order of about \$7 billion in post-secondary education to students and to provinces. There is a division there. There is a significant sum that is transferred directly to the students and therefore does not go through the provinces. The other component is transferred to the provinces. Therefore, I do not see the concern that the hon. member expresses.

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**CANADA POST**

**Mr. Brian Pallister (Portage—Lisgar, CPC):** Mr. Speaker, over the last 13 months Revenue Canada has completed over 330,000 audits on ordinary Canadians, but on André Ouellet, none. Today the revenue minister trumpeted a taxpayer alert initiative to ensure “a level playing field for all taxpayers”. How ironic.

How level is the field when former Liberal pork master general Ouellet pays himself \$2 million in lavish expenses, does not provide receipts and after 13 months still has not been audited? I would like the minister to tell the House and Canadians what other non-Liberal Canadian gets a deal like that.

**Hon. John McCallum (Minister of National Revenue, Lib.):** Mr. Speaker, I am a bit surprised that the hon. member persists in asking me to break the law when it is clearly against the law for me to comment on the audit of Mr. Ouellet. As I have told him before, to do so I would be breaking the law and may end up in jail. Now—



*Oral Questions*

**Some hon. members:** Oh, oh!

**The Speaker:** Order, please.

**An hon. member:** He won't be alone—

**The Speaker:** No, the minister will not be alone; I can tell there is a lot of enthusiasm. The hon. Minister of National Revenue has the floor and we will want to hear the rest of his response.

**Hon. John McCallum:** Mr. Speaker, other than the obvious possibility that they are so desperate to have one less vote on this side, and they would like that outcome, my preferred explanation is that they are clearly disdainful of the charter of rights, and that extends to the rule of law in general.

\* \* \*

• (1440)

**DAVID DINGWALL**

**Mr. Brian Pallister (Portage—Lisgar, CPC):** Mr. Speaker, it is public money and it should be a public audit. The fact of the matter is that the Prime Minister seems to agree that Liberals are entitled to their entitlements, including Ouellet. He continues to reward Liberals by appointing old cronies to the Senate or ambassadorial positions.

Now he wants to reward David Dingwall with a severance package. It is unbelievable. In the wake of the sponsorship scandal, the Prime Minister pretends to punish Liberals by revoking their party memberships. That is actually a reward, I think, to most Canadians. Will the Prime Minister finally drop the idea of cutting a severance cheque to David Dingwall?

**Hon. John McCallum (Minister of National Revenue, Lib.):** Mr. Speaker, having answered that question many times, I will return to the first question about the new Canada Revenue Agency taxpayer alert. I was glad to have the opportunity to explain this to Canadians this morning. One example is that there are many scams out there for RRSPs and if people are told they can get out of their RRSPs tax free, they should look into it. If people think it is too good to be true, it probably is. This is the kind of information the government is providing to the Canadian taxpayer.

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**HEALTH**

**Mr. Steven Fletcher (Charleswood—St. James—Assiniboia, CPC):** Mr. Speaker, this weekend the Quebec wing of the federal Liberals endorsed private health care. The motion states that “prohibiting private health insurance has not proven to be an infallible means of protecting public health” and that private health insurance for core services should be allowed.

The federal Liberals are the first and only party to endorse such a measure. This demonstrates Liberal hypocrisy. Will the minister agree that the Liberals are promoting a hidden health care agenda?

**Hon. Ujjal Dosanjh (Minister of Health, Lib.):** Mr. Speaker, the fact is that we stand for strengthened public health care. We want to make sure that we end double-dipping by doctors. We want to make sure that we actually put a stop to privatization. In fact, it is ironic that this is coming from the privatizers on the other side, whose

current leader has always wanted to gut the Canada Health Act and end the role of Health Canada in health care in Canada.

[*Translation*]

**Mr. James Lunney (Nanaimo—Alberni, CPC):** Mr. Speaker, on the weekend, the Quebec wing of the Liberal Party passed a resolution to allow more room for the private sector in the health system.

Will the Minister of Health attack and condemn the Quebec wing of the Liberal Party, or will he finally admit that the Liberal party has a hidden agenda in favour of private health care, like the Prime Minister uses?

[*English*]

**Hon. Ujjal Dosanjh (Minister of Health, Lib.):** Mr. Speaker, as the Prime Minister said, that is certainly not the policy of the government. The fact is that it is the policy of the opposition, on the other hand, and its members have been saying for years that they want to end the role of the Canada Health Act in health care. They want to end the federal role in health care. They actually want to have nothing to do with public health care and privatize it all.

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**JUSTICE**

**Mr. Borys Wrzesnewskyj (Etobicoke Centre, Lib.):** Mr. Speaker, my question is for the Minister of Justice.

Constituents of Etobicoke Centre are extremely concerned about escalating gun violence. In meetings with youth in at risk neighbourhoods, I have learned that many young men on the edge scoff at the existing penalties. Their neighbours fear cooperating with authorities because, even if caught, these young men with guns are back in their midst in no time.

The minister met with his provincial counterparts. Could he tell us what he is doing to increase penalties for gun crimes, including mandatory minimum sentences?

**Hon. Irwin Cotler (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, as the hon. member mentioned, I met with my provincial and territorial counterparts and we agreed upon a three pronged package: first, a set of legislative measures that would include new offences, as well as enhanced mandatory minimum sentences for existing offences; second, more effective law enforcement through coordinated prosecutorial and investigative approaches with provincial and territorial attorneys general; and, third, a set of preventative and community initiatives to address the root causes of crime, as well as crime itself.

\* \* \*

**PARLIAMENT OF CANADA**

**Hon. Bill Blaikie (Elmwood—Transcona, NDP):** Mr. Speaker, my question is for the right hon. Prime Minister.

### Oral Questions

I want to ask the Prime Minister why, contrary to what he said outside the House just before question period began, he is deliberately endangering everything that this Parliament could do between now and the Christmas break by insisting that the only choices available are either a non-confidence motion or his own timetable, that is to say, the timetable of the Liberal Party?

Why is he not prepared to accept a compromise that would enable this Parliament to do what it needs to do?

• (1445)

**Hon. Tony Valeri (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, the Prime Minister has been clear and consistent since he made his commitment to Canadians last spring. He committed to an election call within 30 days of Mr. Justice Gomery's second report. Canadians deserve all the facts and they deserve to have their say on the basis of those facts.

What the opposition is suggesting is not a compromise. What they are suggesting is that they should be able to vote non-confidence in the government today and only have the consequences of that vote in January. All hon. members know we are operating in a parliamentary democracy that operates on a principle that a government must have the confidence of Parliament.

**Hon. Bill Blaikie (Elmwood—Transcona, NDP):** Mr. Speaker, one of the other principles of Parliament is that the government should respect the will of Parliament, especially in a minority situation.

If the Prime Minister has the right to say when the election should be, Parliament has the right to say when the election should be and we all have the right to say when the election should be by mutual consent.

There is somebody who says that he is against the democratic deficit. Have him stand and say why he would reject the will of Parliament and put the interest of his own party first.

**Hon. Tony Valeri (Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, in fact, it is the opposition parties that are operating according to their own partisan interest. They are not operating in the public interest.

Two-thirds of Canadians have said that they want to wait for Justice Gomery's second report. If the opposition parties decide to put a confidence motion on the floor of this House of Commons and that confidence motion passes, we would have an election call and it would be the opposition parties that would shoulder 100% of that responsibility.

\* \* \*

### FUEL REBATES

**Mr. James Rajotte (Edmonton—Leduc, CPC):** Mr. Speaker, the fact is that energy payments for low income Canadians have not been a priority for this government. In fact, the government has postponed debate on the bill that would authorize these payments, Bill C-66, three times over the past month. This is a bill that has had majority support of the House since it was introduced.

Will the Prime Minister admit today that he did not give a second thought to low income Canadians in their struggle to pay their bills until he was threatened with an election?

**Hon. John McKay (Parliamentary Secretary to the Minister of Finance, Lib.):** Mr. Speaker, Bill C-66 has been on the order paper for a number of weeks now and has been debated in the normal course. The only thing that has changed in the payments to the guaranteed income supplement, the national child benefit and money for public transit is that in the break week the opposition parties decided to get together and postpone the orderly passage of legislation.

**Mr. James Rajotte (Edmonton—Leduc, CPC):** Mr. Speaker, the fact is that not one cabinet minister has made a speech in this House on the issue of energy payments to low income Canadians. In addition, the three opposition parties are willing to pass the bill. The bill being put forward by the government has been pulled again today to put forward legislation dealing with animals, an issue we have debated thousands of times already.

The fact is that a majority of MPs have supported the legislation from the beginning and it has been pulled by the government not by the opposition. Why is the Prime Minister using that as a false excuse to not have an election?

**Hon. John McKay (Parliamentary Secretary to the Minister of Finance, Lib.):** Mr. Speaker, this bill is debated in an ordinary course in the time that has been allotted to it and available to us.

It is my recollection that when I left the House just before the break week, the House was being filibustered by that party over there. When I turned on the television this morning it was still being filibustered. We cannot proceed with government business, including Bill C-66 and the payments that would flow from Bill C-66, as long as the opposition parties decide to filibuster this Parliament.

\* \* \*

• (1450)

### AIRPORT SECURITY

**Mr. James Moore (Port Moody—Westwood—Port Coquitlam, CPC):** Mr. Speaker, the Liberals have been in power for 12 years and any excuses for inaction are absolutely hollow.

[Translation]

A few days ago, an investigation revealed a number of security breaches at Pearson airport, particularly with cargo loaded on board without ever being checked. A security expert said the situation is worse now than it was before September 11.

With all the money it spends, how could the government neglect airport security in such an appalling and careless way?

**Hon. Jean Lapierre (Minister of Transport, Lib.):** Mr. Speaker, I would not want hon. members to make air travellers worry. The Canadian system is very safe. In some cases, such as Pearson, for example, access to various doors is the responsibility of the airport and not at all of our Canadian airport safety agency. However, I took the television documentary very seriously and have asked Transport Canada to investigate. As soon as we know all the facts, I will be pleased to get back to him on this.

*Oral Questions**[English]*

**Mr. James Moore (Port Moody—Westwood—Port Coquitlam, CPC):** Mr. Speaker, what makes travellers nervous is the fact that in the four years since 9/11, virtually nothing has changed in terms of airport security or the government's oversight of the changes that it has said it has put in place. This year the government will tax Pearson Airport \$144 million in airport rents and charge Pearson Airport travellers roughly \$80 million in air security taxes. That is roughly a quarter of a billion dollars in taxes from Pearson Airport and yet its security system, according to reports, is leaking like a sieve.

Why is Canada's largest, most important airport getting third rate security from the government?

**Hon. Jean Lapierre (Minister of Transport, Lib.):** Mr. Speaker, I guess the hon. member did not watch the same program because the main problem was the doors which are the responsibility of the airport authority. He knows that CATSA has nothing to do with the doors and access at the airport.

We will be having a review of the CATSA process because it is part and parcel of the law. I will be announcing in the next few days the people who will be part of the review panel. We will do our best to provide the best security in the world. We already have one of the most secure systems in the world and the member should not make passengers nervous about security.

\* \* \*

*[Translation]***AGRICULTURE**

**Mr. André Bellavance (Richmond—Arthabaska, BQ):** Mr. Speaker, farm producers are increasingly concerned about the government's real desire to protect supply management and are rightly fearful of becoming a bargaining chip in the upcoming negotiations planned for December in Hong Kong.

Can the government reassure the farmers by giving its negotiating team a clear mandate to maintain the current system of supply management?

*[English]*

**Hon. Andy Mitchell (Minister of Agriculture and Agri-Food and Minister of State (Federal Economic Development Initiative for Northern Ontario), Lib.):** Mr. Speaker, in the negotiations leading up to Hong Kong, we are pursuing the objectives that we always have. We want to see a reduction in domestic supports, the elimination of export subsidies and increased market access for Canadian producers around the world. We are doing that in a way that guarantees that Canadian producers can make their own decisions about their domestic marketing regimes.

*[Translation]*

**Mr. André Bellavance (Richmond—Arthabaska, BQ):** Mr. Speaker, if, as the minister claims, the mandate of the negotiating team is to maintain the supply management system, when will he walk the talk by closing the border to butter oil, milk protein products and other products that could circumvent the supply management system?

*[English]*

**Hon. Andy Mitchell (Minister of Agriculture and Agri-Food and Minister of State (Federal Economic Development Initiative for Northern Ontario), Lib.):** Mr. Speaker, supply management has existed in this country for close to 35 years now. It was a proposal put forward by a Liberal government, a proposal that has been maintained by a Liberal government and a proposal that will be kept into the future by a Liberal government.

\* \* \*

*[Translation]***ACCESS TO INFORMATION**

**Mr. Guy Lauzon (Stormont—Dundas—South Glengarry, CPC):** Mr. Speaker, in his annual report, the Information Commissioner gave the PCO an F, and with good reason.

Last year, partly because of the sponsorship scandal, the number of requests the office received increased by 60%, while it refused to respond to nearly 30% of them.

My question is for the Prime Minister. What is his corrupt government trying to hide and why is it refusing to provide the information requested?

● (1455)

*[English]*

**Hon. Reg Alcock (President of the Treasury Board and Minister responsible for the Canadian Wheat Board, Lib.):** Mr. Speaker, absolutely nothing. The reality is that it is the Privy Council that led an unprecedented release of documents to Mr. Justice Gomery. It is the Privy Council that was absolutely forthcoming with the committee when it came to Bill C-25, giving all manner of documents.

It is the Prime Minister who led the proactive disclosure program that is putting more information on public view than ever before.

**Mr. Guy Lauzon (Stormont—Dundas—South Glengarry, CPC):** Mr. Speaker, the cover-up continues.

In his annual report, Privacy Commissioner John Reid gave the Liberal government an F when replying to access to information requests. Mr. Reid noted that the government flatly refused almost 30% of the 480 requests received by the government in 2004. These 480 requests represent a 60% increase, mostly due to the sponsorship scandal of course.

On behalf of the Canadian taxpayer, I would like to ask the Prime Minister once again, what is the corrupt Liberal government trying to hide?

**Hon. Reg Alcock (President of the Treasury Board and Minister responsible for the Canadian Wheat Board, Lib.):** Mr. Speaker, 12 million pages of documents, many of them confidential cabinet documents, in an unprecedented move, were made available to Mr. Justice Gomery by the government under the leadership of the Prime Minister.

*Oral Questions***THE ENVIRONMENT**

**Ms. Nancy Karetak-Lindell (Nunavut, Lib.):** Mr. Speaker, I understand that last week the United States House of Representatives removed the plans for oil and gas drilling in the Arctic National Wildlife Refuge in Alaska from its budget bill, as Canada has been pressing Congress to do for months.

Many Canadians, especially northerners, are very concerned about this issue and want assurances. Could the Minister of the Environment confirm that this is the case and update the House on the status of ANWR?

**Hon. Stéphane Dion (Minister of the Environment, Lib.):** Mr. Speaker, Canadians should be proud of the hard work of the Prime Minister, the hon. member for Yukon, the G'witchin people, other aboriginal people across North America in both countries, members of Congress and everyone who has worked so tirelessly on this important issue.

This is not only great news for the Caribou but also for Canada and North America, and it sends a very positive signal around the world for the cause of nature conservation.

\* \* \*

**JUSTICE**

**Mr. Vic Toews (Provencher, CPC):** Mr. Speaker, the Minister of Justice wants Canadians to believe that his recent legislation will cut down on the rate of house arrest for violent criminals but his legislation says that in exceptional circumstances convicted rapists can avoid jail time.

Under what circumstances does the minister believe that criminals who rape women should get house arrest?

**Hon. Irwin Cotler (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, when we met with all the provincial and territorial ministers of justice in Whitehorse last week they all supported and praised the proposed conditional sentencing reform. I will take their views, with respect, to that of the member opposite.

**Mr. Vic Toews (Provencher, CPC):** Mr. Speaker, the minister may support house arrest for rapists but Canadians do not.

The minister believes that the struggle for the illegal drug trade is fueling gun violence in Canada. The minister's recent bluster about cracking down on gun crime is meaningless unless he is also prepared to eliminate house arrest for those who are killing our youth with drugs.

Why is the minister willing to allow repeat drug dealers to qualify for house arrest?

**Hon. Irwin Cotler (Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, I do not know why the member opposite insists on rewriting the Criminal Code, on rewriting the recommendations that are being proposed in the conditional sentence reform. Serious and violent offences will not be the subject of a conditional sentence.

[Translation]

**MINING INDUSTRY**

**Ms. Diane Bourgeois (Terrebonne—Blainville, BQ):** Mr. Speaker, instead of imposing restrictive standards in terms of social and environmental responsibilities on Canadian mining companies operating abroad, the minister would prefer to let them self-regulate. We can see the results in the Democratic Republic of the Congo, Myanmar, the Philippines and Guatemala.

Does the minister realize that, with that attitude, he is giving companies the green light to do what they want, without any respect for the rights of the communities?

• (1500)

**Hon. Pierre Pettigrew (Minister of Foreign Affairs, Lib.):** Mr. Speaker, our government is trying to work very closely with mining companies, which are found throughout the world. However, it is obvious that we cannot impose Canadian laws or regulations on these Canadian mining companies. That would be an issue of extraterritoriality, which we condemn in numerous other cases throughout the world.

We do hope, however, that Canadian companies, along with the Government of Canada, will develop codes of conduct and corporate responsibility through a developed social conscience. That is what the government is doing with companies throughout the world, while respecting Canadian legislation—

**The Speaker:** The hon. member for Davenport.

\* \* \*

[English]

**ITALIAN CANADIANS**

**Mr. Mario Silva (Davenport, Lib.):** Mr. Speaker, my question is for the Minister of State for Multiculturalism.

During World War II many Canadians of Italian background were interned simply because of their ethnocultural background. Would the minister explain to the House what the government is doing to make sure that these tragic events are recognized in Canadian history, and through that recognition help ensure that it never happens again?

**Hon. Raymond Chan (Minister of State (Multiculturalism), Lib.):** Mr. Speaker, I would like to thank my colleague for his excellent work on this file in the heritage committee. I would also like to thank the Minister of Canadian Heritage for her dedication, advice and support on this file.

On Saturday I was proud to sign an agreement in principle with the leaders of the Italian Canadian community to make sure that this bad part of Canadian history is properly and correctly acknowledged and commemorated, and that Canadians are educated about it to ensure that this kind of thing never happens again.

*Routine Proceedings*

[Translation]

**NATIONAL DEFENCE**

**Mr. Claude Bachand (Saint-Jean, BQ):** Mr. Speaker, on Thursday, November 10, I wrote the cabinet expressing my opposition to the purchase of \$12 billion worth of military aircraft without any real competition.

Why the rush? The materiel procurement plan, which is to follow on the defence policy, has not even been submitted yet. Does the minister admit that he is preparing to spend \$12 billion of the taxpayers' money only to meet an electoral deadline?

**Hon. Bill Graham (Minister of National Defence, Lib.):** Mr. Speaker, this program has no connection whatsoever with an electoral deadline as the Bloc Québécois suggests. Instead, the deadline is our troops' need of the equipment required to do the job the Government of Canada and the people of Canada want them to do. We will continue on that path and we will obtain what our troops require. I would respectfully ask the hon. member over the way to wait until we have a plan before he starts attacking it. You have to see something before you can attack it.

\* \* \*

[English]

**PRESENCE IN GALLERY**

**The Speaker:** I would like to draw the attention of hon. members to the presence in the gallery of the hon. Olayuk Akesuk, Minister of Sustainable Development for the Nunavut government.

**Some hon. members:** Hear, hear!

**ROUTINE PROCEEDINGS**

[Translation]

**WAYS AND MEANS**

## NOTICE OF MOTION

**Hon. Mauril Bélanger (Minister for Internal Trade, Deputy Leader of the Government in the House of Commons, Minister responsible for Official Languages and Associate Minister of National Defence, Lib.):** Mr. Speaker, pursuant to Standing Order 83(1), I wish on behalf of the Minister of Finance to table a Notice of Ways and Means Motion to implement certain income tax reductions. I ask that an order of the day be designated for consideration of this motion.

