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Speaker: The Honourable Peter Milliken

CONTENTS

(Table of Contents appears at back of this issue.)

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HOUSE OF COMMONS

Monday, June 16, 2008

The House met at 11 a.m.

Prayers

PRIVATE MEMBERS' BUSINESS

● (1100)

[*English*]

CANADIAN MULTICULTURALISM ACT

The House resumed from April 10 consideration of the motion that Bill C-505, An Act to amend the Canadian Multiculturalism Act (non-application in Quebec), be read the second time and referred to a committee.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I am pleased to participate in the debate on Bill C-505.

This is a bill to amend the Canadian Multiculturalism Act with respect to the non-applicability of multiculturalism in Quebec. In the amendments proposed to the Canadian Multiculturalism Act, the bill would include the following paragraph:

> AND WHEREAS Quebeckers form a nation and must therefore possess all the tools needed to define their identity and protect their common values, particularly as regards the protection of the French language, the separation of church and state, and gender equality;....

That is the addition.

When this bill first came up, I thought it was extremely important that we have representation on the bill by a member of our caucus from Quebec. Indeed, the member for Mount Royal delivered a speech in the first hour of debate, and I do not think I could say it much better.

First of all, the member acknowledged that a number of the members of the Bloc Québécois have done much work on human rights issues, but he indicated that he thinks “multiculturalism policy should remain a policy that protects human rights—particularly the right to equality and the right to be protected against discrimination—a policy that promotes and protects both diversity and uniqueness of Quebec, and that is enshrined in the Canadian Charter of Rights and Freedoms”.

The argument against this bill is that multiculturalism—and our identity as Canadians—is enshrined in the charter. It is an integral part of defining Canada. It is an integral part of who we are as a country. We have to understand that the charter provides us with a framework that allows us to demonstrate our system of parliamentary democracy, to speak to the values enshrined in our charter, and to ensure that all Canadians feel welcome in Canada no matter where they live.

Under the charter, we have mobility rights. As members know, mobility rights permit residents of Canada to move about the country and in fact to take up residence no matter where they wish to live.

As members also know, Canada always has had the values of tolerance, generosity and acceptance of peoples from all around the world. That is why our immigration policy has been so generous: to be able to open the doors of Canada. That was done under former prime minister Pierre Elliott Trudeau to bring to Canada new residents who want to be Canadians, who seek a better life, who want to come to Canada to appreciate and enjoy the rights and freedoms that we have in Canada.

I have often thought that we really do not understand what we have until we have lost it. We are the envy of the world when it comes to what some would refer to as the experiment of multiculturalism.

Today, multiculturalism is an integral part of the Canadian fabric. That immigration policy gives us the opportunity to have new Canadians come here who bring with them the skills, the knowledge and the ability to understand other parts of the world. That provides synergies in Canada, which allow Canada to be better than the sum of its parts. That is what synergy is.

Therefore, as for the suggestion from a perspective of Quebec that multiculturalism should not be applicable in Quebec because of the distinct characteristics or qualities of Canada, there also is the argument that as the Parliament of Canada we have to look at this from the perspective of the values of Canada as a whole.

● (1105)

In his speech, the member for Mount Royal also indicated, “The transformative impact of the charter is not limited to the effects of the provision providing for equality before and under the law”. He stated that “equal protection and equal benefit of the law” are also there.

As well, he noted that the charter also provides for the preservation of cultural heritage under section 27, which states that “the Charter shall be interpreted in a manner consistent with the preservation and enhancement of the multicultural heritage of Canadians”.

Therefore, we are talking about changes that fly in the face of the Charter of Rights and Freedoms. It is extremely important to understand that this is an aspect of Canada which we treasure and value. It has no specific intent to somehow characterize or isolate any particular region or province of the country, but rather to speak on behalf of the values of Canada.

It is clear that our multiculturalism policy, our heritage, is an integral part of the charter. It is an integral part of the equality provisions of our charter, which for so long has been used to ensure that the rights and the freedoms of all who are on our shores are protected and that we are all treated the same.

I do not know what the consequences would be or what it would really mean if the bill should happen to pass, but I know that the interpretation would be broad and I am sure that it would be negative. There are so many different cultural groups represented throughout Quebec. They bring a vibrancy to the province. Many times I have travelled through Quebec and attended many celebrations there, which included full representation of the multicultural heritage of Canada and of Quebec. That is a very important element.

I do not want to question the Bloc's values on this matter. I understand its position with regard to the whole discussion of nationhood. Why would those members want to invalidate the application in Quebec of a policy intended to strengthen the status and the use of official languages? Many Quebeckers have been fighting for and defending that aspect for many years. Our multiculturalism policy shows that we support and defend our official languages policy as well.

It should be noted that in 1993 when the Bloc formed the official opposition, Bloc members did not oppose amendments to the Canadian Multiculturalism Act when the act was amended to recognize the creation of the territory of Nunavut. Here is another example showing that we cannot have just bits and pieces of a policy for a specific intent. We have to understand the breadth of the implications of adopting a multicultural policy in Canada.

I also want to further amplify the role that new Canadians and immigrants play in today's Canada. As we know, the birth rate in Canada has gone down steadily. It has been a very important part of our multicultural and immigration policies to invite new Canadians here not simply for the cultural component, but also to help Canada continue to grow, to prosper and to develop as a proud, generous and tolerant nation.

While I understand the point that the Bloc is trying to make with Bill C-505, I believe that it flies in the face of the values and principles articulated in our Constitution, particularly the Charter of Rights and Freedoms. Accordingly, I will not be supporting the bill.

● (1110)

[*Translation*]

Mr. Thomas Mulcair (Outremont, NDP): Mr. Speaker, it is my turn to speak about this important bill that will foster a very healthy debate in this House and in society as a whole.

Bill C-505, introduced as a private member's bill by the Bloc Québécois, is called An Act to amend the Canadian Multiculturalism Act (non-application in Quebec). It is interesting that it has come before us on a day when the media are paying rather close attention to this issue. It was refreshing to see on the front page of the *La Presse* newspaper in Montreal today a reference to all of the private members' bills that have made it before Parliament.

It is even more interesting because we currently have a minority government. So, when the three opposition parties agree on a bill, as was very recently the case with the important climate change bill introduced by the leader of the NDP, we are able to come together and move forward with ideas that would otherwise by blocked by the government. This process is in the best interests of the institution.

I will divide my remarks into two parts, because the bill before us addresses two completely different aspects. There is the issue of proposing a review of multiculturalism, an important topic that has been part of Canada's vision since the 1960s. It is generally associated with former Prime Minister Pierre Elliott Trudeau, and rightly so, because in the 1960s, it was a way to distinguish between Canada's vision for integrating immigrants, and the vision prevailing among our neighbours to the south, in the United States. The second part will have to do with the more technical aspects of the bill, and that is where we distance ourselves from the approach proposed by the Bloc Québécois.

Let us come back to the basic principle of multiculturalism. As my colleague just said, it is in the charter. But in his view, the fact that it is in the charter is the answer to the debate. In the view of my party and myself, that sends us back to the starting gate. It is not sufficient to say that section 27 of the Canadian Charter of Rights and Freedoms talks about multiculturalism and the debate ends there. In fact, I am not persuaded that my Bloc Québécois colleague knew what a hot topic this would be at the time when it came to be debated. Nonetheless, there could not be a better time to discuss it openly and let the audience listening to us know what the differences between the parties are.

I would say, after hearing the Liberal Party on this question, it appears that the New Democratic Party falls midway between the very closed position of the Liberal Party and the position taken by the Bloc Québécois, and I will try to describe that later, which wants to make this a political issue.

We must recall what section 27 of the Canadian Charter of Rights and Freedoms says, because it gives us an indication of why we must oppose this bill, “This Charter shall be interpreted in a manner consistent with the preservation and enhancement of the multicultural heritage of Canadians.”

Because Bill C-505 is not constitutional legislation, as a result of the straitjacket imposed on Quebec by the 1982 Constitution, it cannot be amended without following the relatively tortuous process that we all observed in relation to the Meech Lake and Charlottetown Accords, the outcome of which we are all familiar with.

What the Bloc is trying to do with this bill is to alter the Canadian Multiculturalism Act to do something separate for Quebec. It would be easy to follow them down that road, if the goal were to stay in Canada. But let us not delude ourselves. The Bloc Québécois, as is its absolute right in this democracy, has as its ultimate priority the removal of Quebec from Canada. We must therefore realize that the only purpose of the bill must be to position the Bloc in a debate that has been raging in Quebec for the last year and a half. So the goal is not to improve how things work in Canada, and the result of the votes on this subject is entirely predictable. This way of going about it is therefore rather clumsy and heavy-handed.

With all the respect I have for the individuals in the Bloc Québécois, that party's political manoeuvring is pretty transparent when it comes to what they are trying to do. On top of that, the arguments the Bloc is advancing are wrong.

● (1115)

Important as it is to allow Quebec to work within its jurisdictions, we must also realize what accommodations, dare I say, have been made over the years. Quebec is the only province—thanks to the Couture-Cullen agreement—that has significant authority over immigration. It has its own system for attracting and selecting immigrants and providing for their integration into our society.

These differences between Quebec and the rest of Canada had already been examined long before the constitutional amendments of 1982 that I mentioned earlier. At the time the multiculturalism policy was introduced, it was often said that the United States, Canada's southern neighbour, was a melting pot, a sort of soup or stew where everything blends together and individual elements become indistinguishable.

On the weekend, a Canadian actor talking about a new film described our system as a salad. We have often heard our system be compared to a tapestry or a mosaic in which every piece can be distinguished. Nonetheless, I must say that I like the image of a salad: it is something pleasant and well composed; we can still distinctly see each component and know what it is made of. It was Mike Myers, the famous Canadian actor from Ontario, who created the best image by describing our lovely Canadian salad on the weekend. I am going to adopt his very evocative expression.

The NDP could accept the Bloc's suggestion to debate a bill to protect the language of work for the employees of banks, which are under federal jurisdiction, or Société de transport de l'Outaouais employees who cross the border and work under the Canada Labour Code instead of the Quebec Labour Code. It was easy for the NDP, which has a long history of protecting workers' rights, to understand that it was not right for a bank employee in Montreal to have fewer linguistic rights than someone who works in a caisse populaire. It was easy for the NDP to understand that it was not right for a Société de transport de l'Outaouais employee to have fewer linguistic rights than a bus driver in Sherbrooke or Quebec City.

The NDP is very proud of its history of defending workers' rights. The language rights of workers are a subset of this important principle.

The NDP therefore voted with the Bloc Québécois to bring the bill forward for debate. Changes are likely needed. Like Graham Fraser, we believe that nearly all these changes can be made through the Canada Labour Code, instead of fiddling with the Official Languages Act, which we felt might cause problems, especially for linguistic minorities in the other provinces, and even in Quebec. We preferred to look at this option.

Unlike the Liberals, we believe that the language rights of Quebeckers can be improved to ensure that they can live in French in the only French-majority province in Canada, without that having a negative impact on the rights of linguistic minorities in Quebec or anywhere else in Canada. In that respect, we challenge the position taken by the Liberal Party of Canada, which would not even agree to discuss this important language rights issue.

We have to look at it all the way from Trudeau's pan-Canadian vision to today's reality, where French in Quebec is seen as increasingly fragile. We all have an obligation to enhance the French language anytime we can and make sure we do so in an inclusive way, with all Canadians in mind. This is in everyone's national interest.

We must not strip this out of the legislation, when the problem continues to reside in the constitutional straitjacket that was imposed on Quebec in 1982. As far as we are concerned, that is a complete waste of time and nothing will be resolved that way. Moreover, it does not reflect Quebec's uniqueness, as set out in the Couture-Cullen agreement which was signed more than a generation ago and which gives Quebec very specific rights in that important area.

● (1120)

Ms. Christiane Gagnon (Québec, BQ): Mr. Speaker, I would like to respond briefly—since I have yet to give my speech—to the criticism of the Bloc's approach to Bill C-505 as a bit clumsy and heavy-handed.

I understand the NDP's vision, since its members are centralists. They have a centralist vision of Canada. I understand when we hear about the Couture-Cullen agreement. Nevertheless, people who decide to immigrate to Quebec do so in the context of the Canadian nation. Parliament has recognized the Quebec nation. It must also be understood that our distinct society needs all of the tools available to develop and that mixed messages are being sent to the immigrants who choose Quebec, because of the Canadian Multiculturalism Act as well as other acts. Is it not Canadian citizenship that one obtains when one chooses Quebec or any other province? So, does this Parliament really want to recognize the Quebec nation, with all that that entails? That is where we differ.

As for Bill C-505 on the ideology of multiculturalism, there has been endless debate since the concept was introduced in a bill by Trudeau in 1970 and in the legislation that followed in 1988. For many Quebec nationalists, this is one way of shifting the balance of power in Canada. Earlier, we heard our hon. Liberal colleague say that, thanks to section 27 of the Canadian Charter of Rights and Freedoms, everything is just fine and that it shows an openness towards immigrants. This would seem to suggest that Quebeckers are not open to immigration. On the contrary, but their approach is very different and is based much more on interculturalism.

Does Canada really protect and accept cultural communities? Is that the goal of the Canadian Multiculturalism Act? In his book *Selling Illusions*, Neil Bissoondath responds to such questions by indicating that Canadian multicultural ideology pigeonholes cultures into dusty stereotypes and politically-driven clichés, but obstructs the creative possibilities that arise when diverse groups meet.

Adopting the vision of multiculturalism also means adopting the vision of a Canadian nation governed by an anglophone majority. I will come back to the vision that comes with that approach to multiculturalism later on. It is aimed precisely at minimizing our francophone society in Quebec and providing it with fewer tools.

For many nationalists, it is a way of changing the balance of power in Canada at the expense of the francophone community. The Quebec vision goes against that vision of multiculturalism designed to encourage minority groups to preserve and perpetuate their culture, as well as to promote these differences within Canadian institutions. So, in a way, the concept of multiculturalism promotes the Canadian nation, and the political discourse backs up this ideology.

One can read all that in a booklet published by the federal government.

> Canada is populated by people who have come from every part of the world. Through the Canadian Multiculturalism Act, the government encourages Canadians to take pride in their language, religion and heritage and to keep their customs and traditions, as long as they don’t break Canadian laws.

Encouraging Canadians to take pride in their language, religion and heritage is a one-track approach and it is a problem in Quebec. Why? Because multiculturalism rejects the idea of a common culture by encouraging multiple cultures to coexist. Although it is defined as a model for integrating newcomers, in reality it promotes peaceful coexistence.

● (1125)

Concerned that multiculturalism divides society into a multitude of solitudes, Quebec has always deplored the Canadian approach, especially since it trivializes Quebec's position within Canada and refutes the existence of the Quebec nation. In 1971, Robert Bourassa, Premier of Quebec, stated in a letter to Pierre Elliott Trudeau: “—that notion hardly seems compatible with Quebec's reality—".

Quebec has adopted interculturalism as the model for integration. It requires immigrants to learn French as the common language. With the multiculturalism approach, not even a mention is made of the existence of a nation defined as the Quebec nation, the Charter of the French Language or French as the common language.

I would like to digress from my speech for a moment. With regard to the bilingualism approach, I am reminded of when I was a member of the Standing Committee on Canadian Heritage and we went on a tour regarding the Broadcasting Act. I remember a certain individual who belonged to a cultural community, had become Canadian and said he was bilingual: he spoke English and his language of origin. This reaction is quite understandable because, according to multiculturalism, this person must retain his language and his culture. I can understand that. However, it is evident that we are sending mixed messages that are very dissimilar. This person honestly believed that he was bilingual, because that was his definition of Canadian bilingualism. That is not at all the intent of multiculturalism.

In other words, unlike the Canadian approach, which tends to value diversity, the Quebec approach supports integration through the learning of the French language—the official and common language of its citizens—and adherence to a set of fundamental values. Accordingly, the Quebec department of immigration and cultural communities states on its website:

> An intercultural society's challenge is a collective one: to ensure harmony by maintaining and adopting the values and principles of action that unite all citizens.

I would like to come back to what a Liberal Party colleague said earlier when he referred us to section 27 of the Canadian Charter of Rights and Freedoms. This section is at odds with Quebec's wishes and vision for itself. What we have here are two different visions of how to integrate cultural communities, and we are well aware of the magnitude of the challenge.

Today we are discussing a Bloc Québécois bill that seeks to exempt Quebec from the policy underlying the Canadian Multiculturalism Act. I remember that even in 1998, when I was on the Canadian heritage committee, the Bloc Québécois opposed the vision set out in the Canadian Multiculturalism Act.

I know that I will not have time to say everything I planned on today, but I would like to speak about the Quebec nation. It is often said that the Quebec nation has been recognized, but what Quebec nation has been recognized if the tools are not there to fully develop it socially and economically?

As Prime Minister Trudeau hoped in 1970 when he established this law, later amended in 1988, the ideology behind multiculturalism was to reduce the influence of an evolving nation. Since the 17th century, this nation has often been described as a distinct nation in search of its own definition of what constituted a Quebec society on North American soil.

Unfortunately, my time is nearly over. I could have raised many other points to show that this House's recognition of the Quebec nation was nothing but an empty shell. In reality, this vision of Quebec is being denied in a number of areas. For example, there is Bill C-10 concerning financial support for films that are in line with public policy. What is public policy for the Conservative government?

We could also wonder about Bill C-484, which would give legal status to a fetus and which could drastically change the entire—

● (1130)

The Acting Speaker (Mr. Royal Galipeau): Resuming debate, the hon. member for Roberval—Lac-Saint-Jean.

Mr. Denis Lebel (Roberval—Lac-Saint-Jean, CPC): Mr. Speaker, distinguished members of the House, once again, we are debating again today bill C-505. As we have already said and will repeat, our government cannot, in any circumstances, support such an initiative and the reasons for this are many.

Our country was built on immigration and, as we have seen in earlier debates, its faces have become increasingly diverse. It is in this diversity that we find our pride and our identity. Canadian pluralism, as it has existed for decades, far from being an outdated or inadequate model, as some of our colleagues would have us believe, is an inexhaustible source of riches for our country and pride for our fellow citizens.

Over the years, previous governments have adapted the model to the changing realities of our society, without ever having to alter its very essence, namely respect for differences and the agreement of all Canadians on our fundamental values.

The Canadian Multiculturalism Act is part of a broader legislative framework that includes the Canadian Charter of Rights and Freedoms and the Official Languages Act and ensures the promotion of both official languages and the safeguarding of the major principles and fundamental values of democracy, human rights and equality between men and women. These are the principles that we must continue to defend and promote.

Quebeckers, like the rest of the Canadian population, are dealing with new challenges arising from the continuous changes in our society. Cultural and religious diversity are constantly increasing. Non-Christian religious communities account for nearly 10% of the population; 20% of Canadians are allophones; and we now have people from over 215 different ethnic groups.

These figures portray a Canada that is more diversified than ever. But this fine cohabitation has its inherent difficulties: gaps in socio-economic integration, racism, discrimination, security issues, debates about reasonable accommodation. Media coverage in recent years has not spared any effort in focusing on the issue of cultural diversity and its impacts on our society.

Numerous detractors have even used September 11 to build dubious arguments claiming that pluralism poses a security problem as a result of the isolation of cultural minorities. However, no tenable correlation—none at all—has been established between security and diversity.

It was inevitable, in such a context, that the government should review its programs, as it does regularly, moreover, to ensure that its policies are still current and correspond to the general trends of Canadian society. The Government of Canada has take a position in favour of maintaining its program promoting cultural diversity, while adapting it to the new realities stemming from Canada's social development and globalization.

With that in mind, special attention is paid to the economic, social and cultural integration of new Canadians. We all know that these three areas are essential for a feeling of belonging to develop and thrive.

We must also facilitate the implementation of programs designed specifically for at-risk cultural youth, to break their isolation and to allow them to become full citizens.

Finally, the promotion of intercultural understanding goes hand in hand with that of Canadian values. Both allow us to settle the issues of social exclusion that are based on the fact that a person belongs to a cultural community.

A strengthening of the partnerships with other levels of government, institutions, individuals and communities is at the core of this review of our program.

The Bloc Québécois should support such a change, rather than oppose it. The fact is that Quebeckers are already guaranteed the same respect and the same freedoms as people elsewhere in Canada, and that is what matters. That is what is most important. Also, it is together that we must defend our principles and common values, which include Quebec's values.

Canadians are not fools. In a 2007 IPSOS poll, 82% of them confirmed that Canada's cultural diversity was one of our country's biggest assets.

Moreover, two thirds of Canadians believe that pluralism strengthens the Canadian identity and adherence to common values, without adversely affecting immigrants' integration.

Given these numbers, it is obvious that a large majority of Quebeckers see a definite advantage to this diversity. We are not at all surprised by this. Quebeckers have always shown tolerance and respect.

Bloc Québécois members are trying to repair something that is not broken. Instead, let us work together and find solutions to the challenges that we are facing.

Our country establishes a link between a diversified culture and a common citizenship. That is what makes our reputation and our strength at the international level. Let us make sure that this will continue to be the case in the future.

● (1135)

Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, it is with pleasure that I rise today to speak about An Act to amend the Canadian Multiculturalism Act (non-application in Quebec), introduced by the member for Joliette. Multiculturalism is clearly one of the key elements driving the current government's action. Now that the Quebec nation has been recognized, it is time to provide some substance and make this recognition tangible. Quebec has long considered interculturalism preferable to multiculturalism as part of its future. I am very surprised and disappointed to hear a Quebec Conservative member —one of the last, if not the last, to be elected—defending multiculturalism.

In Quebec, there is a consensus that was first expressed in 1971. Robert Bourassa, the Quebec premier at the time, a committed federalist who was never a separatist, rejected the Canadian policy of multiculturalism in a letter to Pierre Elliott Trudeau. In fact, like other Quebec premiers, he felt that this ideology went against Quebec's interests and values.

And to complete the circle, on September 24, 2007, Mr. Julius Grey, who is not a Quebec sovereignist either, said that, as the only French-speaking enclave in America, Quebec simply cannot adopt a multicultural ideology. Hence my amazement at hearing a Conservative member from Quebec denying the vision that has developed in Quebec over the past 30 years.

We have to ask ourselves why multiculturalism poses a problem in Quebec and why there is a consensus against a multicultural approach in Quebec. The vision put forward by the Bloc Québécois is one that reflects not only the passage of the motion recognizing the Quebec nation, but also the reality of Quebec as a nation in North America.

For instance, Quebec relies on interculturalism as a model of integration. It requires immigrants to learn French as the common language, insists on the need to respect the common values shared by the Quebec society as a whole but at the same time recognizes cultural pluralism.