\* \* \*

● (1505)

[English]

**ORDER IN COUNCIL APPOINTMENTS**

**Hon. Dominic LeBlanc (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I am pleased to table, in both official languages, a number of order in council appointments recently made by the government.

[Translation]

**GOVERNMENT RESPONSE TO PETITIONS**

**Hon. Dominic LeBlanc (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I am very pleased to table the government's response to 38 petitions.

\* \* \*

[English]

**TELECOMMUNICATIONS ACT**

**Hon. Bill Graham (for the Minister of Industry)** moved for leave to introduce Bill C-73, An Act to amend the Telecommunications Act (No. 2).

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

\* \* \*

**COMMITTEES OF THE HOUSE**JUSTICE, HUMAN RIGHTS, PUBLIC SAFETY AND EMERGENCY  
PREPAREDNESS

**Mr. John Maloney (Welland, Lib.):** Mr. Speaker, I have the honour to present, in both official languages, the 16th report of the Standing Committee on Justice, Human Rights, Public Safety and Emergency Preparedness.

In accordance with its order of reference of Monday, November 15, 2004, your committee has considered Bill C-16, An Act to Amend the Criminal Code (impaired driving) and agreed on Thursday, November 3, 2005 to report it with amendments.

\* \* \*

[Translation]

**CANADIAN PRODUCTS PROMOTION ACT**

**Ms. Monique Guay (Rivière-du-Nord, BQ)** moved for leave to introduce Bill C-440, An Act respecting the use of government contracts to promote economic development.

She said: Mr. Speaker, the Canadian government buys goods and services worth somewhere between \$40 billion and \$50 billion a year. It is therefore the largest buyer in Canada.

This bill calls on the government to give preference to Canada. Over \$3 billion in contracts and purchases are awarded and made abroad. In this bill, we are calling on the government to favour Quebec and Canadian companies over foreign companies. This would also ensure the survival of many companies that had to close their doors after losing their government contracts—there are many small companies in Quebec.

This bill promotes greater equity in the purchases made in the different provinces. The federal government currently makes two thirds of its purchases in Ontario. That said, we would reduce that to 50% and divide the other 50% among the western provinces and Quebec.

*Routine Proceedings*

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

\* \* \*

[English]

#### CANADIAN FORCES SUPERANNUATION ACT

**Mr. Peter Stoffer (Sackville—Eastern Shore, NDP)** moved for leave to introduce Bill C-441, An Act to amend the Canadian Forces Superannuation Act and the Royal Canadian Mounted Police Superannuation Act (elimination of deduction from annuity).

He said: Mr. Speaker, this bill would stop the clawback when military and RCMP members reach the age of 65. When they reach age 65 the amount they receive from CPP is immediately clawed back from their Canadian Forces or RCMP pension. As well, for those who become disabled and have to leave the RCMP or military early, their Canada pension plan disability or any disability payments at that time are immediately clawed back whatever their age from their Canadian Forces or RCMP pension.

We hope to change that and allow those brave men and women who have served our country so gallantly to keep the money they so rightfully deserve.

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

\* \* \*

• (1510)

#### BANKRUPTCY AND INSOLVENCY ACT

**Mrs. Bev Desjarlais (Churchill, Ind.)** moved for leave to introduce Bill C-442, An Act to amend the Bankruptcy and Insolvency Act (additional claims).

She said: Mr. Speaker, as many are aware, there is an injustice that takes place with workers in the event that a company goes bankrupt. Often a fair amount of their pay is not paid out as a result of the bankruptcy. This bill would ensure that severance or termination pay arising under a collective agreement or legislation, benefits and other payments, including payments required to eliminate any unfunded liabilities of pension plans that provide benefits to workers, as well as commissions and compensation owed to contract workers get paid.

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

\* \* \*

#### PARLIAMENT OF CANADA ACT

**Mr. Loyola Hearn (St. John's South—Mount Pearl, CPC)** moved for leave to introduce Bill C-443, An Act to amend the Parliament of Canada Act and the Canada Elections Act.

He said: Mr. Speaker, this bill would require the holding of a byelection within 90 days of a vacancy occurring in the membership of the House of Commons through a resignation or the death of a member.

Section 3 of the Charter of Rights and Freedoms guarantees that every citizen of Canada has the right to vote in the election of members of the House of Commons. That right, however, can be held in abeyance by the Prime Minister's ability to delay calling a byelection for as long as a year. Many thousands of Canadians are thus left with no representation in Parliament. This bill would put the

democratic right of Canadians ahead of prime ministerial game playing.

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

\* \* \*

#### PETITIONS

##### OLD AGE SECURITY

**Hon. Navdeep Bains (Mississauga—Brampton South, Lib.):** Mr. Speaker, I would like to table a petition which is signed by many of the seniors in my riding. The petitioners ask the government to designate legislation that would give all Canadian seniors equitable treatment toward the distribution of the old age security pension.

##### FOOD AND DRUGS ACT

**Mr. John Williams (Edmonton—St. Albert, CPC):** Mr. Speaker, I have two petitions to present today.

The first petition calls upon Parliament to provide Canadians with greater access to non-drug preventive and medicinal options, as well as information about these options, and to sanction the personal choice of Canadians by clarifying the currently vague definitions of “food” and “drugs” in the outdated legislation.

##### MARRIAGE

**Mr. John Williams (Edmonton—St. Albert, CPC):** Mr. Speaker, this petition from my constituents in and around Edmonton calls upon Parliament to pass legislation to recognize the institution of marriage in federal law as being the lifelong union of one man and one woman to the exclusion of all others.

##### COPYRIGHT ACT

**Mrs. Joy Smith (Kildonan—St. Paul, CPC):** Mr. Speaker, I would like to ask for unanimous consent of the House to table petitions from teachers, superintendents and principals across our nation who ask for an educational amendment to be put in Bill C-60, the copyright law.

**The Speaker:** Does the hon. member for Kildonan—St. Paul have the unanimous consent of the House to table the petitions?

**Some hon. members:** Agreed.

• (1515)

**Mrs. Joy Smith:** Mr. Speaker, I thank members of the House for allowing this to happen. It is very important that an educational amendment be put in the copyright law, Bill C-60, because it will free teachers and students from the burden of paying for otherwise free material that they download right now.

##### RECREATIONAL FISHING

**Hon. Rob Nicholson (Niagara Falls, CPC):** Mr. Speaker, I have several petitions from Ridgeway, Fort Erie, Stevensville, Port Colborne, Dunnville, Crystal Beach, St. Davids, Niagara-on-the-Lake, Lowbanks and Niagara Falls.

*Routine Proceedings*

The petitioners state that because the government has acted without consulting the fishing industry and without relying on credible science and that the actions of the government will put an end to recreational fishing, as we know it, they petition Parliament to use all possible legislative and administrative measures to stop the prohibition on the importation, manufacture and sale of lead sinkers and jigs used in fishing.

## FOREIGN ADOPTIONS

**Mr. Jay Hill (Prince George—Peace River, CPC):** Mr. Speaker, it is a pleasure for me to rise again, as I have endeavoured to do all fall in this session of Parliament, to present petitions on an issue of great importance to citizens from coast to coast. This petition is signed by citizens from Toronto, Mississauga, Scarborough, Welland, Port Colborne, Paris and other towns and cities in the great province of Ontario.

The petitioners would like to draw the attention of the House to the fact that on average about 2,000 children are adopted from foreign countries and brought to Canada, yet they do not receive automatic citizenship.

Therefore, the petitioners call upon Parliament to immediately enact legislation to grant automatic citizenship to those minors adopted from other countries by Canadian citizens with the citizenship being immediately granted upon the finalization of the adoption.

I need not remind members again that the Minister of Citizenship and Immigration has committed to doing this. We are in mid-November and we still do not have the legislation to do it. I call upon him, on behalf of these citizens and many others, to bring that forward post-haste.

\* \* \*

[Translation]

## QUESTIONS ON THE ORDER PAPER

**Hon. Dominic LeBlanc (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, the following questions will be answered today: Nos. 183, 187, 189, 191, 201 and 209.

[Text]

Question No. 183—**Mr. Scott Reid:**

With regard to contracted employment, in the years 2002, 2003, 2004 and 2005, for current and former members of the Press Gallery who are not camera operators, sound technicians or primarily employed to report for a foreign media source or for a media outlet that reports in a non-official language, and for whom any corroborating information as to the person's identity, such as date of birth or location of birth, current home address or mailing address, telephone number or e-mail address is available; which members and former members were paid by the government, and for each: (a) what types of service were provided and to which departments, agencies, and Crown Corporations were they provided; (b) for what period did the individuals in question serve in the relevant capacity; and (c) what was the cost for the services provided?

**Hon. Dominic LeBlanc (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, given the complexity of the question, the government has been in contact with the MP for Lanark—Frontenac—Lennox and Addington to seek clarification on the question. Since the Privacy Act imposes strict limits on the purposes for which a

department may collect, retain, or disclose information, the government is reviewing in depth the legal implications of the question. However, the government hopes to be in a position shortly to table a supplementary response.

Question No. 187—**Mr. Jay Hill:**

What steps has the government taken to give effect to a motion adopted by the House on April 20, 2005, that sought compensation from the government for all victims of Hepatitis C; if no action has been taken, what explanation can the government give to justify its decision?

**Hon. Ujjal Dosanjh (Minister of Health, Lib.):** Mr. Speaker, on November 22, 2004, the Minister of Health announced the government's intention to enter into discussions about options to provide compensation to those infected pre-1986 and post-1990. The government entered into discussions because it was the right and responsible thing to do.

The government voted in favour of the motion before the House of Commons concerning hepatitis C compensation for those infected pre-1986/post-1990, because the principle of the motion supported the actions we have taken and allowed us to reaffirm our commitment of November 22, 2004.

Discussions with legal counsel representing those infected began immediately after the Minister of Health's November announcement, and are ongoing. The parties have held a number of discussions in the months before the motion was adopted by the House of Commons and since.

It must be understood that compensation can only be made once the necessary medical information about those infected is available and the discussions between all parties have concluded.

As part of gathering this necessary medical information, we anticipate that class counsel for the pre-1986/post-1990 class will send a letter before year's end to the pre-1986/post-1990 class. The letter seeks consent to obtain medical information from the pre-1986/post-1990 class in an effort to gather information needed to move discussions forward. The letter demonstrates that all parties involved are committed to dealing with this issue as quickly as possible.

We are working as quickly as possible to reach a successful conclusion that takes into account the actual and legal circumstances of the claimants. The negotiations are addressing these issues and all parties continue to work together in good faith to provide the necessary information upon which to base a compensation framework.

Question No. 189—**Mr. Yvon Godin:**

What is the cost, by province, of Social Development Canada's Voluntary Sector Initiative (VSI) for the Atlantic region?

**Hon. Ken Dryden (Minister of Social Development, Lib.):** Mr. Speaker, costs under the voluntary sector initiative, VSI, for Social Development Canada in the Atlantic region were made under a grant and contribution, G&C, and travel expenses reimbursed to members of the capacity joint table. Expenditures incurred related to the provinces of New Brunswick and Prince Edward Island only. Details of these expenditures are provided in the attached chart for the fiscal years 2002-03 to 2004-05.

*Routine Proceedings*

No money was spent by Social Development Canada under the VSI in the provinces of Nova Scotia or Newfoundland and Labrador during the specified period of time.

**COST BY PROVINCE OF SDC'S  
VOLUNTARY SECTOR INITIATIVE (VSI)**

		S's			
Type of Cost		2002- 03	2003- 04	2004- 05	Total
<b>New Brunswick</b>					
SIDPD	Contributions	158,797.00	42,942.00	-	201,739.00 See Note 1.
CJT	Operating	152.85	-	-	152.85 See Note 2.
Sub-total					
New Brunswick		158,949.85	42,942.00	-	201,891.85
<b>Prince Edward Island</b>					
CJT	Operating	733.75	211.10	-	944.85 See Note 2.
<b>Total Atlantic Region</b>		159,683.60	43,153.10	-	202,836.70

1. SIDPD - Sectoral Involvement in Departmental Policy Development. Project commenced in 2001/02 and total cost was \$361,770.

2. CJT - Capacity Joint Table. Travel expenses for members of Capacity Joint Table (CJT).

the only deposit requirement is by producers in order to secure coverage under the CAIS program.

In July, federal-provincial-territorial ministers agreed to replace the producer deposit mechanism under CAIS with a fee-based structure in order to respond to producer concerns regarding the affordability of the program and to free up capital which was previously held in CAIS accounts. In the meantime, the deadline for producer deposits for the 2003, 2004 and 2005 program years has been extended until March 31, 2006 and producers have been allowed to withdraw their previously deposited funds. There is currently less than \$340 million remaining in producers' CAIS accounts, down from nearly \$650 million in March of this year.

**Question No. 191—Mrs. Joy Smith:**

With regard to "The New Deal for Cities and Communities," outlined on pages 199 to 204 of the Budget Plan 2005, why did the government decide to deny the City of Winnipeg the ability to use infrastructure money on projects such as roads and bridges?

**Hon. John Godfrey (Minister of State (Infrastructure and Communities), Lib.):** Mr. Speaker, negotiations are ongoing with Manitoba for the sharing of federal gas tax revenues with the province's cities and communities. As stated in the budget plan 2005; "In each large urban centre, investments will be targeted to one or two of the following priorities: public transit, water and wastewater, community energy systems, and treatment of solid waste. In smaller municipalities, eligible funding will be considered more broadly to provide flexibility to meet priorities. In all municipalities, some funds may also be used for capacity-building initiatives to support sustainability planning."

Projects for roads and bridges may be eligible for funding through the Canada strategic infrastructure fund. For example, the federal government contributed \$13 million dollars through the Canada strategic infrastructure fund to the Winnipeg Kenaston underpass project for the construction of a railway underpass and other associated roadwork.

Under the Canada-Manitoba municipal-rural infrastructure fund, "local roads" (including bridges) are an eligible category.

**Question No. 201—Mr. Inky Mark:**

With regard to the Canadian Agricultural Income Stabilization program: (a) what is the total amount of funding the government has deposited into the program since its creation; (b) how much has been withdrawn by applicants; and (c) how much has been withdrawn by applicants in the riding of Dauphin-Swan River-Marquette?

**Hon. Andy Mitchell (Minister of Agriculture and Agri-Food, Lib.):** Mr. Speaker, the reply is as follows:

(a) The Canadian agricultural income stabilization, CAIS, program replaced both the Canadian farm income payment, CFIP, and the net income stabilization account, NISA, program. Whereas, under the NISA program, governments deposited their share of program payments into producer accounts, the CAIS program makes the government share of payments directly to producers. Currently,

In relation to government funding under CAIS, I would like to point out that CAIS is a needs-based program. This means there is no annual spending cap on the program in order to allow CAIS to better respond to producer-demand. As a business risk management, BRM, program under the current agricultural policy framework, APF, the CAIS program, together with production insurance and the spring and fall cash advance programs, is funded from a committed \$5.5 billion in federal funding over the five-year life of the program (2003-04 to 2007-08 fiscal years), which equates to approximately \$1.1 billion per year. Under the 60:40 federal-provincial cost-sharing ratio, the provinces have committed to adding another \$700 million per year to this federal funding.

Since the inception of CAIS for the 2003 program year, governments have paid a total of \$2.3 billion (\$1.38 billion federal and \$0.92 billion provincial shares) to producers under the program.

(b) This has resulted in producers receiving more than \$2.3 billion in income stabilization and disaster assistance payments through the CAIS Program to date, which include final payments for 2003, interim (advance) payments and final payments for 2004 and interim payments for 2005. As 2003 CAIS payments are winding down and payments for the 2004 program year are now being paid, as well as interim payments for the 2005 program year, this number will continue to increase.

(c) In response to your request for CAIS payment number for your riding, I must say that the administrative systems for the CAIS program do not allow me to provide that type of a breakdown. However, I would like to report that more than \$200 million has gone out to producers in Manitoba since CAIS was implemented.



*Routine Proceedings***Question No. 209—Mr. Bradley Trost:**

For the fiscal years 1993-1994, 1994-1995, 1995-1996, 1996-1997, 1997-1998, 1998-1999, 1999-2000, 2000-2001, 2001-2002, 2002-2003 and 2003-2004, from all departments and agencies of the government, including crown corporations and quasi/non-governmental agencies funded by the government, and not including research and student-related grants and loans, what is the list of grants, loans, contributions and contracts awarded in the city of Regina and in the riding of Wascana, which includes the cities of Sedley, Francis, Vibank, Odessa, Kendal and Montmartre or which have postal codes starting with S0G, S4N, S4P, S4R, S4S, S4V, S4Y and S4Z, including (i) the name and address of the recipient, (ii) whether or not it was competitively awarded, (iii) the date, (iv) the amount and the type of funding, and (v) if repayable, whether or not it has been repaid?

**Hon. Dominic LeBlanc (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):**

Mr. Speaker, the Department of Public Works and Government Services maintains an extensive data bank of information on contracts let on its own behalf and on behalf of other government departments. However, as stated in the Treasury Board Secretariat contracting policy, the contracting process is to be conducted in a manner that enhances access, competition and fairness. Statistics are not reported by electoral boundaries because they have no bearing on the contract award process. Contracts are awarded based on price, technical merit, or a combination of the two, not on the location of a supplier's office. Further, contracting statistics cannot identify which geographic area receives the economic benefits of a contract.

However, the Privy Council Office has contacted departments, agencies and crown corporations to ascertain whether they have an electronic capacity to search for and sort financial and contract information by federal electoral district and by city in order to respond to this question. The results of the survey show that approximately 65% to 70% of government organizations are not able to perform an electronic search for information on grants, loans and contributions on this basis.

\* \* \*

[English]

**QUESTIONS PASSED AS ORDERS FOR RETURNS****Hon. Dominic LeBlanc (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):**

Mr. Speaker, if Question No. 160, the supplementary answer, Question No. 165, another supplementary answer, Questions Nos. 176, 184, 186, 188, 194, 196, 200, 202, 203 and 204 could be made orders for returns, these returns would be tabled immediately.

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

[Text]

**Question No. 160—Ms. Diane Finley:**

With regard to the funding of the 19 federal agricultural research stations in Canada: (a) for each fiscal year, between 1995 and 2005: (i) what was the total amount of research funding transferred by the government to each of the 19 agriculture research stations, (ii) what was the total level of staffing and the composition of the staffing (i.e. the numbers of scientists, researchers, support staff and other staff) at each of the 19 agricultural research stations, (iii) what specific research projects were funded at the 19 agricultural research stations in Canada, (iv) how much of the research funds were dedicated to each of the research projects, (v) what percentage of the research funding to each of the 19 agricultural research stations was dedicated to resource research, plant research, animal research, and food and value-added research; and (b) for each fiscal year, between 1995 and 2005, what

percentage of the research funding to each of the 19 agricultural research stations was dedicated to other categories of agricultural and/or agri-food research?

(Return tabled)

**Question No. 165—Mr. Randy White:**

With regard to Correctional Services Canada during the fiscal years 2002-2003, 2003-2004 and 2004-2005: (a) what was the total amount of salary bonuses paid to prison wardens in all regions; (b) what was the total cost in providing legal aid to inmates in each region; and (c) in how many instances was said legal aid utilized?

(Return tabled)

**Question No. 176—Mr. Garry Breitkreuz:**

For each province and territory: (a) how many RCMP officers are currently serving under federal responsibilities, provincial responsibilities, and municipal responsibilities; (b) what is the current number of unfulfilled requests for RCMP officers from provinces and municipalities; and (c) how many RCMP officers are currently needed to bring the RCMP up to full strength?