That is a very different approach from the one developed at the federal level. Initially, the reality of Quebec as a nation not having been recognized, it was understandable that the concept of multiculturalism that was developed not recognize the Quebec nation and even marginalize it. Now, however, with the status of Quebec as a nation having been recognized, we should be seeing a change in attitude on the part of the federal government, but it is sadly missing from what we have been hearing this morning.

Before 2003, there was even talk of a civil pact. The Quebec model of integration goes beyond simple citizenship designed to promote the development and peaceful coexistence of cultural minorities in a vacuum by bringing these minorities to enter the symbolic and institutional space occupied by the nation.

In Quebec, we can feel a desire to welcome newcomers to our society, because we want to ensure that our society will continue to develop in North America. People who come to Canada are sent a terrible message. In fact, they hear two different things at the same time. Some might find it quite confusing. If you recognize Quebec as a nation, you should also recognize the possibility of using a different cultural development model like the intercultural approach developed in Quebec.

On the website of the Quebec department of immigration and cultural communities—another federalist Quebec government that does not defend the traditional, purely sovereignist point of view of Quebeckers—it says:

> An intercultural society's challenge is a collective one: to ensure harmony by maintaining and adapting the values and principles of action that unite all citizens. This challenge is met with respect for individual, cultural and religious differences.

There is no better example to illustrate the difference between Canada's approach and Quebec's approach. Furthermore, a Government of Quebec document for newcomers uses the same language and lists Quebec's values, reminding the reader that knowing those values makes it easier to adapt. Anyone familiar with Quebec's situation as the only francophone society in North America understands why this model corresponds to Quebec's reality.

Under the approach proposed in Quebec and by the hon. member for Joliette, the recognition of Quebec as a nation has to become tangible, based on specific aspects of the nation, in the very expression of what we are as Quebeckers. The fact that we have a distinct culture has to figure in the federal government's practice.

● (1140)

We would have expected more openness from the Conservative government that recognized the Quebec nation.

In a February 2008 article in *Le Monde diplomatique*, Louise Beaudoin summed up the incompatibility of the two models quite well. She said:

> For almost 30 years now, Canada and Quebec have had two different systems of integration. The federal policy of multiculturalism, which is similar to the British model, promotes a style of cultural diversity based on ethnicity and connecting everyone to their community of origin. Quebec has instead opted for a model based on interculturalism, in other words, a cultural exchange within the framework of the common values of a pluralistic nation with a francophone majority. The contradiction between these two visions is clearly insurmountable.

As I was saying earlier, this is confusing to newcomers. Quebec is a French-speaking nation but it exists within a bilingual country that promotes bilingualism. It prides itself on having a policy for welcoming and integrating newcomers that focuses on the importance of a number of basic values and states that French is the language of the people, which totally contradicts the definition by Canada, which claims to be bilingual and multicultural. There currently is no clear message with respect to our immigration.

In its preliminary submission to the Bouchard-Taylor commission, the Conseil des relations interculturelles du Québec highlighted this confusion. Someone arriving in Quebec receives two contradictory messages. Instead of laying blame, as some are wont to do, the Bloc Québécois thinks it would be better to make the messages clearer, and that is one of the objectives of the bill before us today.

In their February 8, 2007, manifesto, entitled *En finir avec le multiculturalisme*, Quebec intellectuals Charles Courtois, Dominic Courtois, Robert Laplante, Danic Parenteau and Guillaume Rousseau stated the following:

> We think that Quebeckers want to see the principles of equality and public secularism affirmed, putting the emphasis on a common culture and providing inspiration for the principles of integration and the methods of dispute resolution. The Charter of the French Language already does this in part, but in order to do so fully, Quebec needs to have its own citizenship. The debate, which has been stirring opinions for a number of weeks, although overly emotional and sometimes even wild, shows there is a pressing need. For now, new Quebeckers are sworn in as new Canadian citizens without being encouraged to integrate into the Quebec nation. This is not what inclusion means to Quebec.

It is very clear that, given the current situation in Quebec and Canada and considering the fact that Canada, as a country, recognizes the Quebec nation, something practical needs to come out of this logic. Otherwise, it remains an empty shell, which is certainly not what Quebeckers had in mind when the Quebec nation was recognized.

When the Conservative government recognized the Quebec nation, it had to know what it was doing, and if it knew what it was doing, it should agree to adding something today. It should give this recognition some substance and let this nation speak for itself. One of the most important ways to do so is to recognize interculturalism, in contrast to Canadian multiculturalism, a multiculturalism that Quebec does not want.

I urge all members of this House to support the Bloc's proposal and to vote in favour of this motion. I particularly urge the members from Quebec, who know how different Quebec is, how different life and culture are in Quebec, and how Quebec's development model for future generations requires that this interculturalism be recognized. Otherwise, the Conservative government's recognition of the Quebec nation will have been nothing but an empty shell.

● (1145)

Mr. Daniel Petit (Charlesbourg—Haute-Saint-Charles, CPC): Mr. Speaker and distinguished colleagues, is it not ironic to be debating a bill to exclude Quebec from the application of the Canadian Multiculturalism Act here, when a quick glance around the House shows the positive impact that this legislation has had in Canada?

Take a look around. This assembly is the living and dynamic reflection of the pluralism that characterizes the Canadian society. Some members here chose Canada themselves, while others were born here, after their parents or grandparents came to our country to seek a better life. However, all share a common desire to actively participate in the democratic life of our country. And all had the same opportunity to make this desire come true.

That is one of the great successes of our integration approach. Canada welcomes its immigrants, while also giving them the opportunity to fully participate in the social, political, cultural and economic life of their adopted country. Our origins may be different, but our basic values are the same: freedom, democracy, human rights and the rule of law. These values were adopted by all of us when we came to this country. They are at the very core of our identity, thus allowing it to expand and express itself through our diversity.

Canadians laws and policies recognize this diversity at the cultural heritage, religious and national origin levels. This diversity is also enshrined in the Canadian Charter of Rights and Freedoms, which seeks to protect fundamental freedoms, namely the freedom of religion, thought, belief, opinion and expression.

Moreover, section 27 provides that the charter shall be interpreted in a manner consistent with “the preservation and enhancement of the multicultural heritage of Canadians”.

Therefore, with its charter, Canada made a legal commitment to all newcomers. We want to respect and maintain this commitment across the country.

The bill tabled by the Bloc Québécois goes against that commitment. Why? I wonder. What would Quebec gain from being exempted from the application of the federal legislation? This would only create confusion that would not benefit anyone. Protecting the French language seems a pretty weak argument to justify such a measure.

As was pointed out in previous debates, the use of French at home is constantly increasing among immigrants in Quebec. Indeed, it rose from 39% in 1996, to 51% in 2006. Within federal institutions, French is already largely protected through many legal and political instruments, including the Official Languages Act.

While reinforcing the obligations of the charter, that act aims to ensure respect for English and French as the official languages of Canada, as well as equality of status and equal rights and privileges as to their use in all federal institutions. It also aims to enhance the vitality of the English and French minorities and support their development. Finally, it aims to foster the full recognition and use of both English and French in Canadian society.

Linguistic duality is at the very heart of our philosophy of diversity. It is the manifestation of our historic commitment to respect one another's cultures. People from around the world who chose to immigrate to Canada deserve this same respect, regardless of where they decide to live. And a great many people choose Canada because of its policy of openness and tolerance.

Far from depriving Quebeckers and all francophones across Canada of their status as one of the founding nations of this country, the federal legislation simply seeks to allow newcomers to feel fully at home, free to be Canadian citizens like everyone else. And, like the rest of Canada, Quebec needs immigrants in order to remain vibrant and prosperous as a society. A society that makes such cohabitation possible will be better equipped to face the new challenges brought about by globalization.

● (1150)

Pluralism has proven successful across Canada. It has defined our identity as a multicultural society that enjoys the benefits and makes the most of its diversity. It is in Quebec's best interest to continue to play an active role in the Canadian model of integration, a model which has earned our country fame and praise around the world for its values of tolerance and respect.

The Acting Speaker (Mr. Royal Galipeau): I am now going to give the hon. member for Joliette his right of reply. He has five minutes.

Mr. Pierre Paquette (Joliette, BQ): Mr. Speaker, regardless of what the Conservatives, Liberals and New Democrats say about Bill C-505 which exempts Quebec from the Canadian Multiculturalism Act, we have reached a consensus in Quebec. Consequently, the Quebec Conservatives, Quebec Liberals and Quebec New Democrats here are at odds with the consensus we have reached, which is to encourage exchanges with the cultures and peoples who arrive in Quebec rather than ghettoizing them, as multiculturalism does. This preference for exchanges that enrich the common culture of the Quebec nation is shared by the stakeholders who help to receive and welcome newcomers to Quebec. It is also shared by the newcomers themselves.

I travelled around Quebec with several of my colleagues from the House to sound people out on this bill, the bill on the language of work and the bill on a Quebec radio-television and telecommunications commission. Everywhere we went the answer was the same: we do not want the kind of ghettoization advocated by the federal government and Canada.

We must face the facts. When Pierre Elliott Trudeau promoted multiculturalism, his intent was also to marginalize the Quebec nation by making Quebeckers just another ethnic group. Just like there are Chinese Canadians, in his view, there were also Quebec Canadians. We do not accept that any more in Quebec, regardless of whether we are federalists or sovereignists. I know this because we travelled all over Quebec. Not only is there a consensus in Quebec in favour of interculturalism, that is to say, exchanges among the original cultures in order to help strengthen the common culture, but this consensus goes all the way back to the 1970s.

I remember Robert Bourassa writing to Pierre Elliott Trudeau to tell him that multiculturalism was contrary to Quebec's specific national character. Quebec government after Quebec government—regardless of whether federalist or sovereignist—has reiterated our preference for a different model from the Canadian one, and Canada should respect that. The Canadian nation should respect it.

People on all sides support it. I had a conversation last week with Julius Grey, who is far from being a sovereignist, but he told me that he fully supports Bill C-505. He too realizes that the integration model needed in Quebec has to be different from the Anglo-Saxon multiculturalism model.

We also have the support of the CSN, the FTQ, the CSQ and the Fédération interprofessionnelle de la santé. All these people gave us their support in the same spirit of openness so as to create social cohesiveness, to avoid ghettoization and to allow all Quebeckers, regardless of their origin, to contribute to the common culture of Quebec. Of course, this common culture is structured around one axis which is at the heart of the Quebec culture, namely French, our common language. We also have a common history.

The Canadian approach does not suit us. I believe that if this House was sincere in recognizing the Quebec nation, members have no other choice but to support Bill C-505. If not, it will be clearly understood that this was nothing but electioneering on the part of the Prime Minister not only when he gave his speech in Quebec City, but also when he tabled the motion in the House because of pressure from the Bloc Quebecois.

Members will have to vote on Wednesday and I would like to remind them, particularly those from Quebec, that should they vote against Bill C-505 to defend multiculturalism, not only will they be at odds with the Quebec nation and the consensus in Quebec, but they will also be going back on the decision they made when a vast majority of them voted in favour of the motion to recognize the Quebec nation. And we will certainly travel all over Quebec to denounce them.

However, that is not what I hope will happen. I sincerely hope, in a positive way, that all members of the House will support Bill C-505 and will make it law, following their words with action with regard to the recognition of the Quebec nation. That is what I and all Quebeckers are hoping will happen on Wednesday.

● (1155)

[*English*]

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

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

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

Some hon. members: Nay.

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

And five or more members having risen:

The Acting Speaker (Mr. Royal Galipeau): Pursuant to Standing Order 93, the division stands deferred until Wednesday, June 18, 2008, immediately before the time provided for private members' business.

Mr. Ken Epp: Mr. Speaker, perhaps we have seen the clock go faster than usual and I am sure that you would find unanimous consent to see it as 12 o'clock.

The Acting Speaker (Mr. Royal Galipeau): Is that agreed?

An hon. member: No.

● (1200)

[*Translation*]

SUSPENSION OF SITTING

The Acting Speaker (Mr. Royal Galipeau): We do not have unanimous consent and therefore the sitting is suspended until 12:01 p.m.

(The sitting of the House was suspended at 11:57 a.m.)

SITTING RESUMED

(The House resumed at 12:01 p.m.)

GOVERNMENT ORDERS

[*English*]

NATIONAL DEFENCE ACT

Hon. Peter MacKay (Minister of National Defence and Minister of the Atlantic Canada Opportunities Agency, CPC) moved that Bill C-60, An Act to amend the National Defence Act (court martial) and to make a consequential amendment to another Act, be read the second time and referred to a committee.

He said: Mr. Speaker, I am pleased to be in the Chamber this morning to speak to this important bill that would amend the National Defence Act.

The bill would ensure that our military justice system remains one in which Canadians can have trust and confidence and find truly accurate administration of justice within the country.

I want to begin by thanking members of the opposition and the Parliamentary Secretary to the Minister of National Defence from Edmonton Centre for their cooperation and hard work in expediting the movement of the bill.

The bill is aimed specifically at enhancing fairness in the military justice system, both from the perspective of the accused person and the Canadian public. It would also ensure that members of the Canadian Forces enjoy a right to choose how they will be tried that parallels the rights that are currently found in the Canadian civilian criminal justice system and that it is charter compliant.

By remedying an impasse that was created by an appellant court judgment, the bill would ensure that justice can continue to be done for an accused person as well as for victims. It is meant to avoid onerous and perhaps deadly delay that might result. Members may be aware of an old legal maxim that says "justice delayed is justice denied". The deadliest form of denial is apparent when a person is not able to have his or her case heard in a timely fashion.

The bill attempts to preserve the viability of the military justice system in fulfilling its key role of maintenance of discipline efficiency and morale upon which the Canadian Forces depend.

In particular, the bill would more closely align procedures for the selection of the type of trial for a court martial, as well as court martial decision making with the approach that is currently taken in the civilian criminal justice system. It would also preserve the attributes that are essential to satisfy the unique needs of the Canadian military justice system.

Before speaking to the particular amendments proposed in the bill, I would first like to briefly address the overarching issue of the necessity for a separate Canadian military justice system. It begins with defining what differentiates the current system in the civil sense as compared to our military justice system.

[*Translation*]

The system of Canadian military justice was instituted in order to deal with military offences in a prompt and fair manner, in Canada and abroad, while respecting the Canadian Charter of Rights and Freedoms and meeting Canadians' expectations.

As we know, the National Defence Act establishes the legal basis for the Canadian military justice system—the Code of Service Discipline. Among other things, the code determines who is subject to the military justice system as well as setting out military offences such as striking a superior, disobeying a lawful command and being absent without authority . The code also encompasses offences under the Criminal Code of Canada and other federal laws and establishes two types of military tribunals for military offences—trial by summary conviction and court martial.

● (1205)

[*English*]

The need for a separate system of military tribunals distinct from the civilian criminal justice system has deep historic roots in our country and was affirmed by the Supreme Court of Canada in 1992 in the case of the Queen v. Généreux.

The Canadian military justice system has been designed to promote the operational effectiveness of the Canadian Forces by contributing to the maintenance of discipline, efficiency and morale. However, first and foremost, it must ensure that the members of the Canadian Forces are dealt with fairly.

Key to ensuring this over time is the supervisory justice jurisdiction of civilian appellate courts, such as the Court Martial Appeal Court and the Supreme Court of Canada.

As with any justice system, these appellate courts sometimes highlight the need for modernization adjustments in our military justice system. Clearly, as with all systems, there is an evolution and court decisions can create new precedent.

Such is the case today with the handing down of the Court Martial Appeal Court's decision on April 24, 2008 in the case of the Queen v. Trépanier.

The court found that the exclusive power of the director of military prosecutions to choose the type of court martial that will try an accused person and the duty of the court martial administrator to convene the type of court martial thus selected violates an accused person's constitutional right to make full answer and defence and to control the conduct of the defence.

The court held that these provisions of the National Defence Act violate the charter and are of no force and effect, specifically section 7 and 11(d) of the charter.

Importantly and, in large part, adding to the urgency of the passage of this legislation, the court refused to stay its decision, effectively removing the authority to convene courts martial, an essential step in the bringing of a matter to trial. The crux of the matter is that this could suspend trials and, in many cases, cause a backlog which already exists on the docket.

Leave to appeal the decision in Trépanier is being sought from the Supreme Court of Canada, along with a stay of execution for the decision. However, neither the appeal nor the stay which is being sought will provide a clear, timely or certain solution to the delays and dilemmas created by the Trépanier decision.

Left unaddressed, trials by court martial cannot be conducted. Simply put, serious offences may go unpunished and victims may not see justice done.

Bill C-60 now before this House is the government's legislative response to the court martial appeal's decision in Trépanier. It would bring clarity and stability to the court martial convening process and would allow the process to continue to function.

First, the bill would simplify the court martial structure by reducing the number of types of court martial from four to two. The remaining types of court martial would be the standing court martial, a military judge sitting alone, and the general court martial, a military judge sitting with a panel of five members.

Second, the bill would establish a comprehensive framework for the selection of the type of court martial. It sets out which serious offences must be tried and the general court martial and standing court martial respectively and in all other cases permits the accused person to choose one of the two processes.

Finally, the bill would strengthen court martial decision making by providing military judges with authority to deal with pre-trial matters at an earlier stage in the process and would enhance the reliability of verdicts by requiring key decisions of the panel at a general court martial to be made unanimously by a unanimous vote, rather than by a majority vote as is the present case. This mirrors exactly what we would find in the criminal trial process in Canada.

[*Translation*]

Mr. Speaker, the proposed amendments are a clear and decisive response to the concerns raised by the Court Martial Appeal Court. The amendments establish a legal framework for the choice of type of court martial in accordance with the provisions of the Criminal Code. In addition, they specify the circumstances in which it is appropriate to permit an accused person to choose the type of court martial that will be convened.

The bill will also clarify certain provisions of the National Defence Act that were interpreted in an unexpected way by the Court Martial Appeal Court in R. v. Grant.

Specifically, the bill will clearly establish that there can be no exception to the one-year limitation period for holding summary trial; that when the Court Martial Appeal Court allows an appeal, it shall direct a new trial by court martial; and that when charges are laid, the authorities are required to act expeditiously under the Code of Service Discipline.

● (1210)

[*English*]

The reform of the military justice system is ongoing. Simply put, the bill before us today would move closely to align the military justice system with the processes in the current criminal court system while preserving the system's capacity to meet essential military requirements.

It would respond to the concerns expressed by the court martial appeal decision and the recommendations that have been received. It also would promote charter values and enhance the fairness in our justice system in both the eyes of the accused and members of the Canadian public.

The amendments to the National Defence Act, in short, Canada's military justice system, continues to have the trust and confidence of Canadians. Again, I thank members opposite for supporting the expediting of this process.

Hon. Bryon Wilfert (Richmond Hill, Lib.): Mr. Speaker, I am pleased to participate in this debate and I want to indicate at the outset that the official opposition supports in principle the bill and realizes the gravity of the situation.

There is no question that these provisions of the National Defence Act are in line with the constitutional standards as outlined previously by the minister. Obviously, because of the decision of the court in April, this has led to a need to respond effectively and we on this side of the House are prepared to act reasonably with regard to the legislation.

There is no question that the legislation would reduce the number of types of court martial from four down to two. We are looking at the general court martial, which is for more serious offences, as well as the standing court martial.

We must ensure that the military justice system is in balance with the Charter of Rights and Freedoms. As the minister indicated, the decision in the Trépanier case of April 24 was a catalyst for the bill being brought to the House and being viewed with some urgency. It was indicated in that case that certain provisions under the NDA violated the Charter of Rights under section 7.

We want to ensure justice is served and that it is carried out responsibly. Therefore, when we look at that particular case, it was indicated that putting the power to choose the type of court martial in the hands of the prosecutor violated the right of the defence to a full answer and to control that defence. It certainly seemed like a reasonable decision but it leads us to this particular case on which we have to move forward.

Giving exclusive power to the prosecution to not only choose the court martial but to choose when a trial could take place was a concern. These provisions were deemed unconstitutional so the government has now brought forth specific legislation to deal with this.

We have had an opportunity to review the legislation and, as I have indicated, our caucus certainly will do nothing to impede the passage of the legislation. However, we have some suggestions and some comments that I would like to present to the House presently.

The need to provide a legislative remedy to convene pending cases is obvious. We agree with the need to modernize and change those provisions to improve its fairness and meet constitutional standards. We need to ensure the military justice system is fair, does not violate the charter and we need to provide timely and, most important, fair trials to the individuals so the victim can obtain justice.

Again, that is very important. We are supportive because we need to consider the situation with regard to the rights of the victim. The judge recommended the need for legislative reform.

Members may be a bit uncomfortable in moving quickly on this legislation but we have consent of the House to move this to a special committee of national defence this afternoon to hear from the JAG and others in terms of this legislation and, presumably, it will be reported back as expeditiously as possible and be dealt with at third reading.

The role of parliamentarians is to examine the bill and to ensure that what the government is proposing is what we will see.

We have another bill before the House called Bill C-45, which was introduced by the government back in October of last year. It is unfortunate that the bill has not moved along and that some of these amendments were not dealt with in Bill C-45 after this was introduced. It might have been appropriate for the government to have done that but it did not. It chose to deal with it separately and, therefore, we will deal with what we have. However, that would have been helpful.

There is the issue of taking leave to appeal to the court. Again, my understanding from the government is that that is another track because in the meantime we are not sure when the need for this legislation, if at all, would be heard. We understand that.

We would like to propose, however, that there be a mandatory parliamentary review, presumably, after two years. I think that within two years we would know whether or not the courts will respond. Therefore, rather than a sunset clause, for which some may argue, we think a mandatory review by Parliament would be appropriate. That has been done in other cases and it would allow parliamentarians to examine where we are at that particular junction. I think that would be a reasonable approach for us to take.

● (1215)

I have a couple of specific comments with regard to the legislation.

The Code of Service Discipline both authorizes the director of military prosecutions to select the type of court martial to be used in each case and requires the court martial administrator to convene the type of court martial selected, unless it clearly violates the accused's constitutional right.

If we look at section 165.14 and subsection 165.19(1) of the National Defence Act, it authorizes the director of military prosecutions to select the type of court martial to try an accused person against whom a charge was preferred and requires the court martial administrator to convene the type of court martial selected.

In the Trépanier case of April 24, these provisions were of no force, in effect, because they violated the accused. The court did not allow for any appeal. The court basically said that it stood by that decision. The government has now responded, as of June.