(Return tabled)

**Question No. 184—Mr. Bill Casey:**

With regard to the government's position and actions regarding employment insurance (EI) benefits for spouses of employees of the government or private sector employees who have been posted overseas and who are unable to receive unemployment insurance benefits, even though these citizens are still registered in constituencies across Canada: (a) how many spouses of Canadian diplomats, Canadian foreign-service employees or private sector employees have filed complaints with the Canada Revenue Agency (CRA), or Human Resources and Skills Development Canada (HRSDC) with regard to their inability to receive EI benefits, even though they are still Canadian citizens who are registered in federal constituencies across Canada and still pay taxes to the government; (b) does the CRA collect the payment of EI premiums from the spouses of Canada's diplomats, foreign-service employees and those from the private sector, and, if so, why is it that these individuals cannot receive the EI benefits for which they have paid through their salaries, and earned from Canadian employers either just prior to, or while living overseas; (c) is there a conflict between the CRA and HRSDC definitions of residency of a Canadian citizen and, if so, why; (d) has any action taken place between officials of CRA, HRSDC, Foreign Affairs Canada or Elections Canada to update or correct conflicts in the definition process for determining an individual's residency; (e) has any action taken place within the CRA to update the NR-73 Determination of Residency Status form and resulting process to correct any determination conflicts with those of other federal departments for Canadians living and working overseas; (f) have HRSDC, CRA, Elections Canada or Foreign Affairs Canada ever discussed using a standardized or shared definition for determining who is a "spouse", in cases of spouses of government (including diplomatic and foreign-service staff) or private sector employees who have been posted overseas and wish to claim employment insurance benefits; (g) which nations does Canada have reciprocal treaties/agreements enabling the payment of employment insurance benefits to Canadians outside of Canada, and when were these treaties/agreements established; (h) is the government actively negotiating with any other nations with regard to achieving a reciprocal employment insurance agreement; (i) has the government sought, or been approached, to establish reciprocal treaties or employment insurance agreements with Canada's NAFTA partners, with the European Union or any of its member states, the United Kingdom or any other G-8 nation; (j) was the subject of reciprocal employment insurance benefits treaties or agreements discussed or proposed during the drafting of Canada's newest foreign policy review, or in negotiations with the World Trade Organization, the General Agreement on Tariffs and Trade negotiations, or the Trade and Investment Agreement negotiations; and if so, what concerns or suggestions were raised regarding the implementation of these EI treaties or agreements; (k) have any spouses of Canada's diplomatic corps or foreign-service employees been contacted with regard to ascertaining their opinions or suggestions for improving the present conflict with employment insurance benefit regulations; and (l) what progress has Foreign Affairs Canada, HRSDC and CRA achieved towards creating a solution to spousal overseas EI issues?

(Return tabled)

*Points of Order***Question No. 186—Mr. Jay Hill:**

What steps has the government taken to give effect to the motion adopted by the House on February 22, 2005, that called on the government to implement the measures recommended in the Auditor General's report to improve the framework for the accountability of foundations, in particular, to ensure that foundations are subject to performance audits that are reported to Parliament and that the Auditor General be appointed as the external auditor of foundations; if no action has been taken, what explanation can the government give to justify its decision?

(Return tabled)

**Question No. 188—Mr. Jay Hill:**

Considering the 48 recommendations by the Special Joint Committee's December 1998 report, For the Sake of the Children, what steps or actions have been taken, by the government, in order to address these recommendations on issues regarding the voice of the child and joint custody in divorce proceedings?

(Return tabled)

**Question No. 194—Mr. David Chatters:**

With regard to cancer research and treatment, does the government and its departments and agencies provide funding to pharmaceutical companies for cancer research, treatment and drug development and, if so, on a yearly basis: (a) how much funding was given; (b) which pharmaceutical companies received funding; and (c) what type of research was funded?

(Return tabled)

**Question No. 196—Mrs. Lynne Yelich:**

With regard to funding for Canada Day celebrations, including funding from the Celebrate Canada program, for 2005: (a) which organizations and governments received funding; (b) how much did each organization and government, broken down by province, receive; and (c) were there any pre-existing criteria determining which organizations and governments would be eligible to receive this funding, and, if so, what were they?

(Return tabled)

**Question No. 200—Mr. Inky Mark:**

With respect to the Department of Fisheries and Oceans, what strategy for sustainability has been put in place for sport and commercial freshwater fish in Manitoba, Saskatchewan and Alberta?

(Return tabled)

**Question No. 202—Mr. Myron Thompson:**

Since January 2002, have any contracts been awarded by the government to CFN Consulting or any of its senior partners, and, if so: (a) who were the individuals involved; (b) what was the nature of the work; and (c) what was the dollar value involved in each contract?

(Return tabled)

**Question No. 203—Hon. Ed Broadbent:**

What is the complete metes and bounds description of Gatineau Park as most recently approved by the government?

(Return tabled)

**Question No. 204—Hon. Ed Broadbent:**

Regarding Gatineau Park's boundaries: (a) how many times have they been changed since they were set by Order in Council in 1960; (b) were those changes made by Order in Council and, if not, why not, and by what method were they changed; and (c) were properties removed from the park as a result of these changes and, if so, where are they located and how many acres are in each parcel?

(Return tabled)

[English]

**Hon. Dominic LeBlanc:** Mr. Speaker, I ask that all remaining questions be allowed to stand.

**The Speaker:** Is that agreed?

**Some hon. members:** Agreed.

\* \* \*

**POINTS OF ORDER**

BILL C-364—TRADE COMPENSATION ACT

**Mr. Brian Jean (Fort McMurray—Athabasca, CPC):** Mr. Speaker, on October 19 the Parliamentary Secretary to the Leader of the Government in the House of Commons raised a point of order to question whether or not Bill C-364 required a royal recommendation, and I would like to respond to that.

The Standing Orders were revised in 1994 to remove the requirement that a royal recommendation had to be provided to the House at the time of introduction of bills.

On page 897 of Marleau and Montpetit, it states:

—since 1994, a private Member may introduce a public bill containing provisions requiring the expenditure of public funds provided that a royal recommendation is obtained by a Minister before the bill is read a third time and passed.

Marleau and Montpetit provides an example of this happening. Bill C-216, an act to amend the Unemployment Insurance Act, had been reported back to the House from committee on June 16, 1994 and debate at the third reading stage began on December 6, 1994.

The bill was given royal assent on March 26, 1995, more than nine months after it was reported back to the House from committee.

A royal recommendation clearly can be provided after the bill has been introduced so long as it is provided before the bill is read a third time and passed by the House. It does not prevent the bill from being debated at second reading, referred to a committee for study or allow for amendments to be proposed. As such, the motion of the parliamentary secretary with respect, Mr. Speaker, is premature.

The parliamentary secretary also argued that Bill C-364, the trade compensation act, clause 3, constituted an appropriation for an entirely new purpose which was not already legislatively authorized.

The Minister of International Trade, on April 15, announced funding for the softwood lumber industry associations in the amount of \$20 million and before that in the amount of \$15 million. It may be argued that such spending then, Mr. Speaker, is already legislatively authorized.

Under clause 4 of the bill, which refers to loan guarantees, it also may be argued that the government by way of the Business Development Bank of Canada already provides loan guarantees in similar circumstances such as this bill proposes.

I submit, with respect, that the parliamentary secretary is premature, first, with his objection to the bill. Second, it is arguable that the bill may not even need a royal recommendation.

These concerns however, notwithstanding the above, can be addressed at the committee level and amendments may be brought forward such that the bill may not require a royal recommendation.

*Government Orders***GOVERNMENT ORDERS**

[English]

**CRIMINAL CODE**

(Bill C-50. On the Order: Government Orders)

May 16, 2005—The Minister of Justice and Attorney General of Canada—Second reading and reference to the Standing Committee on Justice, Human Rights, Public Safety and Emergency Preparedness of Bill C-50, an act to amend the Criminal Code in respect of cruelty to animals.

**Hon. Scott Brison (for the Minister of Justice and Attorney General of Canada) moved:**

That Bill C-50, an act to amend the Criminal Code in respect of cruelty to animals, be referred forthwith to the Standing Committee on Justice, Human Rights, Public Safety and Emergency Preparedness.

**Hon. Paul Harold Macklin (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.):** Mr. Speaker, it is a pleasure to speak to the provisions of Bill C-50, an act to amend the Criminal Code relating to the cruelty to animals.

The legislation has a long and notorious history in Parliament. Members will no doubt remember that the legislation has been before the House on a number of occasions over the past five years. These animal cruelty amendments were first introduced in Parliament in 1999 as part of an omnibus criminal reform bill called Bill C-17 but died on the order paper. They were later reintroduced as another omnibus bill, Bill C-15, in a subsequent Parliament. That bill was split into two portions and the portion which contained the animal cruelty amendments again died on the order paper. The amendments were next re-tabled as Bill C-10 which were again split and again the portion with animal cruelty died on the order paper. In the last Parliament, these amendments were known as Bill C-22. Today we are discussing the same amendments in Bill C-50.

The history of the bill is a long and winding road, which includes two highly unusual incidents of bill-splitting and several messages being sent between this and the other chamber. Given the occurrences of rare parliamentary procedures and ping-ponging of the legislation, a person unfamiliar with this history might come away with the impression that the legislation is still controversial and lacks broad base support.

I would like to take this opportunity to remind the members that in actual fact this House has passed this legislation several times in the last two years with support from members on both sides of the House. In addition, hon. members should recall that the legislation has a history of accommodation and compromise that has brought together groups that advocate for animal welfare, as well as groups that advocate for people whose livelihoods depend upon the use of animals. Let me explain.

Over the past five years there has been spirited and comprehensive debate about the impact of the legislation in both this House and the other place, in committees in both places, in the public domain and in the media, not to mention the innumerable meetings between stakeholders and various government officials. As a result, specific amendments have been made on a number of occasions to this bill. These were not legally necessary changes, I would submit, but were adopted by the government with a view to providing greater clarity about the issues of concern.

I also have written to the minister to seek the support for a royal recommendation should it be required. I am confident, Mr. Speaker, that once the House sends the bill to committee and the minister sees the support for the legislation, the government will gladly furnish a royal recommendation if required before it is read a third time and passed.

● (1520)

**The Speaker:** I thank the hon. member for his intervention on this matter and of course I will be back to the House in due course with a ruling.

\* \* \*

● (1525)

**PRIVILEGE**

## SENDING OF DOCUMENTS FROM MEMBERS OF PARLIAMENT

The House resumed consideration of the motion, of the amendment and of the amendment to the amendment.

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

**Some hon. members:** Question.

**The Speaker:** The question is on the amendment to the amendment. Is it the pleasure of the House to adopt the amendment to the amendment?

**Some hon. members:** Agreed.

**An hon. member:** On division.

(Amendment to the amendment agreed to)

**The Speaker:** The next question is on the amendment. Is it the pleasure of the House to adopt the amendment?

**Some hon. members:** Agreed.

**An hon. member:** On division.

(Amendment agreed to)

**The Speaker:** The next question is on the main motion, as amended. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

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

**Some hon. members:** Yea.

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

**Some hon. members:** Nay.

**The Speaker:** In my opinion the nays have it.

*And more than five members having risen:*

**The Speaker:** Call in the members.

*And the bells having rung:*

**The Speaker:** At the request of the chief government whip, the vote on the motion, as amended, will be deferred until tomorrow evening at 5:30 p.m.

*Government Orders*

These accommodations did not compromise protections against animal cruelty. The end result was that a large number of industry stakeholders came to support the legislation. The ministers received the written support of a broad based coalition of industry groups, including a letter from earlier this year urging the government to re-table these very amendments just months before this bill was tabled.

This coalition of stakeholders includes representatives from the agricultural sector, animal research and the trapping industry. The legislation is not meant to and will not negatively impact on the lawful and humane animal related industries and these industries have now acknowledged that. Of course, animal welfare organizations, as well as veterinary associations, police associations and provincial attorneys general, continue to support the legislation wholeheartedly.

The only difference between this legislation and that which was last passed by this House as Bill C-22 is the inclusion now of a non-derogation clause that reaffirms the applicability of existing constitutional protection for traditional aboriginal practices. This was included after discussions between the minister and concerned senators over the potential impact of the legislation on aboriginal persons.

In every other respect, the legislation we have before us today mirrors exactly that legislation which was passed by this House many times already and which stakeholder groups on all sides of the issue urged the government to re-table.

With that brief history, let me make a few basic points about the legislation.

● (1530)

The first point to note is that Bill C-50 is not about new law. It is about better law. The criminal law already contains a range of offences that prohibit cruelty to animals and has since 1893, but the law is a messy jumble of archaic terminology and piecemeal amendments made on a few occasions since 1893.

The first goal of the bill therefore is to modernize, simplify and rationalize the law as well as to fill in certain gaps in legal protection. This objective is accomplished by a variety of measures, including: removing the distinctions in the law that originate from another century; removing overlapping offences; improving the coherence and functionality of the law by removing problematic language, such as “dogs, birds and other animals”; eliminating the illogical notion of “wilful neglect” that is not found anywhere else in our criminal law; and filling in gaps by creating new offences of killing an animal with a brutal or vicious intent and training an animal for the purpose of fighting another animal.

One other change that bears mentioning is the creation of a new chapter of the Criminal Code devoted specifically to animal cruelty. The new chapter would not change the legal substance of offences but would allow us to stop categorizing animal cruelty as property crime and to symbolically reflect that animal cruelty is most appropriately characterized as a gross violation of public standards of acceptable behaviour, as oftentimes it is a serious offence of violence. In fact, there is increasingly scientific evidence of a link between animal cruelty and subsequent violent offending against humans, particularly in the context of domestic violence. The

women and children who are forced to witness animal cruelty know that it is not about property damage and it is time our Criminal Code recognized this reality.

The second goal of the amendments is to increase and enhance the penalty regime for animal cruelty offences. The way that society traditionally recognizes the seriousness of a particular conduct is through the penalty that it prescribes for that conduct.

Bill C-50 would make the law more coherent by clearly distinguishing criminally negligent conduct from wilful cruelty for the purposes of providing different sentencing ranges. The person who keeps too many cats and is unable to care for them all commits a different kind of criminal offence than one who skins a cat alive, and Bill C-50 would ensure that penalty ranges reflect this.

The current maximum penalty for animal cruelty, six months in prison or a \$2,000 fine or both, would be increased accordingly for both kinds of crime. For intentional cruelty, which would be made a hybrid offence, the maximum penalty on indictment would be increased to five years and on summary conviction to eighteen months. For criminally negligent offences, the maximum sentence would be increased to two years.

Another change is the removal of the current two year cap on orders prohibiting a convicted offender from owning or living with animals. The length of a prohibition order would be in the discretion of the judge and he or she would make the final determination. The courts would also be given a clear power to order a convicted offender to repay to a person or to an organization, which most likely would be the animal welfare society, the costs associated with the caring for the animal the offender was convicted of abusing.

These penalty enhancements, coupled with the other set of reforms that bring greater simplicity, coherence and rationality to the laws, will work together to signal to judges, prosecutors, police and the general public that the abuse of animals is about violence and that cruelty is a matter of serious criminal law.

● (1535)

To be effective, good criminal law must not only provide adequate penalty ranges, it must also be clear, coherent, complete and must reflect the true nature of the misconduct and the societal values at stake. The full range of legal reforms is necessary to bring our 19th century criminal laws in this area into the 21st century.

Over the course of many years that animal cruelty amendments have been before Parliament, Canadians have consistently voiced their strong support for legislative change in this area and their expectation that the legislation will be passed without delay. I urge all members in the House to ensure that occurs as soon as possible.

*Government Orders*

**Mr. Vic Toews (Provencher, CPC):** Mr. Speaker, is the parliamentary secretary saying that the bill is exactly the same as the bill that was passed by the House previously?

Many agricultural, hunting and trapping groups are expressing a lot of concern about the idea that one examines whether the killing of an animal is judged criminal, whether or not death ensues immediately. I would think that death ensuing immediately would go to the determination of whether or not something is vicious and brutal.

In my reading of the act, it seems to suggest that the act of killing the animal can be vicious and brutal even though death ensues immediately. That does not make any sense to me. Even though something might appear to be vicious and brutal, if the act of killing an animal, let us say a cow or a hog, was immediate, how can it then be vicious and brutal? I would like to have that explained.

• (1540)

**Hon. Paul Harold Macklin:** Mr. Speaker, the member has asked a number of questions and I am not sure whether we will have enough time to properly address them.

However, first, with respect to the bill itself, the bill is not exactly the same as the previous bill. As I mentioned in my speech, it relates to the non-derogation clause for the recognition of aboriginal practices. That is an addition to the previously passed legislation.

However, in other respects the bill is a mirror image of the bill that has been passed here a number of times.

The question the hon. member raised is one that needs to be addressed as it relates to those who are in the industry. Clearly, we have had support through various letters brought to us about the industry's acceptance of what is going on. As he would well remember, some of the amendments that we brought forward previously made it clear that we are incorporating all of the common law defences that were there originally so that they are equally available today.

I believe the industry does have an understanding of this. The basic concern that industry was trying to express was whether it would have the protections that it has today. It is fair to say that it would have the same protections and that we have, shall we say, bolstered it, both from a section 8 perspective and the broader perspective, which I believe was section 429, although I could be in error on that, but around that section. However in both cases it does protect the issue as it relates to their practices.

We are all very conscious about wanting to, first, protect our animals, but we are equally conscious of ensuring that those who make their living from this are properly protected so that they will not suffer the risk of being prosecuted for simply carrying on in their normal trade practice the way in which is accepted for that trade or profession to carry out the killing of animals.

[*Translation*]

**Ms. Diane Bourgeois (Terrebonne—Blainville, BQ):** Mr. Speaker, first, I have a comment and then I want to ask a question.

It is very appropriate, in my opinion, to introduce a bill to prevent cruelty to animals. This bill is essential. We have been talking about this since I arrived in the House of Commons. We had Bills C-10 and

C-22. Now, we have Bill C-50. I hope that this bill contains many improvements. I will make what may be an unfortunate parallel. It would have been nice to see legislation banning cruelty against human beings, particularly psychological harassment, in the same way that we are now considering legislation on cruelty to animals.

My question is as follows. It is not so much how animals are killed, which is important to animal rights groups, but rather the care they receive, whether they are en route to the slaughterhouse, force-fed, given water and food, cared for, from the day they are born to the day they are slaughtered. For those who have concerns about this, is there a section in the bill that mentions protection for animals in this very specific regard?

• (1545)

[*English*]

**The Acting Speaker (Mr. Marcel Proulx):** The hon. parliamentary secretary only has seconds to reply. The Chair made a mistake in assuming there were 10 minutes for questions and comments, whereas there are only five minutes. Would the parliamentary secretary please make his answer brief.

**Hon. Paul Harold Macklin:** Mr. Speaker, let me simply say that this will cover a broad range of activities that would be considered to be negative in relation to animals. It goes into the issue of taking care of animals. When we are talking about care, that care can be in the most broad context that one could suggest.

Each and every one of us really has sympathy for our animal friends. We want to make sure that they are cared for. There have been some examples in the last few days of what are referred to as puppy mills. That sort of activity obviously causes a great deal of concern to everyone who is interested in animal welfare. This bill goes a long way toward making sure that we provide far better protection in a very clear and distinct manner so that our pets and animals will be well looked after.

**Mr. Vic Toews (Provencher, CPC):** Mr. Speaker, I am pleased to address Bill C-50, an act to amend the Criminal Code in respect of cruelty to animals.

It has been a great source of frustration for many Canadians that the government has been attempting to legislate changes to animal cruelty offences since 1999 without success. Several versions of this bill have wound their way through the House and Senate only to die on the order paper. The parliamentary secretary did go through those previous versions. There were concerns that the proposed amendments could have criminalized some common and lawful activities such as catch and release fishing, trapping, hunting, and even some farming practices.

*Government Orders*

We are not just talking about our friends the animals, which is how urban people might view animals, and we have lots of animal friends. I have a dog who is a friend. Animals are also used in the context of agriculture, and those animals are not necessarily our friends. We have to recognize that animals play a dual role in our society. I recall the 2% strychnine solution being argued here regarding our friends the gophers. Gophers destroy thousands of acres of land every year and kill or hurt other animals that fall into gopher holes. We have to remember that all animals are not our friends.