The legislation, as we understand it, will establish a legal framework which will govern the selection of the mode of trial by court martial, by operation of law, rather than the pursued direction of the director of military prosecutions, and this seems entirely reasonable. The accused person will have the ability to choose the type of court martial in circumstances similar to those set out in the Criminal Code. Again, that is reasonable.

Given the increased choice of the accused person as to the mode of trial, the number of types of court martial, as I indicated before, is now reduced from four to two.

The bill also will empower military judges to deal with the pre-trial matters as soon as a charge is preferred and will require key decisions of the court martial panel to be made by unanimous rather than by a majority vote, and again, that seems reasonable.

Serious offences must be tried in a general court martial by eliminating the special general court martial and disciplinary court martial, and expanding the jurisdiction of the standing court martial to include civilians, subject to the Code of Service Discipline. Again, because of the sensitivity of the legislation and given the court's decision, it is reasonable that we move forward as expeditiously as we can.

We do believe that the standing committee will have to look at the issue of an automatic review based on the fact that, depending on what happens within the next two years, we will have that opportunity to decide whether or not it needs to be extended. If there is the right to appeal directly, then obviously we can deal with it at that time, but it is important that we move forward.

There are up to 50 serious cases at the present time and we want to make sure that justice for the victims is there. Obviously, if this were delayed, this would not be the case. That is something that on this side of the House, and we join the government on this, we would not find very palatable at all.

Therefore, with the provision that we deal specifically with a review, within two years, the government can expect the support of the official opposition with regard to this legislation.

● (1220)

[*Translation*]

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, before I go into the details of the bill, it is important that those watching on television understand that there is a civilian justice system and a military justice system. Many people that I meet often wonder why military personnel are not governed by the same system as other citizens. It is important to understand that the military justice system is not new, and neither is the history and the definition of courts martial. Members of the military have always been judged by their peers. This is important.

Right away I want to reassure anyone who thinks this could be problematic. It is possible to appeal all the way up to the Supreme Court, which can evaluate cases and demand changes. By the way, Justice Lamer, one of the great chief justices of the Supreme Court of Canada, studied the military justice system. He also reassured Quebeckers and Canadians that this does not pose a problem. The judge said that he would make some minor amendments in order to reassure everyone and to make it known that the system is effective.

That being said, it is important to bear in mind that soldiers and military personnel are not an exception. This is another kind of justice, which is sometimes even more expedient. Trials can be held in theatres of operation. If someone's actions require discipline, we must not wait for that individual to return from the theatre of operations to resolve the matter externally. Swifter justice can often be achieved in this way, which is important.

As for the act's provisions, they are rather straightforward. Soldiers face summary trials for minor offences. Those who rule in such cases are not necessarily lawyers or judges, but rather they are often the commander or a superior officer. However, this is only for cases that are not overly serious. More serious cases are tried at courts martial. Four exist at this time, but the bill before us would eliminate two of them in an attempt to condense things and simplify the situation.

I would now like to address the fast tracking process. I would remind the House that this is not the first time that bills have been introduced near the end of a session, with claims that it is an emergency and that we must hurry up and pass the bills before the end of the parliamentary session. We have been fooled in some cases. The best example I can think of was the bill to implement the new veterans charter. The bill passed quickly at first, second and third readings, and that was it. However, there were some problems later on.

Thus, it is important to do two things. We must first assess the urgency of the matter and then pass the bill before the end of this session, for all the reasons we have already heard and others that I will explain later on. Furthermore, if we want to avoid making mistakes, we must write a sunset clause into this bill. I do not see a difference between what my hon. Liberal colleague is suggesting, that is, a mandatory review in two years, and a sunset clause. I am anxious to see how this problem will be solved in committee.

If we pass a bill quickly and go to committee this afternoon to try to resolve this once and for all, it is important to give ourselves room to say that if we make the slightest mistake with this bill we have the possibility, even the obligation, to come back to it under a sunset clause. In my opinion, it is very important to keep a sunset clause available in such cases.

What is the urgency with this bill today? That is not terribly complicated. It has to do with the Trépanier decision. As I was saying earlier, there are several levels of appeal in military justice. There is court martial and also the Court Martial Appeal Court. The latter was the level in question: the judges decided that the provisions of the legislation were unconstitutional and contrary to the Canadian Charter of Rights and Freedoms. When the government said it was complicated and that it would like to delay the application of the legislation for a year in order to clean things up, the Appeal Court refused.

● (1225)

This means that as of April 24, no court martial can sit because it was determined that they were in conflict with the Canadian Charter of Rights and Freedoms.

The director of military prosecutions caused the problem. Under the old legislation, he was the one who determined which court martial would hear a case. The judges ruled that this was not fair to the accused. Furthermore, in a civil proceeding, the accused can often choose which type of court to be tried in and can choose to appear before a judge or a jury. This was not possible under the act and that is why it was amended.

In closing, I would say that the work we are doing today is important. The Bloc Québécois understands the urgent need for action. It is clear that we will support this bill at second reading stage.

Nonetheless, we want to do serious work in committee this afternoon, but we know that will not be possible. When we have just half a day to study a bill, we risk making mistakes. To ensure that we have a safety net, adding a sunset clause would be the best course of action. That is why we will introduce one in committee this afternoon.

[*English*]

Ms. Dawn Black (New Westminster—Coquitlam, NDP): Mr. Speaker, I am pleased to speak, on behalf of the NDP, to Bill C-60, An Act to amend the National Defence Act. We will support the bill at second reading and its reference to the Standing Committee on National Defence later today.

The National Defence Act has not been reviewed often by the House of Commons. The last time it was amended was in 1998, and before that it went unchanged for 50 years.

On April 24 of this year, the Court Martial Appeal Court of Canada made a decision to strike down a section of the National Defence Act. I want to remind members of the House what the decision of the court said.

The panel of three judges said that the military justice system "is in dire need of a change and modernization to improve its fairness and meet the constitutional standards". We should keep that warning in mind.

We should also keep in mind that many of the reforms promised could have been dealt with years ago. Military justice is separate from the civilian justice system because militaries must maintain discipline and morale. Breaches of discipline are dealt with speedily and sometimes more severely than they would be in the civilian world. This difference with the civilian system is crucial.

The military justice system does not only exist to punish wrongdoers, it is a central part of command, discipline and morale. Ours is a voluntary military and if the military justice system is not seen as equitable and fair, we will not only have a justice problem, but we could also have an operational problem.

In 1992 the Supreme Court recognized that military justice needed to be different from the civilian justice system. However, there was nothing in that decision that said the military justice system should be antiquated or behind the times.

In 1998 Bill C-25 was introduced to modernize the National Defence Act. The changes brought about are too numerous to mention here today, but for instance, it removed capital punishment from the books. The bill included an undertaking to review the act every five years so we have not faced another situation where Canada would go for 50 years without updates or revisions.

Former Supreme Court of Canada Chief Justice Antonio Lamer, undertook a study of military justice, His report was tabled in Parliament in November 2003. The report contained 88 recommendations, some of with which the government has not agreed. It was not until three years later, however, that legislation was introduced by the government to implement the recommendations of Lamer, and that was under the previous minister in the form of Bill C-7. That bill had many of the changes recommended by Lamer, however, it had a poison pill, which was to virtually eliminate the power of the Military Police Complaints Commission. This would have seriously undermined civilian oversight of the military police, so that bill was dropped.

The department has been faced with the problems brought up by the Trépanier decision for several years, but it did not reform the act. In the Trépanier decision, Justice Létourneau wrote:

> The unanimous concern of this Court in Nystrom about the fairness of section 165.14 was expressed more than two years ago, i.e. on December 20, 2005. Since then, there have been five new constitutional challenges to that provision and appeals before this Court are pending. Retired Chief Justice Lamer made a recommendation as early as September 3, 2003 that section 165.14 be amended to give the accused the option to choose his or her trier of facts. As previously mentioned, he also made a recommendation that a working group reviewed the reorganization of the courts martial with a view to improving the fairness of the trial, at the center of which, as an important element of that reorganization, is the right for an accused to choose the trier of facts. Yet, Bill C-45 has been tabled before Parliament and it contains no remedial provision. The authorities have been given more than four and a half (4½) years to address the problem

As a result of the decision made by the Court Martial Appeal Court on April 24 of this year, the department suspended convening all courts martial. This is not a situation that can continue. Serious offences in the military must be prosecuted.

● (1230)

As it stood in the National Defence Act, the director of military prosecutions had the power to choose what type of court martial a member of the Canadian Forces would face. The idea of a prosecutor having this much power is completely contrary to accepted practice in the civilian justice system. As I said at the outset, we have to accept the military justice system will never be the same as the civilian system, but what justifiable military reason was there for this power being given to a prosecutor?

The three justices who made the determination in the Trépanier case, on April 24, said that the military justice system “is in dire need of a change and modernization to improve its fairness and meet the constitutional standards”. If an appeal court made that kind of ruling about the civilian justice system, the entire country would be outraged.

At the end of the day, it is up to Parliament to rewrite the act; it is not up to the courts. It is our responsibility to ensure that these urgent reforms are carried out. Such a delay of justice is a denial of justice.

Finally, I want to speak briefly about the lack of balance in staffing the military justice system. The JAG has 14 staff officers, who work on prosecutions, and four military judges, but how many military defence lawyers are there? There are only four military defence lawyers.

A system with an equal number of defence lawyers and judges would not be tolerated for one moment in the civilian justice system. Military defence lawyers are overworked and under-recognized, just like many members of the Canadian Forces.

I believe everyone in the House will come together to support changes to the act, and I hope we can do so quickly.

The Acting Speaker (Mr. Royal Galipeau): Pursuant to order made on Friday, June 13, Bill C-60, An Act to amend the National Defence Act (court martial) and to make a consequential amendment to another Act, is deemed read a second time and referred to the Standing Committee on National Defence.

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

Government Orders

CANADA ELECTIONS ACT

The House resumed from June 13 consideration of the motion that Bill C-29, An Act to amend the Canada Elections Act (accountability with respect to loans), be read the third time and passed.

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Mr. Speaker, I rise to speak to the bill, as opposed to some other times when I rise in the House and really wish I did not have to speak. The bill is definitely a step forward in the reform of our democracy overall, specifically the reform we are pursuing in political financing of election campaigns, both general campaigns and leadership campaigns as well as nomination meetings.

In that regard, this type of reform has been needed for quite some period of time. Prior attempts to reform the system have been made. We saw the Federal Accountability Act passed in this current Parliament. We saw significant reforms, which I think we all applaud, in the prior parliaments of 2000 to 2004 in particular.

However, this was an area where there was a glaring loophole left. We saw that, particularly in the last leadership race by the federal Liberals. A large number of candidates took out very substantial loans to finance their campaigns, in some cases approaching as much as a million dollars, loans that were left owing when the campaign was finished. Although there are mandates to repay those loans, there is no provision of any serious consequence where the lender on the loan had opted to forgive the loan.

We can see where the huge potential for abuse can lead. In most cases, we have very clear guidelines on how much can be spent in campaigns, including leadership campaigns. This is one of the areas where we need further reform, so there is a clearer accountability of where the funds have come from and how they are spent. In fact, we need more detail in those accounting reporting functions.

However, what this left opened was people could come forward as candidates for leadership or running for the nomination in a riding association and could borrow extensive amounts of money to fund those campaigns from family or close associates, business associates perhaps. Then when the campaign was all over, the limits that we had imposed on donations, the cap we had put on donations, could be easily exceeded by the people who had advanced the loans, saying, “I understand you're in dire financial straits, I'm not going to ask you to repay the loan”.

We saw that repeatedly happen. I often wondered, even prior to some of the reporting we now have in place, how often it happened of which we were not aware.

Therefore, we are taking a significant step forward under Bill C-29. We are placing very clear guidelines on from whom funds can be borrowed, and that is primarily the lending institutions of our country, not private individuals. There are limits on how much can be borrowed as well. It is a major step forward. I do not think it is the end of the day.

I remember sitting in committee one time and listening to two delegations, one from the province of Manitoba and one from the province of Quebec. They had started the program of financial reform in political financing and political donations in particular, much ahead of where we did at the federal level. It was interesting to listen to them. In both cases they said that what we had to do was continue to monitor, at least after every election and leadership campaign, to see if some creative person had come forward with an idea, a way to get around the restrictions and legislation, which thought we had put in place and which we thought were solid and absolute,

● (1235)

We are seeing that to some extent in the scandal of the Conservative Party's in and out scheme, which Elections Canada clearly found improper and contrary to the legislation. That was the Conservatives' creative attempt to get around the financing laws during a federal campaign. Hopefully at the end of the day they will have their wrists severely slapped, they will be penalized, et cetera, and we will put an end to that one.

In this case, what happened with the accountability act and some of the reforms we saw under the Liberal administration was that the issue around the loans was not dealt with. We are now dealing with it in Bill C-29. I think we have covered all the bases on it, but it will require ongoing monitoring. If we do not have that, we can be almost certain that someone will figure out a way around it and we will then have to move back in as a legislature to close whatever loopholes are found.

In addition to this legislation, we have additional democratic reforms. The current Prime Minister was very strong in opposition and in both federal campaigns in arguing for all sorts of democratic reforms.

We know we need reforms within this House to deal with the decorum problem we have in this House and to deal with the problem of actually democratizing the institution. In particular, right now we can see the need to deal with democratizing our committees. We need to deal with making them stronger and more independent of the party in power in particular, but also of the leadership of the parties, so that we as members of Parliament can act more independently and also more representatively of our constituents. Those reforms are needed.

We expect that we are going to need additional reforms once we see how the Federal Accountability Act works in the next federal general election. I expect additional reforms will be called for.

There are certainly reforms that need to be made to the electoral process. As members know, the NDP has been a strong proponent for a long period of time of a form of proportional representation so that everybody's vote counts the same. This is another reform that needs to be undertaken.

The point I am trying to make here is that although this is a relatively small act, it is another step along the route we have to take, that we as members of Parliament have a responsibility to take, to see to it that as much as possible we make our country, our electoral process and our democratic institutions as absolutely democratic as possible.

Attached to this is something that one would almost say is just so obvious that we should not have to say it. There has to be accountability in the process and there has to be transparency. The average citizen has to understand how the process works, both in terms of election financing and in terms of the process here in the House and during the elections.

The point I want to make as well with regard to Bill C-29 is what we hear more about from the Liberal side of the House, which is that we really do not need this kind of restriction. We hear that we simply could put in place a regime that would set out how much money a candidate has spent, with no cap on it, and how much a candidate still owes, with all of it just being an accounting process. The accountants in the country would love that, I am sure.

All we have to do is to look to other jurisdictions to see where they have followed that type of regime. I am going to point to the United States in particular, where there are no caps on what a candidate can spend, from whom a candidate borrows, and whether a candidate pays it back. There are very few restrictions.

What we see there is that if someone wants to be a senator, for instance, he or she starts from the fact he or she is going to have to raise millions and millions of dollars to get elected. Quite literally, and I know the Americans hate it when we say this, a person can buy an election at the senate and congressional levels in the United States, because effectively there are no limits on how much one can spend.

On paper it looks like there are some limits, which goes back to the accountability. The reality is that there are none because of the political action committee fundraising methodology they employ there.

● (1240)

We see this even in small states. Members may remember the incident in New Jersey involving an individual who was a multi-millionaire, almost a billionaire, and who spent something like $60 million in trying to buy his senate seat. And he did win it.

He swamped the opposition with advertising, with people working door to door, and with all kinds of promotional material. He was able to use all the things that we could use if we were allowed to spend that amount of money. However, anybody who does not have access to those sources of funds, either personally or through contacts, is in a totally impossible position in regard to making the democratic process function.

It really is important that we pass Bill C-29. I believe from the comments we have heard that it obviously is going to go through.

I want to finish with the caution I heard in that committee from both the province of Quebec and the province of Manitoba. We have to be eternally vigilant.

After the next election, we will have to look at this piece of legislation. We will have to look at the Federal Accountability Act, other political financing acts and other electoral processes to see if somebody has figured out a way to get around the rules. If so, then we will have to move again to close any loopholes that have developed.

● (1245)

[*Translation*]

Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, the Bloc Quebecois is in favour of the bill. We believe that it will indeed plug some holes that needed plugging.

There is however one element that we put forward and that was rejected by the government with the support of the NDP. It had to do with the fact that a political party will now be liable for debts incurred by its candidates even though the party was not involved in the agreement between the candidate and his or her bank.

I find this somewhat absurd, and it is not a partisan issue. It is simply a question of financial logic. Let us take for example a candidate from any party, in any riding, who suddenly decides to spend $40,000 or signs a $40,000 loan agreement with his or her bank without informing the party. The way the bill is written, the political party will be liable for that debt. Is that not irresponsible?

Could that not be very dangerous for a party, like the NDP for instance, where out of 75 candidates in Quebec, perhaps 50 or so are basically in the running just to fill a spot and are often chosen at the last minute? Could we not see a situation where five, six or ten candidates will spend money without being liable for their debts since, under this legislation, that liability will now fall on the party?

Mr. Joe Comartin: Mr. Speaker, I thank my hon. colleague from Montmagny—L'Islet—Kamouraska—Rivière-du-Loup for his question. Our federal NDP staff have looked at this and they have come to two conclusions.

First, we have responsible candidates. They will not take out loans that could pose a problem to the federal party.

Second, and this is a really pragmatic answer, if a candidate's chances of winning are slim so will his chances of securing a loan from a bank or financial institution.

For these two reasons, we are satisfied and prepared, as a party, to accept our responsibility should it become necessary for the party to assume liability for loans taken out by individual candidates.

Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ): To expand on the same question, Mr. Speaker, we have seen that electoral practices have been significantly cleaned up in Quebec and Canada over the past decade. That has to be recognized.

It remains possible, however, for a party to decide all of the sudden to help another party out by finding three, four or five individuals who will agree to become registered candidates for that other party, engage expenses and, ultimately, let the party assume liability and pay for those expenses. Does that not open the door to a rather dubious election strategy which will nonetheless be legal under the existing legislation?

We are talking about officially nominated candidates spending a lot of money. This could happen in three, four or five different ridings, with five candidates each spending $30,000, which would mean a $150,000 liability for the party that accepted to nominate those candidates because candidates were needed in ridings where they are hard to come by. Do we not run the risk of some scandal or another being uncovered in a couple of years from now because of the door left open in the legislation?

● (1250)

Mr. Joe Comartin: Mr. Speaker, once again, I thank my colleague for his question.

Encouraging a candidate to stand for election when it is not certain that they will actually be elected is not only scandalous but also unlawful.

I will put it another way. In the case of our candidate in Outremont, who won that riding in the September byelection, he spent a lot of money because he was allowed to borrow money. In fact, the banks were willing to lend him money.

However, in other situations, some Bloc, Liberal or Conservative candidates do not stand a very good chance of winning and therefore cannot borrow money from the banks. They cannot do it.

That is the simple answer.

[*English*]

Ms. Dawn Black (New Westminster—Coquitlam, NDP): Mr. Speaker, I want to ask my colleague from Windsor a question around the whole issue of loans. We saw huge loans being given to Liberal leadership candidates by friends and businesses. Businesses that were not allowed to donate to those leadership campaigns were able to give huge loans.

My understanding at this point is that many of those loans have not yet been paid back. Some are wondering whether in fact they ever will be paid back. Could the member from Windsor tell us how this bill can correct this glaring problem in the democratic system that allows people to go beyond bank loans for their campaigns and get money from friends or businesses?

Mr. Joe Comartin: Mr. Speaker, I will say for my colleague from New Westminster—Coquitlam that there are some major protections in the bill. Again, as I said in my speech, I am not sure that it covers all the bases, but the major protections are there to avoid what we saw in the Liberal leadership campaign.

I think we would have seen it if we had ever received any adequate and accountable reporting from the current Prime Minister in regard to his leadership run. We will be doing away with the ability of individual candidates to borrow from individuals. Basically we are focusing in on only financial institutions being able to lend money to candidates.

Why this is important is that, again, it takes away the ability of the wealthy private sector to come in and buy a leadership or a nomination. We have a cap on what candidates can spend. Then we make sure that they do not get around the cap by taking out loans they never repay.

One of the inadequacies of the current law on the books now is that Elections Canada in effect can extend the time to repay the loans. The loans are supposed to be repaid 18 months after the fact. Elections Canada can extend that time.

Quite frankly, I am concerned that the criteria for Elections Canada to make decisions on whether it is going to allow the loans to be extended for repayment purposes are not as clear or perhaps as tight as they should be. It is one of the areas where at some point we may need to have some additional reform.

● (1255)

The Acting Speaker (Mr. Royal Galipeau): The hon. member for Scarborough—Guildwood for a short question.

Hon. John McKay (Scarborough—Guildwood, Lib.): Mr. Speaker, I generally enjoy my hon. colleague's speeches, but I would ask him to reflect on a wider issue, which is that this House, by a series of actions, has put itself in such a jam on political financing that it seems we have to keep on doing fixes.

First of all, the House passed Bill C-24, which many people lauded and thought was a wonderful thing, the effect of which is that fundraising on a larger basis is pretty well cut off. That has driven leadership candidates and others into raising funds on a micro basis and a whole new dynamic of political fundraising has been created. That dynamic has its difficulties as well.

In our particular case, the difficulties are in the Liberal Party but are about to happen to the Conservative Party, the NDP or the Bloc. They are also going to run into the same difficulties that the Liberal Party had, which is that there is only a limited pool of money. Therefore, candidates effectively are driven to getting loans, either from backers, or if they are no longer backers—

The Acting Speaker (Mr. Royal Galipeau): I am sorry to interrupt the hon. member. I had asked for a short question. He has now lasted more than a minute and there is not even equal time for the hon. member for Windsor—Tecumseh to respond.

Mr. Joe Comartin: Mr. Speaker, I can do this really quickly. It is a simple answer.

It is not a problem for the other three parties. It is a problem for the Liberal Party. We do not have problems finding enough money to run our leadership campaigns. The Conservatives do not and the Bloc does not either. We can get it from individuals. We do not have to go to the big corporate world as the Liberals always have.

[*Translation*]

Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, Bill C-29, which seeks to close loopholes in campaign financing, is a good bill in and of itself, with the exception of the matter that was rejected by the government at report stage, with the support of the NDP, allowing a candidate to incur expenses without necessarily obtaining the party's authorization. The party would then be responsible for those expenses. That seems to be an aberration. However, we still believe that there are enough positive changes in the bill as a whole to support it.

We believe that the legislation should cover loans in order to close loopholes pertaining to financing limits. We would like to remind members that these limits were established as a result of a fight led by the Bloc Québécois in the past requiring that corporate contributions be prohibited and that individual contributions be limited, as has been the case in Quebec for 30 years.