Throughout the debates on these bills, Conservative MPs and senators strongly expressed their desire to prevent abuse of animals, but sought legal protection for those who use animals for legitimate, lawful and justified practices. The Senate was ultimately successful in amending Bill C-10B to narrow the definition of animal and to ensure that current legal defences for legitimate practices would be maintained.

Bill C-10B was reprinted in the House of Commons as Bill C-22, and was supported by the Conservative Party in light of the Senate amendments. However, the bill died at committee in the Senate in May 2004 before the last general election.

As the parliamentary secretary has explained, this enactment would amend the Criminal Code by consolidating animal cruelty offences and increasing the maximum penalties.

One of the things we have to realize is that these changes to the Criminal Code will not make it easier to prosecute animal offences. It is very difficult to prosecute animal offences. We hear about all kinds of horrendous examples such as skinning a cat, or putting cats into microwaves, those kinds of things. The point is that these changes will not make it any easier to prosecute those types of offences. The injustice that is often done is a result of inadequate evidence to prosecute the offence.

I am not necessarily opposing these amendments. We have voted on them many times already. I am suggesting that when there is a conviction, meaningful sentences should be put in place. There have been philosophical debates about whether an animal is property or whether it is not quite a human being, as some animal rights activists would have us believe, but the point is that appropriate penalties need to be in place so that when these difficult cases are successfully prosecuted, meaningful sentences are imposed.

One of the concerns that many animal groups involved in agriculture, fishing and hunting have mentioned to me about the current bill is that it would make it illegal to brutally and viciously kill an animal regardless of whether or not the animal dies immediately. I have a lot of concerns about that particular provision because it really takes an urban person's point of view about the killing of an animal. Many urban people look at the practice of killing a particular animal as being brutal and vicious and therefore that practice should be stopped. The real point we need to consider is not simply whether it looks brutal or vicious, but whether the animal in fact dies immediately. We want to minimize the animal's pain. I think all of us are agreed on that.

● (1550)

I am concerned that what we are doing here is taking a key relevant factor in determining whether or not something is brutal or vicious and making it irrelevant. We need to take a look at that particular issue. That more than any other issue has raised concerns for the groups who depend on animals for their livelihood.

I have no concern about raising the penalties. If there is genuine cruelty to animals and a prosecution is successful, we need to prosecute those cases vigorously and impose appropriate penalties.

There is one thing I find remarkable about Liberals. I wish Liberals would speak as passionately about human victims as they sometimes do about animal victims. I am very concerned about human victims. This is perhaps an appropriate segue into that entire issue.

I raised in question period the issue that under Bill C-70 a judge will be able to impose house arrest on someone who rapes a woman. The minister said that there would be exceptional circumstances where that would happen. I asked him in question period today under what exceptional circumstances should people who rape women serve their time at home. I am concerned about that kind of thing.

I am concerned about brutality toward animals, but I am also very concerned about the brutality that we demonstrate to other human beings. When we catch those animals who commit crimes against their fellow human beings, we say we should leave the door open for exceptional circumstances so that the poor rapist can serve his time at home. I am concerned about that kind of thing and I dare say most Canadians are.

I am concerned about drug dealers who are peddling poisons that kill our children. I am concerned about that. Yet under the Liberals' Bill C-70, drug dealers who are repeat offenders can get house arrest. I wish Liberals would talk as passionately about keeping those kinds of animals behind bars, those who would do that kind of thing to our children and fellow citizens.

I have pointed out a very practical problem with this bill. I hope the parliamentary secretary looks at that particular issue. At the same time I would encourage the parliamentary secretary to ask the Minister of Justice what he is doing in Bill C-70 to allow vicious, brutal rapists and drug dealers who are destroying our youth and communities to get house arrest in exceptional circumstances. We were assured by past justice ministers, Allan Rock and others, that it would never happen that conditional sentences or house arrest would be used for violent offences.

I want to see some amendments to this bill. I think it is moving in the right direction. We have had this debate over and over. I remind the parliamentary secretary that he should show the same concern for human victims as he does for animal victims.

● (1555)

**Mr. John Cannis (Scarborough Centre, Lib.):** Mr. Speaker, I want to take this opportunity to pick up on what the hon. member said earlier in terms of human victims and he is so right. I do not think there are any members in the House, no matter which side of the political spectrum they sit, who do not put first and foremost the value of human life and of course everything else.

*Government Orders*

I remember not too long ago in the greater city of Toronto we had problems with gangs. Chief Fantino at that time made a comment and I want to thank him again publicly. He said that had it not been for the anti-gang legislation that the Liberals brought in, he would have not been in a position to address this horrendous issue which he did admirably. Most recently, Chief Blair, the new chief of police, made a similar comment, that the laws are there, but the judiciary is not enforcing them.

If the hon. member wishes, I can show him the statements from the chiefs of police. Perhaps the judiciary today should look at them because officers have said to me repeatedly, "The laws are there. We apprehend these criminals. We bring them into the system. Then all of a sudden something happens. They get a slap on the hand. They get something wishy-washy and here we go again".

Perhaps the time has come for us to look at the system beyond just making laws. We can make all the laws in the world, but unless they are implemented, unless they are enforced, nothing will happen.

**Mr. Vic Toews:** Mr. Speaker, that has been exactly my point for the last five years. That is why I have been calling for mandatory minimum prison sentences.

I stood up today and said that even under the Liberal bill dealing with serious sexual assaults, rapists can get house arrest. How can that be? We need to send the message to the judiciary that those types of sentences are not acceptable. The way Parliament properly does that is through the establishment of these mandatory minimum sentences.

The Minister of Justice has just recently flipped on his stand on mandatory minimum sentences. As late as August and September he was telling the House that there is no beneficial effect for mandatory minimum prison sentences. This weekend he came around, but he only goes half way. He will not do it for drug dealers. He will not say that those who are peddling this poison to our kids deserve to go to jail.

What needs to be understood about the rising gun violence in the streets of Toronto is that it is all drug related. This is a struggle for the drug trade and guns are used in order to increase a gang's market share.

If we are just going to deal with guns, that is a good start, but we need to deal with drugs. Those who are peddling the coke, the meth and the heroin deserve to go to jail. That is what Canadians are saying. Then we will see an end to this gun violence on the streets of Toronto and elsewhere.

**Mr. Borys Wrzesnewskyj (Etobicoke Centre, Lib.):** Mr. Speaker, we have just seen across the aisle another demonstration of the party of division, the party of firewalls. The member for Provencher is now trying to create an urban-rural divide in our country. Unfortunately, I am not quite sure that his rural caucus members will appreciate the way he has referred to our rural communities. He said that the urban dwellers see animals as our friends.

I would like to inform the member that family members of mine are farmers. They have a tremendous respect for their animals and in fact, see their animals, including livestock, as their friends. He said that urban dwellers have a different perception of what would be

cruel and vicious when we treat animals. I think our farmers and rural communities, and people dependent on livestock are probably among the more humane individuals when it comes to appreciating the value of our animal friends.

Could the member explain how he thinks, from what he previously said, that the rural community members or farmers do not have the same appreciation of our animals and of what cruel and vicious entails?

● (1600)

**Mr. Vic Toews:** Mr. Speaker, the hon. member is taking my comments completely out of context. What I said is that even I, as a rural MP, have an animal as a friend, my dog.

I was born and raised in a city environment. We have to understand that practices in rural communities that were strange and new to me may well seem different. The point I was making is that it should not be the perception of what is cruel and vicious, but in fact the reality.

Why would we exclude the most relevant consideration, which is whether or not death ensues immediately? Most of the judges in Canada, as are the people, are urban. If we were to tell a judge to look at a particular practice and he cannot consider whether death ensues immediately or not, on what basis would the judge make the determination? He makes it on a subjective perception determination, and that is wrong. We have to include objective factors in that determination. That is what I am saying. Why would we exclude that objective consideration in the issue of whether or not something is vicious or cruel?

[*Translation*]

**Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ):** Mr. Speaker, it is my pleasure to speak to Bill C-50, an act to amend the Criminal Code in respect of cruelty to animals, and convey the Bloc Québécois' position in this respect.

Allow me to read the summary. It states:

This enactment would amend the Criminal Code by consolidating animal cruelty offences and increasing the maximum penalties.

So, the intention is to create a separate section in the Criminal Code for cruelty to animals and to increase the penalties for criminal offences committed by those found guilty of cruelty to animals.

We have heard two kinds of arguments from the Liberals and the Conservatives. That is why we are in favour of the bill being referred to committee. Efforts have to be made to ensure that there is a proper balance between protecting animals and protecting legitimate activities. In fact, that is what the Bloc Québécois has always sought in this House: to ensure that, while protecting animals, we remain able to assure the animal, farm, medical, sports and other industries that they can pursue their activities without being under constant threat of prosecution. Naturally, this is not easy, and it is much more complicated.

There have been examples such as the recent one in Quebec, where about a hundred dogs were seized. They had been so badly looked after that over half of them had to be put down. It is necessary to make it a criminal offence to raise dogs for personal use and not to respect their needs.

*Government Orders*

There are good animal breeders of course, but those involved in this industry, as well as farmers and those using animals in the medical field, or for sport such as hunting and other activities, need to feel at ease.

Here is some background information. This is the sixth time this bill has come up. It has been numbered C-17, C-15B, C-10, C-10B, C-22 and C-50. I must point out that the Senate has blocked it every time. This raises a lot of questions.

I will simply read out part of the bill, so that we can raise the questions together. The first clause is an addition to section 182 of the Criminal Code. It will therefore become 182.2(1). It reads:

Every one commits an offence who, wilfully or recklessly... (c) kills an animal without lawful excuse.

This refers to the commission of a criminal offence. The other sub-clauses are far clearer:

(b) kills an animal brutally or viciously—

(d) without lawful excuse, poisons an animal, places poison—

It is never easy to use examples such as poisoning an animal. The dictionary definition of animal is a simple one, “animal means a vertebrate, other than a human being”. We then have the following definition of vertebrate: “animal sub-phylum consisting of all organisms possessing a vertebral column made up of bony or cartilaginous vertebrae. The vertebrates are made up of the following five categories: fish, amphibians, reptiles, birds and mammals.” So both a rat and an ox fall within this definition.

● (1605)

Two weeks ago, we debated a bill on strychnine. It involved examining its use by farmers to rid themselves of rodents on a large scale. Rodents are obviously vertebrates.

Finally, in reading the definition providing that every one commits an offence who, without lawful excuse, kills an animal or poisons an animal, we might ask what the lawful excuse is. In this respect, we must refer to sections 444 and 445 of the Criminal Code, which set out a means of defence, that is, the lawful excuse. Subsection 429(2) provides that: “No person shall be convicted of an offence under sections 430 to 446 where he proves that he acted with legal justification or excuse and with colour of right”.

That assumes then that a lawful excuse is possible as a defence. It also means that a person has been charged. A person draws on the part of the Criminal Code that provides a lawful excuse because that person has been charged. The way the bill was written, it provides for lawful excuses. However, it is not very clear in the case of certain industries. We can understand then their concern about being accused voluntarily or involuntarily or frivolously and having to defend themselves.

The problem when a charge is laid is the wait until a trial is held for acquittal on the grounds of there being a lawful excuse. The trial has to be held. Problems of public perception can arise when a charge has been laid. This is sort of what the Bloc Québécois wants to do.

We support a bill preventing cruelty to animals. Never again must anything like what happened in Quebec on the weekend recur. Over 100 animals were in such terrible condition that over half of them

had to be euthanized, because their master, or owner, who deserves no such recognition, was cruel to them. There must be the right to charge such a person and punish them, in the end. The problem is that it is hard to strike a balance.

That is why the Bloc Québécois is in favour of making a decision today and sending this bill back to committee. We will then have a chance to hear, we hope, as many witnesses as possible from sports associations, farming groups, the medical industry, the animal breeding industry and so on. These people could explain to us their experience of the situation.

I am sure these people do not want any cruelty toward animals either. Nonetheless, they want to be able to operate in accordance with the law and without a constant threat over their head every time an animal has to be slaughtered during their operations and for a possible suit to be filed against them. They would then be charged and their names would be in the media and in the papers. They would get only one chance to use the lawful excuse defence.

The Bloc Québécois wants to protect this balance between legitimate activities and criminal activities involving cruelty to animals. Rest assured, the Bloc Québécois will fully support this.

Not everything in this bill needs to be redefined. I will read subclause 182.2(1)(e):

Every one commits an offence who, wilfully or recklessly—

in any manner encourages, promotes, arranges, assists at or receives money for the fighting or baiting of animals, including training an animal to fight another animal—

Of course we can all agree on this. Such discussions were held in committee. Some provisions of this bill are quite interesting. Subclause 182.2(1)(f) reads as follows:

—makes, maintains, keeps or allows to be made, maintained or kept a cockpit or any other arena for the fighting of animals on premises that he or she owns or occupies—

Subclause 182.2(1)(g):

—promotes, arranges, conducts, assists in, receives money for or takes part in any meeting, competition, exhibition, pastime, practice, display or event at or in the course of which captive animals are liberated by hand, trap, contrivance or any other means for the purpose of being shot at the moment they are liberated—

I see that I have only one minute left.

● (1610)

It is clear that this concerns the offences set out in (h), which states: “being the owner, occupier or person in charge of any premises, permits the premises or any part of the premises to be used in the course of an activity referred to in paragraph (e) or (g)”, referring to animal fights and other things.



*Government Orders*

The Bloc Québécois does not question the entire bill, but rather it is a question of striking the right balance between legitimate breeding, hunting and scientific and medical research activities, meaning the animal, farming, medical and sports industries. All we want is for the workers in this industry not to feel constantly in danger of being accused of cruelty toward animals when they operate their business in accordance with legitimate and legal practices. That is the balance we are seeking. The men and women we represent can rely on the Bloc Québécois to defend the interests of animals and ensure that people guilty of cruelty to pets will get what they deserve, meaning jail time. We agree with the increased sentences proposed in the bill. All we want is a fair balance between legitimate activities and cruelty to animals.

[English]

**Hon. Larry Bagnell (Parliamentary Secretary to the Minister of Natural Resources, Lib.):** Mr. Speaker, I thank the member for an excellent outline of the bill. As he mentioned, this is a very popular bill among Canadians. They have been waiting a long time for it. I am delighted that we have brought it to the House to get it through.

He also made the important point that there is no intention with this bill to restrict the traditional activities of hunting, fishing and agriculture, and research and sports, the normal lawful uses of animals. This is very important for my riding as well, of course.

These points were raised. My question, though, is about how they have been raised numerous times and we have been provided with all assurances by the justice department that this is not in the intent of the bill. I would not be voting for it and I would not be so enthusiastic, for instance, if it restricted the traditional hunting and fishing of aboriginal groups, et cetera, but all this has been asked about and the justice department lawyers have assured us that there is no problem here.

My concern is that the member is asking to recall all these witnesses. As he mentioned, I think this is the sixth iteration of the bill. Have we not heard all those witnesses? Do we not have that on record so we could refer to it? The member is very experienced and has been here for some time. He knows that we are going to run into an election, so once again this is going to be deferred and once again a bill that people are waiting for is going to be put off for another lengthy period of time.

● (1615)

[Translation]

**Mr. Mario Laframboise:** Mr. Speaker, in response to the first part of the member's question, with respect to aboriginal people, I will read the bill's clause 182.6, which states:

For greater certainty, nothing in this Part shall be construed so as to abrogate or derogate from the protection provided for existing aboriginal or treaty rights of the aboriginal peoples of Canada by the recognition and affirmation of those rights in section 35 of the Constitution Act, 1982.

Clearly, this bill does not target aboriginal people. I want this to be clear, because we have an aboriginal territory in my riding. This covers the first question.

Now, with regard to calling new witnesses, I would say that the committee has to be vigilant. If other organizations representing industry want to be heard, I believe that the committee should hear

them again. Each time the bill is reintroduced, it is a slightly different bill. Often, these organizations propose changes to make the legislation more acceptable. The message that has to be sent to industry is that there will be a bill. If people want to help us draft it, so that they are more comfortable with it, I encourage them to make suggestions and propose amendments. All the better if these are clear. Should some not be so clear, I am confident that the committee will invite representatives of those industries which may have positions to clarify. I am not saying that we should start everything over, but, if some positions are not so clear, we should make sure that the industries concerned are afforded an opportunity to come and propose interesting changes or adjustments to us.

\* \* \*

[English]

**BUSINESS OF THE HOUSE**

**Hon. Dominic LeBlanc (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.):** Mr. Speaker, I rise on a point of order. I do not mean to interrupt our colleague's speech, but discussions have taken place among all parties concerning the debate scheduled for tomorrow in committee of the whole pursuant to Standing Order 53.1 and I believe you would find unanimous consent for the following motion. I move:

That during the debate in committee of the whole on Tuesday, November 15, 2005, on Government Business No. 21, pursuant to Standing Order 53.1, no quorum calls, dilatory motions or requests for unanimous consent shall be entertained by the Speaker, and that the duration of this debate be a maximum of five hours, not four.

**The Acting Speaker (Mr. Marcel Proulx):** Does the hon. member have unanimous consent to move the motion?

**Some hon. members:** Agreed.

**The Acting Speaker (Mr. Marcel Proulx):** The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

(Motion agreed to)

\* \* \*

**CRIMINAL CODE**

The House resumed consideration of the motion.

**Mr. Joe Comartin (Windsor—Tecumseh, NDP):** Mr. Speaker, the New Democratic Party supports Bill C-50. One has to wonder how many times a bill has to come before the House before it finally gets through, not only here but in the other chamber, which historically has been opposed to certain provisions of the bill. This is not its first incarnation in this chamber. I hope this is the last time we debate it here and that it passes.

The need for this bill is so obvious. I want to point out what for me was a traumatic experience this past weekend when I watched the clips of the puppy mill in the province of Quebec. It was almost indescribable. If people had not seen it on television, I do not think they would have believed how terribly these animals were being treated, housed and abused.

*Government Orders*

If it were an isolated incident, one could say that maybe it is not so obvious that we need this bill, but that is not the case. It has happened repeatedly. The worst part of this is the person operating that puppy mill under existing legislation, both provincial and federal, if convicted, at some stage very soon after a conviction could start up another operation, and one almost has to assume at some stage there would be a conviction for this conduct, whatever the charge. There is no way of prohibiting that under existing legislation.

The treatment of these dogs was horrendous. It had been going on for years. There was excrement on the floor that literally could be measured in feet rather than inches. A number of the animals had died and were rotting in the house. I can go on with these descriptions. It was horrendous and again not an isolated case.

The bill as is would have provided, as its previous predecessors, the authority for law enforcement officers across the country to both prohibit and enforce a law against such people which would be effective in preventing this kind of abuse.

We already have heard in the chamber today that it does not have unanimous support in the country. There are certain sectors that want further amendments, clarifications or protections. Those are the terminologies used. Generally the opposition to the bill is not about improving it. It is about killing it. There are certain elements and sectors within our society that want no regulation of their conduct whatsoever.

Interestingly, a number of the groups that work with protecting animals across the country have conducted surveys over the last number of years. It does not matter whether it is the urban dweller who is simply concerned about the way their pets are treated or farmers, fishers and hunters. In large majorities, every one of those sectors support the values, concepts and provisions of the bill.

Some leadership members are fighting it and trying to kill it. I have seen some of the amendments that already have been proposed. If we put them into play, we might as well tear up the bill and throw it in the garbage. The effect of those amendments is that it would exclude the ability of the bill to be used as an enforcement mechanism against wholesale parts of the community that raise and take care of animals. It would be written in such a way that it would not be applicable to certain sectors which would be excluded. Those are the kinds of amendments being proposed.

• (1620)

The bill has overwhelming support from individuals and community groups working with animals, spending their lifetimes, in many respects, taking care of them and protecting them. That includes most farmers, fishers, trappers and hunters. They do not want to see the animals they deal with treated cruelly. The legislation would go a great distance to deal with those individuals in our society who are not prepared to take necessary care of their animals and who are prepared, as in the case of that puppy mill, to abuse them horrendously.