I have been a member of this House for 15 years and I remember an epic debate that took place under the former Liberal government. As Mr. Chrétien's term of office was winding down, the situation was significantly improved by allowing only individuals to make contributions. With this bill, we have gone even further, and that is a very positive aspect of democracy.

Often, when people in other countries have governance difficulties, one of the sources of their problems is actually linked to electoral practices that do not measure up to the requirements of democracy. They deserve better support. So the actions taken today are part of a development we are familiar with, which deserves to be supported.

The Bloc Québécois and Quebec as a whole have really made an interesting contribution in this regard. In Quebec, the Election Act, which was amended during the time of René Lévesque in the 1970s, now serves somewhat as a rule at the federal level, and that is good. It makes for a healthier democracy. It also requires us to seek money from a multitude of people, and thus reduces the excessive impact some contributors have on political parties. In this regard, we are headed in the right direction.

This bill corrects another problem in the Federal Tort Claims Act. During consideration of Bill C-2, the Conservative government was more interested in getting its bill passed in a hurry than in dealing with problems of ethics. In the present context, we realized that some things needed to be added. At that time, the opposition parties, the media and Democracy Watch had raised the problem, and the government refused to act. In the current context, we are correcting some of these situations.

For example, the bill corrects the problem of loans that made it possible to get around the limits on political contributions. In this connection, there are some important points concerning the poor protection of whistleblowers and the lack of reform of the Access to Information Act. However, as far as the problem of loans is concerned, we realized in the past that these loans served as crutches to compensate for the fact that a candidate or a party had not raised enough money. This situation was particularly prevalent in leadership races. We realized that something the new Canada Elections Act did not permit was happening through the back door, that is, raising very large amounts of money from one or two individuals who were providing loans. The aim is to correct this situation.

When this bill was introduced, it was pointed out that during the last leadership race several Liberal candidates took out large loans in order to get around the financing limits in the way I have just described. While it is true that quite a few have acted in this way, it should not be forgotten that the Prime Minister himself did not reveal all his contributions during the leadership race in 2002. So the Conservative Party was not really in a position to lecture anyone. We have also seen it in the past seven years, given the scandals we now know about.

It is necessary to prevent the law from being circumvented by introducing new limits for political contributions. For example, an individual can contribute $1,100 annually to a registered party or to a candidate. The amount a union can contribute annually to a registered party has been reduced to $0. That shows a significant shift in terms of the respect owed to the people who give us our mandates—the voters. It is still possible to circumvent the limits by using personal loans. That will no longer be the case. The example was given of the candidates for the Liberal leadership.

● (1300)

We have corrected many other issues in Bill C-2 that were not adequately addressed in the Federal Accountability Act.

Other ethical problems persist. Even though Bill C-29 corrects the problem of loans that allow candidates to circumvent political contribution limits, there are still many ethical problems that were not fixed by Bill C-2.

For example, many Conservative campaign promises in terms of whistleblower protection did not make it into the Federal Accountability Act. Notably, the Conservatives said that they wanted to "ensure that whistleblowers have access to...legal counsel". Yet the Conservative bill allows for only $1,500 in legal fees. They also wanted to "give the Public Service Integrity Commissioner the power to enforce compliance with the [whistleblower act]". Finally, the Conservatives promised to "ensure that all Canadians who report government wrongdoing are protected, not just public servants".

We understand that Bill C-29, as a whole, will improve the situation. We would have liked it to clarify the situation of candidates who incur expenses for their party, unbeknownst to the party, which would then be liable for them. However, because of the overall improvements it proposes, the Bloc Québécois believes that this bill should be supported.

[*English*]

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, Bill C-29 has some good points to it. There is one however, and I want to ask the member's view on it. It has to do with unpaid loans by a candidate which, if the bill passes, would become the responsibility of the riding association. That may put some riding associations in an awkward situation. I can say that from experience, because the same practice applies provincially where any debts of a candidate become the responsibility of the riding association. In one particular case, in fact in Mississauga South provincially, a candidate who was appointed by the party, not selected by the riding association, had a very substantial and irresponsible level of spending and ran up a $26,000 debt which had to be assumed by those who had absolutely no control over how that spending was done.

In cases such as that, it would seem to me that riding associations would not have very much recourse and may find themselves with a substantial debt of which they had absolutely no control over the spending, nor the resources to repay. I am not sure whether that really hits the target squarely with regard to that provision whereby unpaid loans would automatically be the responsibility of a riding association. I wonder if the member has some comments on that.

● (1305)

[*Translation*]

Mr. Paul Crête: Mr. Speaker, my colleague has given other examples to illustrate the situation I raised after the speech by my colleague from the NDP.

Yes, the bill is written in a way that does not correct this situation. Consequently, in a few years, we will be decrying situations such as the ones mentioned by my colleague.

It could happen that four or five people run in ridings where their party is not very popular, incur huge expenses and then their party will be responsible for the debt, even though it did not give permission in the first place.

I do not want to assume that any of the parties here in this House are dishonest, but this situation could happen and it could almost be deliberately planned. There would be no legal recourse to resolve this issue, other than proving that there was collusion to make it happen.

The Bloc Québécois proposed an improvement to the bill. It was supported in committee, but overturned in this House by the Conservatives, with the support of the NDP.

We will see, in the coming months and years, but we will likely end up having to come back and fix the legislation. But it will only be done once we are faced with an actual situation.

As my colleague said, it can apply to a party, but under the new legislation, it could also apply to registered riding associations, which generally have the same rights as a party. This could represent a very serious situation.

If a candidate spends $20,000, out of the entire budget of a Canada-wide party, it will certainly have an effect. However, if the candidate spends the money in a particular riding and the riding association becomes responsible for it, that could be catastrophic.

That is why we would have liked to see this flaw in the bill fixed, so that this does not happen in the future. Despite that, we think the bill deserves the support of the House. We will ensure that this situation is corrected in the future, if our concerns unfortunately become reality.

Mr. Yves Lessard (Chambly—Borduas, BQ): Mr. Speaker, first I want to congratulate my colleague on his speech.

I heard the answer he just gave to the Liberal member. I do not want to ask him a trick question, but I would like him to elaborate on what he said. We know that the two main pillars of democracy are freedom of speech and transparency. Heaven knows the Conservatives have shown a total lack of transparency regarding several issues that normally should have been submitted to the House in a clear and precise manner. With regard to these two main pillars, can Bill C-29 be compatible with what the member said when we have to ensure that any person who wants to run for office has an equal chance, whether his or her party is strong or weak in the polls? I want to hear what he has to say on how we can reconcile these two concerns.

Mr. Paul Crête: Mr. Speaker, I thank my colleague for his question.

We have seen election practices systematically evolve towards this greater transparency over the last 50 years, first through the elimination of contributions to slush funds. Quebec did that 30 years or so ago. Indeed, since the 1970s, under Mr. Lévesque, only individuals, not entities, can make contributions to a political party. It took some time for the Parliament of Canada to pass similar legislation. We have it today but it still needs some polishing because, human nature being what it is, we have to ensure that the legislation does not open the door to improper practices.

As regards the right to speak, any citizen who wants to run in a federal election can do so, either as an independent member, or as a party member, with the pros and the cons related to each option. However, we must see that this can be done while ensuring that each party is given equal opportunities. This is what the whole legislation seeks to achieve. This is why I felt that this bill was missing a part that was necessary, namely to see that, when a candidate is authorized to run for a party, we must ensure, before that candidate spends money, that the party will not be responsible for his expenditures, and that there will not be any unintended commitment for that party.

Unfortunately, that could be part of an election strategy by a party, whereby that party would allow candidates from another party to run in regions where it has few candidates of its own and little chances of winning, and spend a lot of money, thus adversely affecting that party's finances.

All the bills that have been introduced over the past several years seek to improve transparency. We have now discovered a major problem, namely leadership campaigns. After reviewing the Canada Elections Act, we discovered that some strange things had taken place during leadership campaigns, both on the Liberal and the Conservative sides. We want to correct this situation, because we found out that the selection of a political party leader by party members also has an impact on democracy. I believe that making corrections in that regard would, as the hon. member said, improve the chances of voters making a choice that would be as transparent as possible and that would best reflect the democratic will.

● (1310)

[*English*]

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, I am pleased to rise on behalf of the NDP to comment on Bill C-29. It is very appropriate because the NDP, in this corner of the House, has been the foremost advocate of smart and democratic grassroots election financing in Parliaments throughout Canadian history.

I am standing beside the member for Winnipeg Centre who has been a very strong advocate of accountability and has spoken in the House on this bill. It is important to note that the NDP has been walking the talk on democratic grassroots election financing since the very origins of our party back in 1960 and even before that with the CCF.

It is important to note that even in the fifties and sixties, big money essentially dominated Canadian politics because we did not have the kinds of limits around election financing that we find today. How did that happen? It was another minority Parliament from 1972-74. The NDP leader, David Lewis, essentially said that the minority Parliament could only continue if for the first time in Canadian history, election financing limits were put in, both in federal parties and also in constituencies. So that was a key point in Canadian history.

It essentially drew us away from the American model, and I will come back to that in a moment, where there are essentially no limits in election financing, where big money dominates, and brought a unique Canadian contribution to election financing law. That put in place the kinds of limits today that mean that ordinary working people can run for the House of Commons and not expect that they are going to be simply outspent by bankers and big business, that essentially there is an even playing field.

It is important to note that since that first election financing act was put into place, the NDP has had a lot more representation in the House of Commons. Ordinary working families have had a lot more representation. It is not a perfect system yet, and I will come back to that in a moment as well. But essentially, the 1972-74 period was a watershed for Canadian election financing laws.

Why is that important? We see in the United States how democracy plays out, that essentially in most campaigns, particularly at the national level, we see that millionaires get elected because there is no election financing legislation that caps the amount of money that people can spend in election campaigns. We hear about $20 million, $30 million, $40 million campaigns, millionaires stepping forward and basically taking money out of their piggy-bank and then running for public office.

As a result of that, we see that the institutions governed by that lack of respect for the democratic will and a lack of responsibility to assume that there is a level playing field means that legislation does not necessarily get adopted in the interests of ordinary working families.

Here in Canada, through the efforts of Tommy Douglas, we have a public health care system that is financed by public taxes and we have that in place in Canada as a result of the work of the CCF and the NDP. We are very proud of that. In the United States where big money dominates there is still a continued effort to put in place a public health care system; 60 million Americans will not have health coverage at some point in this year 2008 which means they are only a car accident or a fall away from perhaps going bankrupt because they have to pay for their medical costs that could be $100,000 or $200,000.

In Canada, in part because we have a more even playing field, we have been able to bring forward progressive social policy. Of course, the NDP and the CCF have been at the origin of every single progressive piece of legislation brought in for social policy since Confederation.

This brings us to Bill C-29. Essentially, what the NDP has endeavoured to do over the last 30 years is gradually ensure that the level playing field does not have the kinds of loopholes that the parties that tend to represent corporate CEOs tend to like to use. We see it all the time. We put in place legislation and rather than keeping to the principle, the Liberal and Conservative parties are trying to get around those loopholes because they believe big money should dominate politics.

● (1315)

What we are trying to do with Bill C-29, essentially, and what we proposed in the Federal Accountability Act, the wellspring of ideas that has brought about Bill C-29, is close the loophole, that has gradually been put into place over the 30 years since the first adoption of election financing caps, to ensure a party cannot get around the legislation. First there were election financing caps and subsequent to that big corporate donations were shut down.