I want to draw to the attention of the House an amendment that is in this new bill. It is one that I support. It should have been in from the beginning. It is as a result of representations by the first nations,

Métis aboriginal community generally. It is a provision that recognizes their historical rights.

I say with some pride that there have been a number of environmental bills over the last Parliament where this provision was put in, sometimes at my instigation but sometimes at the instigation of other members of that Parliament. This is standard wording. We are trying to get it into as much legislation where there may be some encroachment on historical aboriginal rights. It is very appropriate that it is in this bill. It is one that all members of this House should support.

Beyond that, the bill has been before us on numerous occasions. We have had repeated elections that have interrupted its passage into its final form. As I said earlier, the other House has also, on occasion, tied it up and delayed it, the unelected House that really has no right to do this. This House has spoken clearly in the past that we want this type of legislation. We are acting as elected representatives for the greater number of members of our society who are saying we need this legislation.

We have not amended the Criminal Code with regard to cruelty to animals for almost 100 years. The existing legislation reflects a time that is long passed in our country. We are in a situation where there is very large support. It is support that crosses a number of sectors that deal with animals. It is very widespread and is one that we, as elected representatives, have every responsibility to get it out of bill stage and finally passed into law so it can be used to enforce protection for our animals.

Members will hear objections that the bill will somehow get hijacked by extreme radical animal rights groups. We have heard repeatedly that kind of accusation from some people who are trying to kill the bill. It is an excuse for doing away with it. There is no basis for that. If one understands how the criminal process works, the ability to use the bill by those very small number of extreme animal rights people cannot happen. There are any number of ways within the existing court system that our public prosecutors can intervene in that kind of process and shut it down if it is ever attempted.

The bill is to be used appropriately by our prosecutors to protect animals. It would not be abused. I believe that is very clear, except in the minds of those very few people who are paranoid about the potential for abuse by extreme and radical animal rights groups. This is not about that. This is mainstream legislation that the vast majority of Canadians want.

We will support the bill and we will do whatever we can to push it through the House as rapidly as possible.

• (1625)

[*Translation*]

**Ms. Diane Bourgeois (Terrebonne—Blainville, BQ):** Mr. Speaker, my NDP colleague seems very concerned by this bill and by cruelty to animals. I know he is very concerned in this regard. I think he worked on Bill C-10, which I worked on as well.

*Government Orders*

He mentioned cruelty to animals and what we saw on TV on the weekend. It is not an isolated case. Canada is the only country without legislation to protect its animals. Puppy mills, for example, come from the south. The U.S. has laws in this regard. The fact that people in the states face such a law brings home the fact in Canada that we do not have such a law in a given field. We can set up puppy mills and the result is what we saw on television on the weekend.

Care must be taken with this bill, because it is comprehensive. This is the most important consideration. It covers not only cruelty to animals, but cruelty by industries and businesses in the animal trade.

I have a chinchilla rancher in my riding, and he is not comfortable with this bill. It makes him a bit nervous. When it comes time to slaughter his chinchillas, what is to stop him being accused of animal cruelty?

Then there are the hunters, and the poultry producers. Everyone knows that poultry are killed at an abattoir. This is done very quickly and the animal does not suffer. There is no problem there. The problem comes in shipping them. They put 20 in a cage that normally takes 10. When we buy turkeys with broken wings at the supermarket, that is exactly what has happened. Many turkeys end up with broken wings because 20 of them were shipped in a cage that should have held 10.

Sometimes we buy pork that is as tough as old boots and not good to eat. This is not always because it is boar meat. We are also sold meat from pigs who have been exposed to the cold. A person needs to have been a farmer to really understand what cruelty to animals is.

So this is my question for my colleague from the NDP. Can he assure me that this bill, which will be reworked in committee, will be scrutinized in order to differentiate between cruelty toward animals belonging to an individual—for example cruel treatment of an individual pet—and cruelty towards animals by farmers and companies. This is one part of the bill.

Then there is the other part. What about bow hunters, for instance, who do not finish their prey off with the first shot? Will they be accused of animal cruelty? What about fishers? Can the NDP member give us assurance that the bill will address both aspects of cruelty to animals?

• (1630)

**Mr. Joe Comartin:** Mr. Speaker, as a member of Parliament, I am not the one who should have to give this assurance. The hon. member should look at proposed subsection 182.3(2), which provides some protection for hunters, farmers and fishers.

[*English*]

There is a standard of care that a reasonable person in that operation would apply. It is the standard within that operation. We are saying that as long as the standard is met with respect to, for example, the way chinchillas are raised, treated and eventually killed, there is no breach of this legislation. The bill is quite clear on that. This is not an assurance coming from me; it is in proposed subsection 182.3(2).

The other provision is in proposed section 182.5. I always remember this one from law school. It refers specifically to the hunter. When confronted by an animal a hunter has to protect

himself or herself and take whatever measures are necessary. It is like a self-defence argument. That provision is retained in the legislation as well.

There is no issue here. There is a paranoia in the country. That may be part of the problem with respect to the person the member mentioned. That person may be over-concerned. The basic standard of care, the section that is going to protect operators who are dealing with animals in whatever form, is the standard for that industry. The full protection is clearly set out in the bill. I believe the concern that is being expressed is unwarranted.

• (1635)

**The Acting Speaker (Mr. Marcel Proulx):** 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 New Brunswick Southwest, the Environment; the hon. member for Québec, Child Care.

**Mr. Michael Savage (Dartmouth—Cole Harbour, Lib.):** Mr. Speaker, I am pleased to speak to Bill C-50, amendments to the Criminal Code in relation to cruelty to animals.

Members who have been in the House longer than I will remember from the last Parliament when the bill was Bill C-22. This legislation has been before this House consistently since 1999 when it was first introduced in an omnibus criminal law bill, Bill C-17.

Canadians from all walks of life have expressed and continue to express support for stronger animal cruelty laws. I know the minister continues to receive countless letters in support of these amendments. I have certainly received letters and heard concerns from my constituents. As MPs we hear from a lot of people. I heard from someone this morning in relation to the puppy mill in Quebec which my NDP colleague spoke about previously. This issue is very much on the minds of Canadians.

For various reasons the bill has never passed both this House and the other place in the same form. It is true that when it was first introduced, a degree of discomfort was felt by a number of industry stakeholders, farmers and animal researchers, about the potential negative impact of the legislation on their activities. These are legitimate concerns and they have been addressed.

Over the past five years, significant work has gone on in Parliament, in the chamber and in committee, as well as in meetings and discussions with concerned parties to bring a greater consensus in support of this legislation.

In the summer of 2003 when a final set of amendments were made to the legislation, a broad based coalition of industry groups came to feel more comfortable with the legislation and in fact supported these amendments, alongside animal welfare groups and veterinary associations. These groups even wrote to urge the minister to retable this very legislation.

*Government Orders*

Since that set of changes, not just those people who advocate for the interests of animals, but also many of those whose livelihoods actually depend upon the use of animals are now eager to see these amendments become law. Those groups include organizations representing the agricultural sector, trappers, fur farming industries, and the animal research community. This indicates that we have addressed a wide range of concerns.

One of the objectives of the reforms is the enhancement of existing maximum penalties for animal cruelty. Today even the most heinous mutilation or torture of animals can result in only six months' imprisonment or a \$2,000 fine. There is widespread consensus that these maximum penalties are too low to deter or denounce behaviour that we know happens across this country. Our views toward animals have changed a lot in this country and in this world over the past number of years.

Part of the penalty enhancement reform involves making these offences dual procedure and giving the Crown the ability to proceed by indictment in the more serious cases. In those cases, the maximum penalty goes up from six months in prison to five years, and the ceiling of \$2,000 is removed, in keeping with the sentencing for all indictable offences in the code.

There are more specific sentencing measures in addition to these general standard ones. Currently there is a two year maximum on orders preventing the offender from owning or possessing animals. This two year maximum ceiling will also be removed so the courts will have the power to make an order for any length of time the court considers appropriate.

In addition, Bill C-50 will introduce a new power for the court to order, in addition to any other sentence, that a convicted offender repay the costs of taking care of the animal in question. If a person or organization took in the animal after the cruelty incident, the person who committed the offence would be responsible.

In every province there are statutorily created societies for the prevention of cruelty to animals. We all know those. These agencies are under a legal obligation to protect animals from cruelty by seizing and caring for them when they are in distress, for example a puppy mill, yet these statutory bodies receive very little in the way of public funding. When they take in an animal that has been abused, care for it and provide veterinary services, food, shelter and comfort, they generally do so with money obtained from public donations.

We all know people in our communities who do this kind of work. In my community of Dartmouth—Cole Harbour, I think of people like Judith Gass, a former Progressive Conservative candidate in the 1993 federal election, who does great work. I also think of the many vets in my riding who talk to me about the concerns they have when they see animals in distress.

• (1640)

Bill C-50 will make it clear that the offender may be found responsible for repaying the costs associated with his or her criminal act. That is good sentencing policy. By holding the offender accountable for the costs, we do a better job at educating the offender about the consequences of his or her crime and hopefully this contributes to his or her rehabilitation.

Law reform is about more than adjusting numbers. It is also about making sure the substance of the law prohibits all forms of misconduct and does so in the clearest possible language and provides the most coherent structure of offences. Bill C-50 also contains a number of elements that accomplish this important set of objectives.

The amendments will create a new offence that directly targets the wilful killing of an animal with brutal intention, such as by strapping an explosive on the animal—we have heard of that—or fastening the animal to a railway line. These types of acts, which most people consider impossible to imagine, are perhaps the most despicable form of cruelty we can imagine and may not be caught by our existing law if the person had or could prove a legitimate excuse for killing the animal. We are closing this loophole so that even when the law allows a person to kill an animal, he or she cannot do it with the intention of being brutal.

Euthanasia, slaughter, hunting practices could be humane. The hallmarks of humane euthanasia are that the methods are tried and true. They involve a minimization of pain and suffering. They are reproducible and reliable and do not pose any risk of failure or risk of harm to others.

Sometimes a person who kills an animal has another set of intentions reflected in acts that are not reliable methods of killing, which pose risks to that person or to others and which have uncertain and non-reproducible effects. Exploding an animal in a microwave, which we have heard of, or dropping it from a tall building are examples. If someone kills an animal with that state of mind, there is a good chance he or she is being deliberately brutal. The law must clearly prohibit and sternly punish this type of behaviour.

Another set of changes will clear up some of the language that is currently confusing. The code now has a set of offences in relation to cattle, a set of offences in relation to animals that are kept for a lawful purpose, and another set of offences for all animals. This produces duplication and some overlap. There are also omissions. For instance, there are special provisions on cockfighting and the keeping of cockpits. We know, sadly, that dog fighting also happens in our country. Why should our law not also prohibit that? There is no reason.

Bill C-50, a comprehensive law reform package in this area will rectify that deficiency. It will also remove current language, such as “dogs, birds and other animals”, which is a phrase that can do nothing except confuse. It will also remove the nonsensical notion of wilful neglect, which does not exist anywhere else in criminal law because it conflates two entirely different concepts. Wilful means deliberate and intentional, whereas neglect means inadvertence. Combining these two into one concept is bad criminal law. Bill C-50 will rectify that.

*Government Orders*

The bill will also provide a definition of animal when none currently exists. That definitely will be a “non-humane vertebrate”, for example. Today, there is no definition. This means that a worm or a snail or any possible living creature would probably be included. Since many industry groups have expressed concern over such an interpretation, Bill C-50 brings desirable clarity to the question. Without Bill C-50, the question of the scope of the law remains open and it leads to uncertainty.

Finally, Bill C-50 will create a new part of the Criminal Code with the title “Cruelty to Animals” as a chapter devoted just to these offences. This will permit the offences to be taken out of part XI, “Wilful and Forbidden Acts in Respect of Certain Property”.

I am aware that this change has been the subject of debate and discussion, but let us be clear about it in the bill. This change will not and cannot have the effect of altering the legal status of animals as property. The fact that animals are property is a result of property law, which is within the constitutional authority of provinces, not of this Parliament. The common law of this country and that of our Commonwealth cousins bears out centuries of jurisprudence that firmly establishes that animals are the property of the people or of the Crown. There are some people who would disagree with that. There are people who were referred to earlier as radical in this cause. This is a mainstream bill. This is not an extreme bill. It is legally impossible for the relocation of offences from one chapter of the Criminal Code to another to have any effect whatsoever on the legal status of animals as property.

The bill reflects the mainstream and widely held view of Canadians that the people with whom we share this planet are worthy of more respect than maybe we accorded them years ago. The bill is a meaningful and reasonable solution that addresses the needs of many stakeholders, people who work with animals, people who own animals, as well as people who just like to be with animals. The bill provides a sensible solution for all Canadians. I urge the adoption of Bill C-50.

• (1645)

**Mr. David Anderson (Cypress Hills—Grasslands, CPC):** Mr. Speaker, I would like to put on the record that I am not as enthused about this legislation as the member opposite appears to be. I am from a farming area, I am surrounded by farmers and I am a farmer myself. I know that there are concerns in the agricultural community about the implications of the bill. There are also concerns in the hunting community. A few minutes ago my colleague from the Bloc talked about the fact that this is just too undefined for us to be able to pass this comfortably.

In his intervention, my colleague from the NDP talked about the fact that he is comfortable with proposed subsection 182.3(2), which states:

—“negligently” means departing markedly from the standard of care that a reasonable person would use.

On the surface that does not look too bad, but I am concerned about the courts getting involved because we have had indications from the animal rights organizations that they want to use this legislation to impact traditional farming practices. We are aware of the fact that all it takes is one judge to rule. We have had social engineering in this country before, whereby one judge in a province

has ruled and governments have not appealed that ruling. We find that social engineering has changed things considerably.

Does the member have a concern about this? Is he concerned about protecting the farmers in the rural communities? Does he have any suggestions for improvements or amendments we could make which would ensure farmers and hunters that we are going to protect them and let them have their traditional practices?

**Mr. Michael Savage:** Mr. Speaker, the intent of the bill and certainly my intent in supporting it is not to infringe upon the rights of hunters or trappers or anyone who practices either a traditional way of life or a recreational way of life that is not meant to be wilfully destructive to animals. Large numbers of recreational, hunter and trapper groups have looked at this legislation and have given it their okay.

It has come before the House on a number of occasions and was modified over the years largely to address the concerns indicated by the hon. member. I would like to indicate from the bill itself that the existing gap in the law is filled by proposed paragraph 182.2(1)(b), which prohibits “brutally or viciously” killing an animal. The proviso makes clear that this offence is primarily concerned with the nature of the act itself and what that act reveals about the person, vicious being defined as bad-tempered, spiteful and violent.

There is always a motive involved in this. People who hunt and who have done so for years, and who have taken hunter safety and hunting courses and know how to kill an animal in an appropriate way, will not be affected by the bill. Those who go out of their way to be vicious in the conduct of hunting or trapping or any other type of activity that involves animals will be affected by this and I think that is appropriate.

The purpose of the bill is not to take away from traditional ways of life, whether it is agriculture or hunting or fur trapping. Over the years the bill has modified itself to answer many of the questions people had about this. I think the bill does a good job. This can certainly be discussed at committee, but it is an improvement over what we have seen before and it is well worth supporting.

• (1650)

**Mr. Borys Wrzesnewskyj (Etobicoke Centre, Lib.):** Mr. Speaker, studies have shown that individuals who are abusive toward other human beings as violent criminals often begin by abusing and torturing animals. How does the legislation address this issue and have an impact on the safety of our communities?

**Mr. Michael Savage:** Mr. Speaker, it does have an impact on people who graduate from cruelty to animals to being cruel and inhuman to other human beings. Again, we are talking about vicious and brutal acts. As kids, many of us witnessed activity among our friends where animals were hurt in some way. I never saw some of the really brutal examples of animal violence that we hear about in the news, but I certainly have seen friends do things that they should not have done.

*Government Orders*

Society has evolved. I would expect and I know that my children are more respectful of animals than children were in my generation. We have come some way and the bill recognizes that. The fact is that this will obviously catch some people earlier because what they are doing will be criminal at an earlier stage due to the bill. This means that we may well have less violent offenders and get a chance to catch people and rehabilitate them before they go on to injure human beings. That is a bit of a side benefit of Bill C-50.

**Mr. Garry Breitkreuz (Yorkton—Melville, CPC):** Mr. Speaker, I as well am very pleased to participate in the debate of Bill C-50. Over the summer I received many complaints about Bill C-50. I am glad I have a chance to share these concerns with my fellow MPs before the bill goes to committee for further work.

The government has been at this since December 1999. We have had this bill around in one form or another for the last six years. We have seen Bills C-17, C-15, C-15B, C-10, C-10B and C-22. Now it is called Bill C-50 and the Liberals still do not have it right.

I am going to be giving members some legal opinions rather than just discussing some of my own opinions. I am going to read into the record a brief from a lawyer. Before I do that, I want to make a couple of personal observations about the bill based on my own experience on this issue.

Our young people really need to experience our natural created environment. Fishing is a wholesome sport that makes our young men and women appreciate the world around them. This is not something only for our aboriginal people. Getting close to nature is a very healthy, therapeutic experience that has no substitute. It is a wholesome alternative to some of the activities our youth can get involved in and that lead to serious problems for them and society. We should be encouraging more outdoor activities that bring us closer to the created world. As it stands, Bill C-50 would discourage some of the activities that our young people could engage in to appreciate the world around us, activities such as hunting and fishing.

I would like to see hunting and fishing promoted. That would do more to preserve the environment than any big government program or course of study at some educational institution. Participating in activities like hunting and fishing provides an incentive to maintain a healthy, natural environment. That is why we need to make an amendment to proposed paragraph 182.2(1)(b). Without an amendment, we will discourage many of youth from getting out into the great outdoors. We will also discourage people who normally would want to preserve the environment from doing so.

Those are the two personal notes I wanted to add for members before I get into the legal critique of the bill.

I am going to read into the record a letter written by Mr. Peter R. Hayden, Q.C., of the Lang Michener law firm. This legal opinion was prepared on behalf of the following organizations: the British Columbia Wildlife Federation, the Alberta Fish and Game Association, the Manitoba Wildlife Federation, the Ontario Federation of Anglers & Hunters, the Fédération québécoise de la faune, the New Brunswick Wildlife Federation, the Nova Scotia Federation of Anglers & Hunters, the Canadian sport fishing industry and the Canadian Sporting Arms and Ammunition Association.

This letter from the Lang Michener firm was written to our Minister of Justice, the Attorney General of Canada, here in Ottawa. It states:

We wish to register our strong support for the swift passage of Bill S-24 introduced by Liberal Senator John Bryden and to state our opposition to the passage of Bill C-50.

Bill S-24 accomplishes the Government's primary objective in the reform of animal cruelty provisions, namely increasing the maximum penalties for existing offences of animal cruelty, as is done in Bill C-50. We object to the balance of Bill C-50 because, as Senator Bryden says of Bill C-22 and Bill C-50, they would substantively change the law of animal cruelty, and negatively impact "Canadians who hunt and fish lawfully".

Specifically, we object to s. 182.2(1)(b), which, for the first time in Canadian history, makes it an offence to kill an animal brutally or viciously without defining those terms and does not exempt from this offence normal hunting and fishing. This new offence will be used by animal rights activists who will employ provisions of the Criminal Code to bring private prosecutions to harass lawful anglers and hunters.

● (1655)

For the reasons cited below, the oft-cited defences of legal justification, excuse, and colour of right in the Criminal Code would not be of much assistance to an angler or hunter charged under Bill C-50.

While you and your Department have said that the offence of cruelty to animals is not intended to forbid conduct that is socially acceptable or authorized by law, such as hunting and fishing, Bill C-50 will have the ultimate effect of intimidating anglers and hunters who will be discouraged from participating in the outdoor heritage activities of hunting and fishing for the fear of prosecution.

This legal brief continues under the title "Support of Bill S-24". It states:

According to the Department of Justice, the primary objective in revising the Criminal Code's animal cruelty sections is to enable the courts to impose longer sentences commensurate with the severity of the animal cruelty offences. Bill S-24 achieves the goal of increasing penalties that may be imposed in cases of animal cruelty and allows the Crown to proceed either summarily or by indictment to achieve a result suitable to the crime committed. Bill S-24 also retains many current sections and offences under the Criminal Code, which has the additional advantage of leading to certainty of interpretation of these sections owing to the well established body of decided cases on the current animal cruelty provisions of the Criminal Code.

The next subtitle is "Anglers and Hunters Do Not Support Bill C-50", under which it is stated:

The Associations on whose behalf we are writing to you do not support Bill C-50. We understand that you received a letter dated November 22, 2004 (the "Coalition letter") purporting to be from all of Canada's animal-based sectors, which outlines the group's position of support for the "swift passage" of certain amendments to the Criminal Code "as rapidly as possible", namely the proposed animal cruelty provisions as contained in Bill C-22 which are the same as Bill C-50, with the exception of the provision for the protection of existing aboriginal or treaty rights in s. 182.6.

The Coalition letter did not in any way represent the interests of Canadian anglers and hunters. We note that these Coalition members have since sent a letter to Senator Bryden joining the Associations in registering their full support of Bill S-24 and their support of the rationale presented by Senator Bryden in moving second reading of Bill S-24.

The next subtitle is "Problems with Bill C-50", under which it is stated:

We have serious concerns about Bill C-50 and we have set out below what these concerns are.

*Government Orders*

The Department of Justice has clarified that beyond increasing penalties for existing animal cruelty offences, the objective of Bill C-22, and accordingly Bill C-50, is to “simplify, modernize and fill gaps in the offence structure of the animal cruelty regime”. As Senator Bryden says, the changes to animal cruelty law in Bill C-22 and Bill C-50, other than the increasing of penalties, amount to significant changes to the law which should require very careful and open debate.

Let me emphasize that phrase: “significant changes to the law”. I would also like to read for members a quote from a footnote in this letter, referring to Liberal Senator John Bryden speaking in the Senate:

[T]hese housekeeping amendments went further than modernizing language and simplifying the law. Arguably, they would be substantively changing the law....If there is a consensus that the law on cruelty to animals needs reforming, then let us have that debate, but let us do so honestly, openly and in a transparent manner, engaging the Canadian public and parliamentarians as these important issues require.

Let me continue with the Lang Michener letter to the justice minister:

To that end, we would like to set out our serious objections to Bill C-50, other than the increasing of penalties, on behalf of the Associations.

1. S. 182.2(1)(b) makes it an offence to kill animals brutally and viciously, regardless of whether the animal dies immediately.

● (1700)

Hunting and fishing necessarily involve the killing of animals. Animal rights groups consistently attempt to portray these traditional Canadian heritage activities as inherently brutal and vicious. Under Bill C-50, a hunter or angler may be prosecuted and convicted of the offence of killing an animal brutally or viciously for engaging in normal hunting and fishing practices.

The killing of animals *simpliciter* has never been the activity the legislature intended to prevent. The killing of animals is a necessary result of most animal use industries and of hunting and fishing. Canadians' concerns regarding animal cruelty do not relate to the act of killing animals—

**The Acting Speaker (Hon. Jean Augustine):** The member's 10 minutes has expired.

Questions and comments. The hon. member for Etobicoke Centre.

**Mr. Borys Wrzesnewskyj (Etobicoke Centre, Lib.):** Madam Speaker, the members opposite, while debating this particular bill, have used a phrase a number of times and it sounds like they want to amend the legislation by adding the phrase “immediacy of death”. I really question the rationale of that. Either an addition of this sort of clause would jeopardize the whole bill or it would allow two very large loopholes in the bill.

The first loophole would be the actual act that leads to the immediacy of death. One can think of sets of circumstances where there would be immediate death but we would call what happens as being very cruel, for instance chaining an animal to train tracks. It is a horrible thing to think about and one can just imagine the terror that an animal would experience. Animals could be subjected to tremendous terror and yet death could be immediate. That would allow that type of loophole.

The second one is the assumption that all farmers do is harvest animals. In fact, there are chicken farmers who humanely harvest eggs and sheep farmers who harvest wool. Unfortunately, however, there are a few people out there who perhaps would harvest from these animals in a non-humane way. I am not quite sure why they would want to see this sort of clause “immediacy of death” added to the legislation.

Would the member opposite explain why in particular they want this clause and whether or not it would just allow a huge loophole that would render the legislation useless?

● (1705)

**Mr. Garry Breitkreuz:** Madam Speaker, I refer again to the main point I was making in my speech. Bill S-24 would be much preferable to the present bill. I would like to read a bit more of this legal brief rather than give my opinion and the question the member has asked will be answered.

These concerns are met by the provisions of Bill S-24 in s. 445.1(1)(a), namely, “Everyone commits an offence who wilfully causes or, being the owner, wilfully permits to be caused unnecessary pain, suffering or injury to an animal or a bird”. This offence extends to activities which do not result in the death of an animal, and to those which do.

The second point made in the Lang Michener letter is:

The phrase “regardless of whether the animal dies immediately” in s. 182.2(1)(b) prevents any participant in recreational hunting or fishing charged under this section from making the argument that because the death of an animal is immediate the death should not be considered to be brutal or vicious. Depending on the circumstances of the case before the court, such an argument may or may not succeed but it is not reasonable to prevent an accused from making this argument. Immediate death is a widely accepted definition of humane killing and this section attempts to change this standard. It is a commonly held view that it is more humane to kill an animal promptly and exactly than to allow an animal to suffer for a long period of time. In *R. v. Jones*, the judge found that it was more humane to kill an animal quickly and cleanly than to allow it to suffer a prolonged death.

I want to get to point three, which goes beyond what the member has asked. This is a very important part of this legal brief. It reads:

If Bill C-50 becomes law, animal rights groups will harass and prosecute anglers and hunters. Liz White, a director of the Animal Alliance of Canada, one of Canada's major animal rights organizations, stated:

“The onus is on humane societies and other groups on the front lines to push this legislation to the limit, to test the parameters of this law and have the courage and conviction to lay charges. That's what this is all about. Make no mistake about it”.

In the second reading of Bill S-24, Senator Bryden quotes Dr. Bessie Borwein, Special Advisor to the Vice-President of Research at the University of Western Ontario:

“There are animal rights groups in Canada that have specifically and publicly stated their intention to use Bill C-10 [previous versions of Bill C-22 and Bill C-50] to further their agenda. They say they will use the law to press charges and to test it to the utmost. They will use peace officers or authorized organizations like the SPCA or humane societies sympathetic to their cause in order to press this...”.

That is where I rest my case and that is why we oppose the legislation. Unless amendments are made to protect these traditional hunting and fishing activities I cannot accept what the members opposite are telling me.

**Mr. Derek Lee (Scarborough—Rouge River, Lib.):** Madam Speaker, I am pleased to make a few remarks in connection with Bill C-50 before the House at this time. It is noteworthy, as other speakers have mentioned, that this issue has been before the House for a number of years. It has proven to be very difficult legislation to get right and to get through the House and the Senate. The Senate has been one of the obstacles, I think, in getting this through.

*Government Orders*

Originally the legislation became tangled up in a couple of omnibus bills and at some point we all recognized that the bill, even by itself, was troublesome and difficult. Fortunately, the bill now stands on its own and I think the government has taken the view that rather than trying to rewrite the whole piece, reinvent a good portion of the wheel, that it would go back to basics and has essentially in this legislation reused the language that exists in the Criminal Code.

There has been some modification to the language and some rewriting but essentially the government is of the view that for the most part the legislation is simply restating what is already in the Criminal Code. There are some notable exceptions to that and those exceptions are the main point of debate, or at least they should be.

I think all or most of us in the House can agree that there was a need to modernize the language, to update the legislation and to legislate tougher sentences. The trick, given the dynamic that is out there across Canada in the various communities, is to get that piece correct. The principal dynamic that I think has been the biggest obstacle is that we have a rural-urban divide here. Some of the push for this new legislation has come from urban areas and part of the urban politics include what some have referred to as animal rights activists. That is not necessarily a pejorative term, and it perhaps is not to the people who are looking out for our animal friends all across the country, but they do want firm legislation that protects animals from pain and unnecessary death. The problem is not their objectives at all. It is perhaps how they carry on their work. In rural Canada we have people who have been taking care of animals and who have been the experts in animal husbandry for centuries and doing it without much of a problem and they provide the food for our tables. They have been serving our country and serving open mouths around the world for centuries and taking care of animals.

The rural perspective, the farm land perspective on cruelty to animals, would be just fine but when we begin to measure what happens on the farm, whether it is a big production or a small production farm, and we combine that with those who I will call the animal rights activists, we end up with disagreements. As we go to legislate, while almost everyone agrees on the principle that we had to modernize and beef up the sentencing, the actual definitions become very important. The people on the farms want to ensure that when we as legislators pass the new law that we do not adopt a definition that will interfere with their families' abilities on the farm to take care of their animals and to slaughter the animals in the ordinary course as they might do for food and as they have been doing for centuries, whereas from the urban perspective we have individuals who, for what they believe are excellent reasons, do everything they can to reduce the killing of any animals by humankind and certainly they want to reduce suffering among animals caused by any source.

● (1710)

Everyone in that morality plight that I have just described is actually doing a fairly good job right now, but as we legislate, these differences in perspective are coming out and our challenge in the House is to find some legislation that satisfies both and everyone in the middle as best we can.

One of the things that may assist us in the event that matters do end up in court is the discretion of the judge. There may in fact be

differing perspectives, rural and urban. One of the rather ugly urban perspectives has to do with the scenario of a person conspicuously torturing and killing a domestic animal or pet. These ugly incidents often end up in newspapers, magazines and in the electronic media, and the public says that we, in Canada, have to do something to prevent that from happening and where it does happen, to firmly respond.

I suppose it is a little bit unfair to say that part of the resolution here will lie in the hands of a prosecutor and a judge, but at the end of the day, those two perspectives may have to be managed by the courts, the prosecutors and the judges.

I say that, acknowledging right up front, that we do not want our social problems to be managed by judges. Judges are there to resolve conflicts and to make decisions about guilt or innocence. It is unfair to ask our judicial community to be the arbiters of everything that goes on in society. However, I do offer the judicial process, at the end of this, as being a kind of spill safe mechanism to ensure that community standards and community perspectives are brought to bear in dealing with these portions of the Criminal Code.

I want to dwell briefly on the language of the provisions. As I said earlier, the bill, for the most part, continues language and concepts already existing in the Criminal Code. The offence of causing unnecessary pain to an animal stays the same, give or take, but the sentence is increased from the current six month maximum to a five year maximum. This upgrades the sentence into what we call a hybrid offence where it may be summary conviction or indictable, depending on the discretion of the prosecutor, but the maximum sentence goes up to five years.

There is a new provision that I will not read from the statute, but it involves brutally or viciously killing an animal. That offence also has a five year maximum and it too is a hybrid offence.

The concept of causing pain by negligence or allowing pain to happen by negligence, certainly wilfully, has an increased sentence as well. That would be a sentence of two years maximum. That would keep it as a summary conviction offence.

I note that the bill is only four pages long. In terms of a piece of legislation around here, that is relatively small.

● (1715)

The issues that I have attempted to address, the issues that colleagues around the House are attempting to deal with, all revolve around setting a threshold that it will be a criminal offence and defining it in a way that it will not impair the ability of our farmland communities to raise livestock and produce food the way they have always done so well for us.

We are looking for the magic solution. In my view, at this point, I think the government has come forward with a good vehicle and I am prepared to support it. At the same time, I am also interested in any debate that ensues and its disposition at committee should it pass the House at second reading.

● (1720)

**Mr. Garry Breitkreuz (Yorkton—Melville, CPC):** Madam Speaker, I want to offer a couple of suggestions for amendments and get the hon. member's reaction to them.



*Government Orders*

First, I want to make the comment that I do not think this is necessarily an urban-rural issue because I know of many people in our large cities that love to hunt and fish. This will have a very chilling effect on that. It does not protect normal farming practices. My question would be, why not put amendments in this bill to protect normal hunting and fishing practices and introduce amendments like other areas that have this kind of legislation?

I will quote from a number of states that have included in this type of legislation a section that read something like this: "It is an exception to the application of this section that the conduct engaged in by the actor is generally accepted and otherwise lawful: (a) fishing, hunting or trapping" or from another state, "fishing, hunting or trapping of wildlife controlled and regulated pursuant to the natural resources and Environmental protection acts".

Many farmers use practices to control pests and rodents, that kind of thing, around their farmyards and they could be at risk. I want to read a bit more of the Lang Michener brief, so the member does not think I am somehow making this stuff up. It states:

While there are legislative mechanisms ensuring that both the federal Attorney General and provincial Crown Attorneys are able to oversee private prosecutions and intervene when appropriate, the Attorney General and the Crown Attorneys are not required to do so. The fear of private prosecutions by animal rights groups is not unfounded. So it is likely that individual anglers or hunters will be charged under Bill C-50 and will be drawn into the criminal court system for a period of time, whether or not such matter proceeds to trial.

Even if anyone charged under this section is ultimately acquitted, or if the Attorney General or Crown Attorney were to intervene to stay the proceeding, this long and involved process will certainly be costly and difficult for the anglers or hunters involved. Such prosecutions will clearly have a chilling effect on anglers and hunters across Canada.

This is the issue I am raising. Why can we not put an amendment in here to protect fishing, hunting and normal farming practices?

**Mr. Derek Lee:** Madam Speaker, it is possibly true that previous legislative drafts tried to do that. The view of the government now is that it does not want to try to fix something if it is not broken. To import something called a standard of farming might seem to have merit except that the standard is going to change over time.

I will say to my hon. friend that I tried to create an urban-rural template, but most of the urban people who go hunting and fishing do it rurally, even though they are urban dwellers. I would lean toward not trying to enact a new standard, as he suggests.

Because the Criminal Code is not being changed very much by this, I would point out, the animal rights activists could actually attempt to undertake prosecutions now. It is not happening in a large way, so if we are not changing the code very much except by adding the "brutally and viciously killing" section, then the problem my hon. friend raises about an onslaught of private prosecutions could happen now even without these amendments.

I think the bill is headed in the right direction, but his advocacy for a standard of farming might well have further discussion at the committee stage.

**Mr. Pat Martin (Winnipeg Centre, NDP):** Madam Speaker, I was hoping I could split my time with my colleague from Windsor West. Is that possible in this format? We would both like the opportunity to speak.

● (1725)

**The Acting Speaker (Hon. Jean Augustine):** Is there unanimous consent for the member to split his time?

**Some hon. members:** Agreed.

**Mr. Pat Martin:** Madam Speaker, I thank my colleagues for the spirit of generosity that we feel in the House of Commons today.

On behalf of the NDP caucus, I am happy to have an opportunity to share our views on Bill C-50 in the first session of this 38th Parliament. I should note that I believe I spoke to this bill during the 37th Parliament and I spoke to this bill in the 36th Parliament, if I remember correctly.

I note that it is called an act to amend the Criminal Code in respect of cruelty to animals. I would volunteer that it would be cruel to MPs if we had to debate this bill for very much longer. It seems like I have dedicated a good chunk of my career to this bill and beyond all reason I think, too. If we were to canvas people around the country, there is a great deal of goodwill from well-meaning people around the country who would wish that we could adopt this bill and many of the provisions in it.

Without even speaking to the specifics of the bill, I think people are asking Parliament to recognize the status of animals that this bill actually contemplates. This bill, if nothing else or in its simplest form, would elevate animals from a simple material possession owned by someone to the status of an actual live being.

Anyone who has ever owned animals or even pets and looked into the eyes of their dog are ready to accept that this is not a possession, this is a being with a spirit, this is a being that has feelings, and this is a being that deserves to be treated in a humane way. I am speaking for a lot of animal lovers around the country when I say that we celebrate the idea of being able to recognize that cruelty to animals should be acknowledged as a crime and that penalties for cruelty to animals should be greater than they are currently today.

I am also cognizant, though, of the points raised by my colleague from the Conservative Party that we do not want to go over the deep end to where we are somehow criminalizing activities that are part of our culture and heritage. If anything, hunting, trapping, fishing and farming certainly, and raising cattle are part of the Canadian identity. It would be foolish for us to go over the deep end and imply that by putting a worm on a hook to go fishing is somehow violating the rights of that worm. We do not want to get silly with this.

This idea, this shift, from viewing animals as simply property that can be treated however the owner of that property sees fit and viewing an animal as a sentient being, a being with, I will not go as far as to say a soul but with a spirit, a life force that we acknowledge and recognize. That is a quantum leap in law and in the way that we craft our legislation.

This issue has been a difficult one because we cannot deal with the subject of cruelty to animals without allowing emotions to creep into it. Many of us viewed television screens in the last week where yet another one of these puppy mills was revealed in a news magazine-type television broadcast. It was horrifying. It made Canadians angry.

*Government Orders*

It is fitting and appropriate that on the heels of that revelation we should be dealing with this issue in the House of Commons today. It makes me feel proud because if anything, the very thing that this bill seeks to enforce and to address is the thing that we witnessed in that television show where people were not being cruel to animals in the process of raising them or even slaughtering them for use and food, they were being cruel to those animals based on pure greed.

We believe in the New Democratic Party that there is a place in our legislative regime to enforce laws dealing with cruelty to animals in a much more disciplined way. I hope that the spirit of cooperation that exists in the House of Commons today can manifest itself in a new law that gets tough on those who would be cruel to animals.

• (1730)

[*Translation*]

**Ms. Diane Bourgeois (Terrebonne—Blainville, BQ):** Madam Speaker, I have a comment and also a request to make to the hon. members of this House.

My comment is on the fact the bill before us, as a whole, is a good one. I think that for the first time, the Minister of Justice has put his foot down and intends to legislate in order to combat cruelty toward animals.

However, the bill could have perhaps gone further. In my opinion, it should contain elements requiring the provinces to introduce legislation on cruelty toward animals. Not every province has legislation on this.

Perhaps the bill needs to be a lot more specific. There are different types of cruelty toward animals. There is the cruelty of an owner toward a pet. Pets include cats and dogs, of course, but also ferrets and all sorts of small animals. There can be cruelty toward those types of animals.

This bill needs to go further in terms of cruelty of breeders toward their animals. Earlier I gave the example of companies that breed poultry for consumption and put 20 animals in a cage designed for 10. Sometimes these animals break their wings under those conditions.

The bill could also go further in protecting hunters.

These are all subjects that the bill does not necessarily address or mention. That is where the problem lies. The bill does not cover these specific matters. I am getting the signal that I need to hurry up, so I will be brief.

In closing, I just had a meeting with someone who works at the SPCA in Montreal. That was the message that agency wanted to get across to the hon. members of this House. It was my pleasure to convey it to you.

[*English*]

**Mr. Pat Martin:** Madam Speaker, I thank my colleague for those valid points. Often the cruelty of animals is at the institutional and commercial levels, when it comes to chicken farms and the raising of livestock in inhumane ways. There are individual and personal cruelties that we wish to address but we cannot forget the institutional and commercial cruelty that is sometimes prevalent.

**Mr. Brian Masse (Windsor West, NDP):** Madam Speaker, I thank the member for Winnipeg Centre as well as the House for permitting us to split our time today to talk to Bill C-50, an act to amend the Criminal Code in respect of cruelty to animals. As has been noted, this has been through several procedures in the House in the past and we have not had a resolution of the bill. Hopefully, it will happen at this point in time.

There is an important acknowledgement that there is trapping as well as a history in our agriculture industry about animals and our farm culture. Separate to that there is an urban aspect of the bill that is very important.

I live in and represent an area of Windsor West where we have a significant urban population of 120,000 in a small geographic region. We have witnessed some terrible abuses to animals. In fact, back in my days on city council in 1997, I called for public hearings on feral cats in the city of Windsor. That created a big outrage in many respects. There were suggestions by some citizens that we should terminate these animals immediately, whereas others tried to look for solutions to increase the adoption and care of these animals as well as prevention techniques, which are very important.

In the debate at that time people came forward and said that they were treating animals, especially cats, with very improper actions. Some were poisoning the feral cats. Some were killing them outright. As well the humane society of the day was left to deal with the situation of capturing as many of them as possible. Then they would often be terminated because they were not adopted.

What came out of that process was a willingness to deal with the issue. The issue is that animals and pets in our culture are not just property. They are beings. They have a soul, a spirit and they are part of our lives. There is an ownership aspect. When we have the custodial care of a pet, we should care, nurture and ensure that its life is protected.

What came out of our hearings, which I think will be a step forward in Bill C-50, was the Jazzpurr Society for Animal Protection in Windsor was able to work with the city of Windsor to create a no kill policy. We have a spay and neuter program that assists in the reduction of the feral cat problem. As well we work on adoption and other measures.

It is important to note that there has to be support by governments with those types of initiatives for community groups and organizations. When Bill C-50 is passed, penalties will be involved.

The member from Winnipeg Centre also spoke of puppy mills and the well documented case on television about the atrocious behaviour of confining dogs. This is not acceptable and there should be penalties.

Another aspect in the bill, which has not been discussed very much, is the penalties for the treatment and poisoning of animals, especially law enforcement animals. In proposed section 182.7 it states:

(2) Every one commits an offence who wilfully or recklessly poisons, injures or kills a law enforcement animal while it is aiding or assisting a peace officer or public officer engaged in the execution of their duties or a person acting in aid of such an officer.

Windsor, Ontario has been instituted a fantastic program for police dogs. These dogs have become the partners of the officers. They spend not only the time on the job together but they spend part of their life together. It is important to note that a special bond and relationship develops. As well as the contribution dogs make to the community in terms of enforcement on drugs and protection of officers, there also is the public awareness for our children.

To injure, maim, poison or kill that dog is something that is traumatic to not only the officer but also to the force and the community. We need to have penalties in place that are much stronger because that is something we have not addressed at this current time.

● (1735)

**Mr. Pat Martin (Winnipeg Centre, NDP):** Madam Speaker, I was interested in my colleague's remarks regarding the treatment of what I guess he would call nuisance animals in his community, feral cats. I presume those are domestic cats that have strayed from their homes, have gone wild and now make a nuisance of themselves.

My colleague raises the point, quite rightly, that this is not something that is limited to the farm, or the bush, or the hunter or the trapper. There is certainly an application for this law within the context of an urban riding such as his in Windsor West and mine in Winnipeg Centre.

Could my colleague explain the effect or reaction that the bill may have on his residence of Windsor West when and if it becomes law.

● (1740)

**Mr. Brian Masse:** Madam Speaker, the bill will have a tremendous impact. I should thank publicly Dorit Girash of the Jazzpurr Society for Animal Protection who was one of the leaders when we had our public hearings and debates. At first there was a lot of debate and controversy over what we should do next. What we found was an organization that, as well as being a TLC organization, would be willing to come forward and ensure that there would be proper supports from the community to get this to the next level, not only in terms of volunteering time, energy and money, but also to ensure that the government of the day would support the municipality on this policy change.

I think that what we are going to see from Canadians is a general embracing of this and a principled ownership issue that is going to be very important as animals are treated as more than just property.

**Hon. Larry Bagnell (Parliamentary Secretary to the Minister of Natural Resources, Lib.):** Madam Speaker, I am very happy to again speak to the bill. As members have mentioned, it has been before the House a number of times. We are doing our speeches in themes on various aspects of the bill, so I am going to talk about the dramatic connection between animal cruelty and violent crimes by human beings.

In summary, the bill is very old and just needs an update to enhance the provisions to provide stricter penalties for animal cruelty. Vast numbers of Canadians want this. It makes sense. It is one of the most responded to bills for MPs. People should note that it

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does not change any of the traditional activities. There is nothing new. People can still hunt and fish and do research and sports with animals and there will still be traditional aboriginal hunting and fishing. All that remains the same. There are no changes here and there are no more chances of being prosecuted in those areas than there were before. That is very important for the traditional uses for agriculture, hunting and fishing in my riding.

Today I would like to talk about the overarching objective of this legislation, which is to have the justice system treat animal cruelty offences more seriously. This is entirely consistent with society's moral condemnation of the abuse and neglect of animals.

There is an even greater societal interest in taking the abuse of animals more seriously. Brutality and abuse do not exist in a vacuum. Many acts of cruelty have implications beyond the pain and suffering felt by the animal in question.

There is increasing scientific evidence of a link between animal cruelty and subsequent violent acts toward people. Studies have confirmed a statistically meaningful correlation between acts of animal cruelty and other forms of criminality, ranging from property crime to crimes of violence.

In the United States, the correlation between animal cruelty and violence began to be studied in earnest in the 1980s and 1990s. Recently some studies have also set out some interesting findings in this area in Canada. Let us take, for instance, the issue of domestic violence and partner abuse. A number of significant studies in the United States clearly showed an important link between animal cruelty and domestic violence. These studies were largely based on questionnaires given to women who fled to shelters.

Building on the U.S. studies, a few years ago a number of Canadian studies were undertaken with a view to gathering the same kind of data. The Ontario Society for the Prevention of Cruelty to Animals began looking at this issue in the late 1990s. In 1997, the OSPCA launched a violence prevention initiative. In furtherance of that initiative, it began conducting shelter surveys to gather data. The OSPCA did a shelter survey in 1998 and again in 2000.

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The surveys involved 21 women's shelters from across the province. Of 130 women who responded in the survey done in 2000, 85% had a pet in the home within the last year. Of those women, 44% stated that their partner had previously killed or abused one or more family pet, while another 42% stated that their partner had threatened to hurt or kill a family pet. These are astounding and frightening statistics. More disturbing, 43% of the women said their concern for the welfare of the pet prevented them from leaving the abusive situation earlier. In other words, concern for the well-being of a pet may have put the lives of some women at greater risk by keeping them emotionally tethered to the home.

It should be noted that as part of its violence prevention initiative the OSPCA has called for the passage of this legislation on many occasions.

Building on the U.S. and Ontario work, another study was undertaken in Calgary in 2001. This study surveyed 100 women entering two shelters for abused women and children in Calgary. Sixty-five per cent of the women who responded either owned or had owned a pet within the 12 months prior to the questionnaire.

• (1745)

Of these women, more than half stated that their abuser threatened to hurt or kill or actually did hurt or kill the animal that lived in the home. More than 25% of pet-owning participants stated that they delayed their decision to flee their abusive environment because they feared for the safety of the animals they would be leaving behind.

The Canadian studies suggested numbers similar to those found in the American studies. For instance, a 1997 national survey of 50 of the largest shelters for battered women in the United States found that 85% of women and 63% of children entering shelters discussed incidents of pet abuse in the family.

Another dimension of family violence that has been looked at is the link between animal cruelty and the abuse or neglect of children. In one study of 57 families under the care of child welfare authorities, pets had been abused in 88% of the families in which children had also been physically abused. In two-thirds of the cases, the abusive parent had injured or killed the family pet, and in the remaining one-third of cases it was children who had abused the pet.

Children who witness animal cruelty inside the home stand an increased likelihood of committing animal cruelty themselves. Children act out what they learn at home. In other words, the pattern of abuse repeats itself.

Even when a child does not act out the aggression he or she sees at home, child welfare experts are coming to an agreement that displays of animal cruelty in front of a child can amount to a form of child abuse in and of itself. Children naturally love animals and can experience deep bonds of affection for their pets. If that pet is abused by a parent in the house, the effect on the child can be extremely destabilizing.

It cannot be compared to a child witnessing a parent destroying a television or a chair, which undoubtedly in itself would be frightening; an attack on a beloved pet, a living and breathing playmate for the child, can have a truly devastating effect on the psychological makeup and development of the child.

These studies teach us many important lessons. First, we can estimate that at least with respect to the households in which family violence occurs, there appears to be at least one companion animal in somewhere between 50% and 80% of those families. That represents a very large number of families.

Second, these animals are not mere property of the family, like the television or the car. Quite the contrary, people care a great deal about their pets, often regarding them as a member of the family and according them a correspondingly high degree of care, attention and respect.

Third, when someone exhibits violence toward a person, they are at an elevated risk of being violent toward an animal and vice versa. Violence and anger do not discriminate. They will be aimed at the most vulnerable, whatever the species.

Finally, the emotional bond between people and their pets is such that when violence is done or threatened against the family pet, there can be serious emotional or psychological consequences for the people who love the pet.

We intuitively know all of this, but when research and studies bear out our instincts, we need to pay attention. If we want to take domestic abuse seriously, we have to take animal cruelty seriously as well. If we care about the well-being of children, we also have to care about the well-being of animals. Treating animal abuse like a crime of violence will help not just the animals but people too.

There is a reason why numerous jurisdictions in the past decade have enhanced their criminal laws in respect of animal cruelty. Forty-one U.S. states now have criminal laws that make at least some form of animal cruelty a felony. Ten years ago, less than 20 states had felony cruelty laws.

In 1996 the United Kingdom enacted a statute that specifically targets cruelty to wild animals. Last year, the U.K. launched a reform of a new draft statute dealing with animal cruelty to kept animals as its existing statute is almost 100 years old.

Several jurisdictions in Australia have also revamped their animal cruelty regimes in recent years.

In the last decade, a number of provinces have also amended or totally revamped their animal welfare legislation. Just by way of example, Alberta amended its law in 2000, Saskatchewan in 1999, and British Columbia and Manitoba in 1996.

It might interest members to know that many provincial animal welfare statutes apply broadly, not just to domestic pets. Provincial statutes do not treat cruelty to animals as a matter of injury to property interests.

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• (1750)

For instance, in Alberta the definition of an animal says only that it does “not include a human being”. In Saskatchewan, the legislation applies to “any animal other than a human being”. In Manitoba and New Brunswick, the law applies to a “non-human living being with a developed nervous system”.

In conclusion, I note that we do a great disservice to women and children who live in fear of abuse or who witness abuse of their beloved pets by insisting to them that the animal cruelty they witness in their homes is a matter of property crime. It is time to recognize animal cruelty for the act it is: an act of violence. It is time to pass Bill C-50. I urge all members to work cooperatively to pass the legislation.

**Mr. David Anderson (Cypress Hills—Grasslands, CPC):** Madam Speaker, I was interested in the member's speech when he talked primarily about personal domiciles, about domestic issues. I want to ask him about that or challenge him a little bit. How does he see this new law being used to address domestic situations?

I am thinking particularly in the context of the fact that we have an overtaxed justice system right now. Even as we have seen this summer, people who steal up to a couple of million dollars get house arrest. How does he see this law being applied in those domestic situations when our police are already so overtaxed as it is that they are hardly able to apply the law anyway? I would be interested in his comments.

**Hon. Larry Bagnell:** Madam Speaker, the member's question is a very reasonable one. The fact is that primarily this increases the penalties and there is also the fact that the Canadian public is so intense about some of the abusive situations. A number of people have mentioned it in their speeches. One story related to us was about horses in the Yukon. We will have those penalties available to prosecutors so that when these cases come up, as they have in the past, the prosecutors would have better tools to work with. There is a great desire on the part of Canadians to have these cases come up.

There is another way this bill can help. By getting these statistics and the information out on the link between domestic violence and cruelty to animals, I think it helps in the preventive stage for those people who work in both cases. Animal welfare societies are starting to work with other agencies and share information and launch coordinated campaigns about family violence and animal cruelty.

For instance, at one time the British Columbia Society for the Prevention of Cruelty to Animals, along with the victim services division of the Minister of Public Safety and Solicitor General, the B.C./Yukon Society of Transition Houses, the British Columbia Veterinary Medical Association, and the B.C. Institute Against Family Violence launched the violence link project. The project is aimed at increasing the awareness about the animal-human violence link and promoting more effective cross-reporting between law enforcement and animal care and social service agencies in British Columbia.

With this knowledge, I think we can see that these projects need our support. More can always be done, but encouraging the provincial governments, which are responsible for child welfare, to continue their involvement in these multidisciplinary projects will help get the message out. Hopefully we can prevent some tragedies.

**Mr. Borys Wrzesnewskyj (Etobicoke Centre, Lib.):** Madam Speaker, how will the government protect aboriginals who practice traditional hunting and fishing?

**Hon. Larry Bagnell:** Madam Speaker, my colleague's question performs a very important function in this debate. As I was trying to say at the beginning of the debate, there is nothing in the bill that would prevent or make it any more difficult in regard to the traditional uses of animals, whether it is in hunting, fishing, farming, research or sport. That includes aboriginal people, of course, who have for thousands of years used animals in hunting and fishing and for their skins.

Proposed section 182.6 of the bill states:

For greater certainty, nothing in this Part shall be construed so as to abrogate or derogate from the protection provided for existing aboriginal or treaty rights of the aboriginal peoples of Canada by the recognition and affirmation of those rights in section 35 of the Constitution Act, 1982.

They would also have the double protection through that. Also, of course, there is the colour of right, which was put in during our last round of debate on this bill.

• (1755)

**Mr. Peter Van Loan (York—Simcoe, CPC):** Madam Speaker, the Conservative Party supports this legislation. We see the need for some changes to fine-tune and create certainty for normal agricultural, hunting and fishing practices.

However, what the member just spoke to is particularly important regarding some of the links to other offences. I know in my community, in York—Simcoe, there is great concern among a lot of organizations that are very involved in working for animal welfare in addressing those problems.

There are a lot of dog and cat lovers and a lot of very good, concerned citizens, people from the Animal Welfare Society and the like who do a lot of good work. Unfortunately, in my community, we probably have had more than our fair share of bad incidents in terms of the treatment of animals which perhaps has prompted this local response. One happened very recently in September, literally on the road where I live, Baseline Road. It started out as a gun offence after a call to the police. They came to the site and discovered it was also a marijuana grow operation. The OSPCA had to be called in because of a puppy mill and the unfortunate animal cruelty situation that existed there.

I find it interesting that the government is concerned about that, yet at the same time it is pursuing other legislation such as the decriminalization of marijuana, which seems to fuel exactly the same kind of activities such as these puppy mills. Almost every single time they appear in my constituency, they also happen to be marijuana grow operations.

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I would like to know from the member why the government is, on the one hand, encouraging criminal activity, yet on the other hand finally getting on with the important problem of providing animal protection?

**Hon. Larry Bagnell:** Madam Speaker, the member mentioned gun crimes and of course we have mandatory minimums for many gun crimes. Regarding grow ops, the bill is not before the House right now, but the bill that we plan to bring forward actually increases penalties for pushers of marijuana, so the member will be very happy that we will be stricter on that crime.

**Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC):** Madam Speaker, as the member of Parliament for Renfrew—Nipissing—Pembroke, I am pleased to participate in today's debate regarding this most recent attempt by the government to amend the Criminal Code in respect of cruelty to animals.

Eastern Ontario boasts a vibrant hunting and fishing culture. The settlers who came to Renfrew County survived in the wilderness by logging, farming, hunting and fishing. These were heritage activities that are very much a part of our culture today.

As people most in touch with the land, rural people have the greatest interest in being good stewards of our environment. When the farmers, hunters and fishermen of Renfrew County speak, they do so with the wisdom of being generations on the land. That same wisdom is available to the government, if it would only listen.

It is very clear from the record of the government and the numerous, previous, failed attempts to move forward to protect animals from unnecessary cruelty, that it is not committed to this goal. In every previous attempt, the Liberal Party chose to ignore the concerns of ordinary folk, like the people of Renfrew County, and brought forward flawed legislation that did not take into consideration the rich, outdoor heritage of all Canadians.

The current piece of legislation that is before us today is no exception to the anti-hunting, anti-fishing, and anti-rural Canadian bias that has become the policy of the Liberal Party. I have been contacted by many worried constituents about the impact the current legislation will have on individuals who enjoy the out of doors and the criminalization of heritage activities.

I wish to thank the efforts of constituents like Mr. Alfred Beck from the Pembroke Outdoor Sportsman Club in assuming a leadership role in our community to protect the rights of hunters and fishermen.

There seems to be a conscious effort on the part of certain individuals and anti-hunting organizations to misrepresent traditional farming and fishing practices of rural Canadians. Many of these urban based organizations promote ignorance about rural farming practices in order to evoke sympathy as a fundraising tool. Other organizations promote fear campaigns against rural Canadians based on intolerance. Some animal rights organizations seek to end all uses of animals by people. To them, certain farming practices, hunting and fishing are cruel.

What has to be of concern to reasonable people is that their way of thinking has made it to a Prime Minister desperate to draw attention away from the numerous scandals that infect his party. This could explain why this particular piece of legislation is before us today.

What is clear is that farmers, fishermen and hunters, including recreational fishing and hunting, must be exempted from the frivolous court challenges that threaten their activities and that will result if the government continues to refuse to listen to the many groups that are worried about the legislation.

Organizations that are worried about Bill C-50 have cause. The Animal Alliance of Canada has already stated publicly that it will target hunters and fishermen for court action once the legislation has been passed. Organizations like the Ontario Federation of Anglers and Hunters and the Canadian Sportfishing Industry Association have provided the Liberal justice minister with a detailed legal opinion outlining their very real concerns about Bill C-50.

The justice minister would rather see an angler or hunter go through a costly and lengthy process of being charged and brought to trial than seeing justice served if the legislation were passed without amendment.

The people of Renfrew County are well acquainted with frivolous court challenges. The last several years have seen small sawmill owners dragged into court over the question of whether or not sawdust is a hazardous waste. Forget the fact that sawdust is used as mulch on gardens, including the flowerbeds on Parliament Hill, this did not prevent these hardworking sawmill owners from being charged and having to spend thousands of dollars on legal fees defending themselves in court.

● (1800)

Law-abiding hunters have been turned into criminals by a federal government that thinks that going after hunters is somehow going to stop shooting deaths in Toronto. Handguns have had to be registered since 1934 and that demonstrates how grossly incompetent the Liberal gun registry is. The fact that the Liberal Party has spent over \$1 billion to register seven million firearms when it only cost \$8 million to register 14 million cows is further evidence of the incompetence of this government.

Not content to harass hunters, now the Liberal Party has set its sight on fishermen with Bill C-50. Hunters would prefer to spend their hard earned dollars to preserve wildlife habitat, something Ontario hunters have contributed millions of dollars toward, instead of spending their money on lawyers and courts because some anti-hunting organization has targeted their group as its next fundraising poster campaign.

Many groups are on record as being opposed to Bill C-50. Let us be clear. Contrary to comments made by Liberal members, like the member for Whitby—Ajax, those concerns are real, based on past experience with this government and legislation like the firearms registry. Groups in opposition to this bill support measures to protect animals from unnecessary cruelty. As a constructive alternative, these groups have endorsed an initiative from the other place that is a reasonable alternative to the bill now before us.

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It is important to congratulate the many groups that are supporting a constructive preference. As an MP from Ontario, I am pleased to acknowledge the following stakeholders around this province who represent the millions of Canadians for whom the wise use of animals remains a way of life and who provide important socioeconomic benefits, including billions of dollars annually to the Canadian economy.

I wish to acknowledge the Ontario Farm Animal Council, OFAC, on behalf of its founding member organizations: Chicken Farmers of Ontario, Dairy Farmers of Ontario, Ontario Egg Producers, Ontario Cattlemen's Association, Ontario Institute of Agrologists, Ontario Federation of Agriculture, Ontario Pork Producers' Marketing Board, Ontario Turkey Producers' Marketing Board, Ontario Federation of Anglers and Hunters, Ontario Fur Managers Federation, Ontario Sheep Marketing Agency and Ontario Veal Association. These organizations are joined by sister organizations from across Canada asking this Parliament to protect heritage activities of rural Canadians.

As has been so completely demonstrated by the sponsorship ad scam scandal, special interest lobbyists dictate to the Liberal Party what they want. Bad legislation, bad policies and bad government are a consequence of the control of special interest lobbyists that get in the way of responsible government.

It is a sad statement that the problem of the democratic deficit, in addition to the massive misappropriation and misuse of public funds that is the legacy of the current Prime Minister, is the inability of the government to listen to ordinary Canadians, particularly when it comes to poorly drafted legislation like Bill C-50.

I would have thought that after all the previous failures by this government to protect animals from unnecessary cruelty starting six years ago, the government would have tried to get this legislation right. Instead, once again, this government refuses to work with individuals who are most affected. Once more we have a half measure that pleases only those special interest groups that it thinks it can trade support with votes.

It is not enough that the federal government has imposed on hunters a \$2 billion gun registry scheme that transfers scarce dollars into a bloated bureaucracy that does not work. Those funds would have been better spent on front line policing, giving our police officers the resources to deal with the exploding crime problem in places like the streets of Toronto.

As much as the federal government tries to discourage heritage activity like hunting with its bloated gun registry, hunting is important to our economy and to our society. The hunting and fishing industry has an estimated annual value of over \$10 billion to the Canadian economy. While Canadians enjoy the great outdoors, it is the people who support hunting and fishing who pay a disproportionate share for the preservation of wildlife habitat through the many fees, regulations, courses and taxes that only they pay, so that everyone can enjoy our forests and wildlife habitat.

• (1805)

**Hon. Don Boudria (Glengarry—Prescott—Russell, Lib.):** Madam Speaker, I listened with great interest to the hon. member for Renfrew—Nipissing—Pembroke as she gave us her discourse.

This is important particularly at this juncture before we get into an election which may come some months down the road. Of course I will not be a candidate in that election. Does she think that this bill would stop fishermen from fishing? Is it the position of her party to repeal it should the country be so unfortunate as to elect that party?

**Mrs. Cheryl Gallant:** Madam Speaker, I am surprised that the member asked such a question, given that he yelled across the way the entire time I spoke.

What the people of Canada will receive as a first order of business once a Conservative government is elected is the federal accountability act.

We have been let down. The Liberal Party's last 12 years in power have featured one scandal after another, and despite promises to clean up Ottawa, the scandals just keep on happening. The problem is the system that the Liberals have created. It has become clear that this culture of waste, mismanagement and corruption cannot reform itself.

Canada needs a prime minister who will lead by example. We need a prime minister who will fix the system rather than defend its beneficiaries.

I did not get into politics to gain a title or a position. I got into politics to fight for the things that we believe in. As the member of Parliament for Renfrew—Nipissing—Pembroke, I will lead by example. I will begin the process of fixing the system by legislating, together with my colleagues, and enforcing the federal accountability act. It is a specific, detailed and credible plan to clean up government. The people of Canada deserve nothing less. It will end the influence of money in politics that the member across the way is yelling about. Under the Liberals, money and influence have played far too large a role in Canadian politics. During the sponsorship inquiry Canadians learned of envelopes full of cash being used to fund Liberal Party campaigns, and of money from government contracts being funnelled back to the Liberals. During his leadership campaign, the current Prime Minister collected record amounts of money from large corporations, much of it held in secret for several years.

• (1810)

**Hon. Peter Adams:** Madam Speaker, I rise on a point of order. I do not see any sign of an answer to the question in the member's remarks. I do notice she is reading them, so she had not heard the question before she found that material which had been written before.

**The Acting Speaker (Hon. Jean Augustine):** I am sure the member is getting to the answer. Could she please do so within the next couple of seconds.

**Mrs. Cheryl Gallant:** Madam Speaker, there is certainly something fishy about that point of order.

There is a net economic benefit associated with hunting in Ontario. It employs about 20,000 people, representing \$1.5 billion in economic activity. Ontario deer and moose hunters paid over \$10 million in licence fees in 2004. Ontario's hunting industry generates more wealth than Ontario's television and film production industry by way of example of its importance to our economy.

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Outdoor recreational pursuits like hunting and fishing should be encouraged by government, not discouraged by bad legislation. Protecting animals from unnecessary cruelty is a laudable goal that I support. I do not support legislation that would criminalize the heritage activities of rural residents of Renfrew—Nipissing—Pembroke.

[*Translation*]

**Ms. Diane Bourgeois (Terrebonne—Blainville, BQ):** Madam Speaker, I would have a comment. This is a good bill to the extent that the minister has put his foot down and will finally be legislating against animal cruelty. There is a problem, however. The hon. member for Renfrew—Nipissing—Pembroke illustrated it perfectly. We are mixing apples and oranges, mixing the gun issue with the hunters, pets, poultry farmers and auctions. Everything is all mixed together.

The committee will have to go back to the drawing board and develop categories within the bill. That is what matters. When Bill C-10 was discussed, this was already a problem. The same happened when we discussed Bill C-22, and it is happening again with Bill C-50. Everybody mixes everything up. How can we ever arrive at safeguards for everyone—aboriginal people, farmers, hunters, fishermen—as well as the industry? This can never be achieved because it is such broad legislation.

I hope the minister will listen to what animal welfare groups are asking for to fight animal cruelty.

[*English*]

**Mrs. Cheryl Gallant:** Madam Speaker, I concur completely with my colleague. Part of the problem is the undue influence lobbyists have with respect to the government. Under the Liberals lobbying the government, often the friends and associates of the Prime Minister and other Liberal cabinet ministers, has become a multi-million dollar industry. Senior Liberals freely move back and forth between elected and non-elected government posts and the world of lobbying.

Liberal lobbyists have accepted success or contingency arrangements where they do not get paid unless they deliver the policy change their clients want. That is part of the problem.

● (1815)

**Hon. Peter Adams (Parliamentary Secretary to the Minister of Human Resources and Skills Development and Minister responsible for Democratic Renewal, Lib.):** Madam Speaker, I am pleased to join in the debate this evening.

I listened with dismay to the replies of my colleague opposite. The replies she was reading out had nothing to do with this very important issue. She claimed to be defending, for example, the hunting community, a community with which I am very familiar. I lived in the north for many years of my life, whereas in fact she has not.

She was using this debate for partisan purposes. I heard some of her references to farmers. She mentioned the value of the hunting and fishing industry in Canada and in Ontario. It is very small in comparison to the value of the farming industry to us in financial terms but also in terms of basic national security, in terms of providing high quality food at reasonable cost under all circum-

stances. I think my colleague did a great disservice to those communities in the way she spoke to this bill.

As my colleague from the Bloc just said, the bill has nothing to do with those things. It has nothing to do with normal farm practices. It has nothing to do with normal hunting and fishing practices. It has to do with people who are viciously cruel, unnecessarily cruel to animals of any sort.

If ever there was a community in the country that has a vested interest in the care and well-being of animals, it is the farming community. Go to a dairy farm in my riding and see the involvement of the family and children. The children in the 4-H clubs are rearing calves and showing calves. They are not people who wish that unnatural people are free to viciously torture and kill animals. They are people in our society who are well educated, well informed, involved in an industry which is of basic and fundamental importance to us all. The bill has nothing to do with those things. This bill has to do with unnecessary and deliberate cruelty to animals.

The bill has been around for a considerable period of time. For various reasons it did not pass in the House. One of them was the opposition of the Conservative Party members or that party's previous incarnations. The pre-incarnations of the Conservative Party, the Reform and Canadian Alliance opposed it for partisan reasons similar to those mentioned by my colleague. Then it was delayed in the other place, and I deeply regret that. This is something I regret. Of course, it is the responsibility of the other place to manage its own affairs.

I do regret this whole period of time of uncertainty not only for the animals and people who own the animals as to what is animal cruelty and what should be involved in that, but also to the industries upon which doubt is being cast. Farmers are not the people who are cruel to animals and people should know that.

Over the last few years changes have been made here, in the other place and in committee. There has been a stronger and stronger consensus not only among farmers and hunters, I would like to think, and fishers, but also in the research community which initially had concerns with the legislation but now are much more comfortable with it. That is very important.

It is interesting that one of the purposes of the bill, and why this has been delayed for so many years I cannot understand, is quite simply at one level to bring the penalties which have been in existence, and which are in existence as we speak today, up to date. It is no longer the 1950s or the 1960s. The dollar is not worth what it was in the 1950s and the 1960s. The penalties which people face for cruelty to animals today are decades and decades old. One of the purposes was to increase the existing penalties and to make them real.

● (1820)

Today for the worst possible mutilation or torture of an animal one could think of, the maximum penalties are up to six months in jail or a \$2,000 fine. In this day and age if someone tortures an animal, be it a puppy, a cow or a deer, and I am talking about deliberate mutilation, not accidents or whatever, the penalties should go up.



*Government Orders*

In the bill those penalties go up from a maximum of six months to five years in prison, and the decades old ceiling of \$2,000 is being removed. This is simply in line with other indictable offences in the Criminal Code. Currently there is a two year maximum on orders preventing the offender from owning and possessing animals. For someone who tortures an animal, be it a large animal or a small animal, there is a two year maximum on preventing that person from owning a similar animal again. This is not appropriate. Anyone, be they a hunter, fisher or farmer, accepts that. The legislation should bring such matters up to date.

Also under the bill I am glad to see that the person responsible for these horrific acts will be responsible for some of the costs associated with it. Periodically we read of people deliberately mutilating cattle. We do not know where this is coming from. People would think it was a grizzly bear, but people were actually mutilating them. Now when a person is caught, in addition to the higher penalties, the person will be involved in repaying the costs for this horrific damage. That is simply good judicial policy.

One of the changes that is involved in this legislation is the creation of the new offence that directly targets the wilful killing of an animal with brutal intention. We heard earlier today about strapping an explosive on an animal or fastening an animal to a rail line. If that is not cruelty, I just do not know what it is. These are despicable forms of cruelty. Goodness knows if the same thing happened to human beings what it would be.

The person may not be caught by our existing law if the person had a legitimate excuse for killing an animal. An example would be if someone had to put down a dog, but instead of euthanizing the dog in a reasonable fashion, in the meantime, the person decided to have some horrific fun and strapped the dog to a rail line and waited until a train came by and took pictures. This is a loophole in the present legislation and it should be changed.

Throughout this legislation we are dealing with intentional brutality. We are not dealing with accidents that happen in the home, accidents that happen on the farm, accidents that happen in hunting and fishing camps. We are not talking about that. We are talking about someone who is deliberately and wilfully cruel to an animal.

Euthanasia, slaughter, hunting practices are humane at the present time. There are codes of practice which protect those things and while there are inhumane people in every walk of life, most of those people know the rules. They have taken the courses. They know what is involved in those areas of activity. They go out of their way to minimize pain and suffering. Those people will not be affected by this legislation.

There is the matter of the definition of an animal. At the moment there is no definition of an animal. I have talked to members of the farm community. Is it better to have a definition of an animal which says "a non-human vertebrate", or to have no definition at the present time and have someone taken to court for being cruel to a worm? It is incomprehensible. A definition is appropriate in legislation of this type.

●(1825)

Some of the concerns of the people involved in farming or in hunting or fishing is because they have been misinformed by members of the party opposite. However the time has come to pass this legislation.

**Mr. David Anderson (Cypress Hills—Grasslands, CPC):** Madam Speaker, we do not need the government to tell us or give us the impression that it is going to protect farmers because it certainly has not in the past. Nothing in the legislation indicates that it would protect farmers or hunters in spite of what the member said.

The government's past history indicates that farmers are at risk every time the government says it will look after them. We have a firearms registry that does not work and that has been nothing but a problem for farmers and legitimate gun owners, such as hunters.

In the past, animal cruelty bills have come forward from the government that have not been acceptable and have not been workable for our farm communities. We have had failed farm programs for 12 years now. We have a failed trade position at the WTO. The government says that it is protecting farmers but it is not doing that.

The biggest joke of all was when I heard the member blaming us for the failure of the animal cruelty bills in the past. The government has had a majority in the House of Commons for the past 10 years and if it had wanted to pass an animal cruelty or an animals rights bill it could have done that but it chose not to do so. It is not appropriate for the member opposite to say that this has something to do with the party on this side of the House. It needs to be understood that the legislation contains no protection guarantee for farmers and hunters.

The member talked about the importance of increasing the penalties. I do not think any of us would disagree that we need stronger penalties dealing with animal cruelty in this country. However the problem is not with the length of the penalties. It is with the government and what the justice system under it does with those penalties.

Does the member actually believe that under the Liberal government people would ever get more than six months in jail for whatever they did to an animal when we have people walking around this country right now who have killed somebody with a cue ball in a sock and were given house arrest? I do not think that is reasonable and I do not think he can expect that we will ever see anyone in prison for more than six months on an animal cruelty charge as long as the Liberal government is in power.

**Hon. Peter Adams:** Madam Speaker, my colleague does not realize that things die on the order paper in Parliament, particularly if they go to the other place.

Every common law protection that farmers have today still exist and there will be no change to them. This would be a change with respect to penalties in particular and the definition with respect to intentional cruelty. Farm practices and hunting practices would be protected. Deliberate cruelty to animals would not be protected.

*Adjournment Proceedings*

I believe my colleague is doing farmers an enormous disservice. These five years of debate using farm examples have done the farming community a great disservice with respect to the consumer. The consumer thinks that farmers, who are represented by the people over there, are somehow in favour of animal cruelty, which is not the case. That party has done the farming community an enormous disservice.

The member mentioned human cruelty. I would like to point out that the link between deliberate cruelty to animals and family violence has been demonstrated time and time again and is well represented in psychology and psychiatric tests.

A very interesting link that has been well demonstrated is the link between demonstrated behaviour with respect to deliberate cruelty to animals and serial killing. I did not raise this matter, the member raised it. This is not my prime reason for being in favour of this legislation. If somebody deliberately mutilates a cow or a puppy, that person should not only get the full penalty of the law but the person should register with the law with respect to potential serious human cruelty offences in the person's home and on our streets.

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## ADJOURNMENT PROCEEDINGS

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

• (1830)

[English]

### THE ENVIRONMENT

**Mr. Greg Thompson (New Brunswick Southwest, CPC):** Madam Speaker, just before the break I asked the government a question in the House of Commons during question period in relation to an LNG terminal or terminals proposed to be built in the United States at Passamaquoddy Bay, which is very close to Canada. In fact, to service this terminal, these LNG tankers, if built, would be required to go through internal Canadian waters. That capsulizes the issue.

Our position, the position taken by the Government of New Brunswick and the citizens of New Brunswick and the surrounding areas is simply that this area is much too dangerous for an LNG terminal. We are saying that the Government of Canada should stop it now because Canada is in a position to say no to the transport of those LNG tankers through Head Harbour Passage.

Head Harbour Passage is one of the most difficult waterways in all of eastern Canada to navigate safely. We have suggested that the Government of Canada should say the same thing now as it did 30 years ago when it said no to a similar proposal on that side of Passamaquoddy Bay. At that time, an American corporation was looking at building an oil refinery in the same location and those ships would have had to go through that very narrow, dangerous channel at Head Harbour Passage. The Government of Canada, about 30 years ago, said no to the passage of those ships, stating that it was too dangerous. After having done extensive studies on that waterway, the government concluded that it was simply too dangerous and that it would not risk our citizens, our environment and our economy by allowing those ships to go through there.

The Government of Canada should say the same thing today because there is an application to proceed with at least one of those terminals on the American side of Passamaquoddy Bay. For the government not to act, sooner as opposed to later, is not an acceptable position. It knows that the size of the ships going through there will be bigger than any ships that have navigated that passageway in our lifetime. The ships are simply too big and too dangerous to go through that stretch of water. Why the Government of Canada would not simply say no now is hard to believe. We are simply asking the government to protect our citizens, our environment and our economy by doing the right thing.

The government can do that in many ways. Under the Fisheries Act, I will cite sections 43 and 29. It could enforce the Canada Shipping Act and say no under section 562.1(1)(e), or the Canadian Environmental Assessment Act.

The Government of Canada has the power to say no. We are asking the Prime Minister not to dither on this file, to stand and protect Canadians, to do the right thing and say no to the transport of those tankers through our waters.

**Hon. Charles Hubbard (Parliamentary Secretary to the Minister of Transport, Lib.):** Madam Speaker, the government is aware of and recognizes the concerns of local communities related to the proposed liquefied natural gas, LNG terminals, in Passamaquoddy Bay. We would like, however, to assure them that Transport Canada is monitoring the situation closely and that our government has indicated Canada's specific interests in this issue to the United States government. In addition, we will work with the province of New Brunswick to ensure that Canadian interests are respected.

Based on the action taken by the government in the 1970s and 1980s, when an oil refinery was being proposed in the same area, Canadian communities requested that Canada refuse the passage of LNG ships through the Canadian waters of Head Harbour Passage.

Although no proposal for an LNG terminal on the U.S. side of Passamaquoddy Bay has yet been filed with the United States authorities, the Government of Canada is in the process of commissioning a study to determine what the potential impacts will be and it will include various government departments that will do a factual understanding of the possible impacts in order to make an informed decision.

Given the findings as to the risk of pollution and the impact of a significant oil spill in the area, our government some years ago concluded that the environmental risk was unacceptable. Therefore, we did not grant permission for oil tankers to go through Head Harbour Passage.

However, I emphasize that the conclusions of these risk studies are for the most part not applicable to LNG terminals and associated LNG ship traffic, despite the same geographic area. The conditions in terms of environment with an oil slick cannot be compared with what might happen with an LNG spill which is a vapour that would quite easily disappear. It would not affect marine birds, mammals, the fisheries and other shore areas of that specific area of New Brunswick. The cargo, as we mentioned, does not have the same difficulties in terms of dispersing in the prevailing wind, but the fact that a fire could occur would mean that there would be concerns.

The Government of Canada is undertaking a study to determine the potential impacts. We also are considering the fact that most areas of eastern Maine have not approved terminals of this nature, so it is up to further consideration.

I can assure Canadians that the Minister of Transport, the Ministers of the Environment and Fisheries and Oceans are very much aware of this file and will do everything within their power to ensure that if it should occur in terms of an application to U.S. authorities, that we will study the matter with due diligence.

The hon. member lives in that area. It is a tremendous area for tourism. It has a great economy in terms of fisheries. I am sure our government would not want to see anything happen to that very rich area of southwestern New Brunswick.

• (1835)

**Mr. Greg Thompson:** Madam Speaker, I cannot believe what the parliamentary secretary saying. The government wants to do yet another study on this issue and then, to make matters worse, he suggests LNG is not as bad as oil tankers. That defies every known piece of information in the universe. I cannot believe the parliamentary secretary would suggest that.

Why have these terminals been turned down by every town, village, city and port on the eastern side of the American seaboard? Because they are dangerous sites. The last one licensed to the United States was built 125 miles off the coast of New Orleans. Why 125 miles? Americans do not want these sites. Now with the new energy act, it is more difficult for communities to turn them down, like they have done in the past.

### *Adjournment Proceedings*

We will be the pawns in all this. Canadians are the ones who will be taking the risk. Do we not have a right to say no, as American jurisdictions have done up and down the east coast of the United States? I want the parliamentary secretary to answer that question. Do we not have the right to say no in Canada, a sovereign nation?

**Hon. Charles Hubbard:** Madam Speaker, the hon. member is from New Brunswick, as I am. He fully realizes that in New Brunswick preparations are already underway for an LNG in the city of Saint John area.

We also know that sites are under consideration and some have been approved in other parts of Canada. In terms of shipping and the fact that tug boats would be used and in terms of our new GPS systems, if there is a possibility it might occur, we want to ensure that we have the proper safeguards in place. However, we cannot deal with questions in terms of what if. The hon. member is asking, "What if the Americans" or "What if the state of Maine decides".

We have to wait to see what the Americans will do. At present nothing has been filed in with the United States authorities to make an LNG terminal in Maine. It is under consideration and review, but certainly nothing has gone forward in terms of a proper application to American and state of Maine authorities.

• (1840)

[*Translation*]

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

(The House adjourned at 6:40 p.m.)

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