I remember reading the election returns when I used to work at the NDP national office. At one cocktail party the Liberal Party and the Conservative Party would receive $50,000, $60,000, $100,000 from big banks and big oil companies. Essentially, that has been shut down. It is not in Canadians' interests to have corporate donations dominate the political field. We have had that put into place.

Bill C-29 would close another very important loophole. As soon as Parliament stopped the huge corporate donations that were going to political parties, one would assume political parties would have acted ethically and morally in respect to that legislation, but that did not happen. The Liberal Party found an interesting little loophole.

Under the existing legislation, if a corporate entity loans money to a political candidate or to a political party and that money is not paid back, it becomes a donation. That is an interesting little loophole. Beautiful. We outlaw corporate donations, but a corporate entity can loan money and forget to ask to have it paid back. It then becomes a donation, a direct contravention of the principle of the law that this Parliament put into place.

The NDP saw that loophole right away. We put it forward in the Federal Accountability Act. Ed Broadbent, the former member for Ottawa Centre and Oshawa, was the foremost proponent of that. The member for Winnipeg Centre as well. This loophole allowed largely Liberal members to get around the principle of the act. That brings us to where we are today.

In the most recent Liberal leadership campaign, hundreds of thousands of dollars were loaned to leadership candidates in what was a splurge of money to the Liberal leadership. There did not seem to be any sort of cap. In NDP leadership races, we ensure that there is a cap on leadership donations. People right across the country give small amounts. Some of our leadership candidates have done very well with those small amounts. In the case of the Liberal leadership race, big money came in again with big loans.

Bill C-29 tries to close that important loophole where big companies cannot donate, but they can loan the money and it becomes a donation later.

● (1320)

[*Translation*]

This is an important principle. What can we say about Quebec's Election Act? It is one of the best provincial acts. It was not brought into force by a New Democratic government—at least not so far. We certainly hope to have a New Democratic government in Quebec some day.

In any event, Quebec has adopted this principle to ensure that no more than a modest amount can be spent. So you cannot spend $10,000 or $15,000 or $20,000 or $60,000. The limit is set at $3,000, which is more reasonable.

In Canada, as a result of measures adopted by the House a few years ago, a contributor may now give a political party a maximum of $1,100. This is an important factor.

In Quebec, we have in fact seen a change, an improvement, and this has changed the face of politics in Quebec. Since then, the rules of the game have really been more balanced, and there is more discussion of ideas.

The same thing happened in Manitoba. A system was adopted to limit the contributions people can make. There is a New Democratic government in power in Manitoba, and it is governed by that same principle.

This federal principle is therefore modelled on decisions that have already been made by the National Assembly of Quebec, the Legislative Assembly of Manitoba, and other governments. It is an important Canadian principle that everyone supports. Playing a shell game to get around that principle is absolutely not in the interests of Canada.

That is the problem. We can play a shell game, because there is a way to get around the law. Since big corporations may not give money, what can they do? They can grant a loan, and later on it will become a donation.

It is hard to believe that a member of this House could object to that principle when he knows full well what progress has been made on this issue since the NDP forced the enactment of the first election spending limits, from 1972 to 1974, when we had a minority government. At that time, former NDP leader David Lewis said he wanted to establish a system that was fair to the families of working people.

Since then, we have seen progress that has allowed us to avoid the kind of activities and involvement we can see in the United States, where money buys seats in Congress and the Senate. Anyone representing working people is the exception. As a rule, representatives are millionaires, particularly in the Senate.

We do not want the same thing to happen in Canada. Certainly the House has millionaires, but there are growing numbers of members from ordinary families. The example we can cite is the fact that the NDP, which had barely a dozen members a few years ago, now has thirty.

We therefore see a net improvement in terms of members who come from more ordinary families, working families, the families that keep Canada moving. It is people from those families who built Canada and who continue to build it. It is important that these people be represented in the House of Commons. Our representatives must not be only bankers and corporate executives, they must also be the people who truly build the Canada they are part of.

● (1325)

[*English*]

What, then, is the position of the NDP on the amendments? We have had a number of good interventions on the issue. The member for Windsor—Tecumseh and the member for Winnipeg Centre have spoken to this issue.

The government has put forward three amendments at report stage. The first one would limit a person to a $1,000 loan per contest. In other words, it would reduce the amount to what is already in keeping with Canadian principles in the Elections Act to per person per contest rather than $1,000 per person per calendar year. We will be supporting that amendment.

The second amendment concerns when the three year payback period begins. We also support that amendment.

The third amendment, which we find difficult to support, is the idea that when the riding association undertakes, or a candidate or a campaign undertakes, a campaign loan, that campaign loan then reverts right back to the political party. It is a question of reasonableness.

Some campaigns can undertake their own loans right across the country. Every political party does. In the next election campaign, only two parties will be running everywhere in the country and in every region, the Prime Minister's Conservative Party and the member for Toronto—Danforth's New Democratic Party.

Everywhere in the country in the next election campaign people will have two choices, two very clear and differing views on the future of the country. I think we are seeing more and more interest in the NDP because people have seen the Prime Minister's vision and they are not quite sure they like it, particularly the corporate welfare provisions where the only thing that seems to be in Conservative budgets is tens of billions of dollars in corporate tax cuts just shovelled off the back of a truck.

The NDP has a vision that is much more in keeping with the values of Canadians, such as improving our health care system, actually dealing with the housing crisis and the homelessness crisis, and reinvesting in Canadian cities. All of those things most Canadian adhere to, but that is a little beyond the scope of the bill.

The point I am making is that in the next election campaign only two parties will be running in all 308 ridings. Other parties will be running in some ridings and not running in other ridings but only two parties will be running in all 308.

Once those candidates have deposited their nomination papers and have received the sign-off from the leader of the political party they are free to undertake loans on behalf of their campaign. They do not need to go to the national office of the political party to get approval for a loan, which is why we are opposed to this particular amendment. The amendment would mean that the political parties would suffer the consequences of a loan that a candidate and its official agent undertakes in the riding, whereas currently they are responsible for that, as they should be. They make the decisions on the ground to what extent they want to undertake a loan on behalf of their particular campaign and they have the responsibility to pay it off.

I have run in two federal campaigns and both of them were balanced budget campaigns. We feel very strongly about that. In fact, in the second campaign we did not need any loan at all because we received a lot of small contributions from people throughout the riding of Burnaby—New Westminster, which was great. However, if individuals must take out a loan, they should be responsible for it. It does not make sense that those individuals, if they run away from that loan, can simply see that loan transferred to the political party head office.

For the next campaign, for the two parties that are running full slates in every region across the country, the NDP and the Conservative Party, it will be extremely important that the local responsibility be maintained. Hopefully, the other parties that are running partial slates will be supportive of the NDP's position on this. However, for the two parties running the national campaign, running everywhere, particularly in their cases, it is important that responsibility stays with the local campaigns.

● (1330)

We have talked a bit about the origins of the election financing act and how things have evolved since then. The NDP has been the chief spokesperson and the principal advocate of putting into place election financing rules that are in keeping with the values that Canadians share from coast to coast to coast.

Canadians believe there needs to be a level playing field in a political contest and that everyone needs to have the same rules apply. They do not believe in loopholes. Therefore, when a Liberal Party member tries to move around the idea that we cannot have corporate financing by getting a loan and converting it into a donation, that is something that must be stopped. That is why we are supportive of this legislation and of most of the amendments.

We believe Canadians support the values of a level playing field, equal participation in politics and accessibility in politics so that an individual, a former manual labourer, can be active in his or her community, can run for political office and can actually be elected because the rules are such that it is a debate of values and ideas rather than simply a contest of who has the biggest wallet.

Speaking as a former manual labourer who is very proud to be in the House of Commons, our election financing act must do just that.

Mr. Ken Epp (Edmonton—Sherwood Park, CPC): Mr. Speaker, I listened intently as the member spoke and one thing that struck me was the apparent hypocrisy of his crying against the way that political parties collect money.

I personally believe that all money contributed to political parties should be from individuals who give of their own free accord.

I guess I should not say this because it is a dreadful thing to say publicly, but I have contributed a lot of money to the NDP, which I am sure the member is happy about, but I did so under coercion. I always had a job where I had compulsory union membership and the unions always supported the NDP with my money. I had no say in it.

I remember one time challenging one of the union bosses on this. I asked him why I had to contribute money to a political party that I was campaigning against. He said that it had been done democratically, that a convention was held and that through a vote it was decided that $100,000 would be given to the provincial NDP and $150,000 to the federal NDP. The union bosses just had a convention among themselves and decided that was how they would spend my money.

I would like the member's reaction to that particular scene.

Mr. Peter Julian: Mr. Speaker, for those school children watching today, they just had the definition of the term “red herring”. The hon. member knows very well that under the Elections Act a union cannot donate money in a federal election. There is no opportunity for corporate donations nor union donations.

For those listening, a red herring is something that has absolutely no relevance whatsoever to what is being discussed in the House of Commons. A union cannot donate money, neither at the constituency level nor at the federal party level, and the member knows this. I guess he thought it would be a trick question or that we would not be well-informed but members of this House of Commons know that what he just asked as a question is a red herring because it cannot be done.

● (1335)

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I appreciate the member's comments. He always has some interesting comments and at times is actually entertaining.

I am sure there is going to be support for this bill, but there are still some points of concern. One of the areas has to do with where a loan is not repaid within the 18 months, et cetera. Some exceptions were noted: one, if the loan is subject to a binding agreement to pay; two, if it is subject to a legal proceeding; third, if it is subject to a dispute as to the amount; or four, if the amount has been written off by the lender as uncollectable. When we have a number of conditions in which a loan may not in fact be handled in the anticipated fashion because it is a bad debt, if we have made a list, then something must be left out. It really should be a blanket provision.

I am wondering whether or not the legislation ought not to have included a proviso that every legal avenue and effort had been taken to recover the loan. Once we start making other parties responsible or not accountable for their legal obligation and their agreement to the terms of the loan, it tends to fuzzy up the legislation.

Someone is going to say that there must have been some connection, or there may have been a quid pro quo that we did not know about. How do we police these kinds of things? How can we ensure that the intent of the law in fact is followed through? We have seen a lot of very strange and creative things happen. The in and out scandal is certainly an interesting one. Although it is not with regard to a candidate directly, it does have to do with candidates who are asked to participate in a matter related to the operations of an election campaign.

The member may have some comments.

The Acting Speaker (Mr. Royal Galipeau): The hon. member for Burnaby—New Westminster. There are five minutes left in this question cycle and there are two other members who want to ask questions.

Mr. Peter Julian: Mr. Speaker, I look forward to their questions. I hope they will not be red herrings. I hope they will be legitimate questions.

The member for Mississauga South asked, as he always does, an intelligent question about the impact of that third amendment. The problem the member mentioned is why we are essentially opposing it. Because there would be a transfer to the political head office, to the political headquarters, it does not allow for the candidate's official agent in the riding to essentially take responsibility for the loan and pay it down. That is a problem with the amendment the government is proposing. There is not the legal weight to ensure that at the constituency level that loan is paid off.

[*Translation*]

Mr. Yves Lessard (Chambly—Borduas, BQ): Mr. Speaker, my question to the member for Burnaby—New Westminster will come after a comment and a brief reminder.

When he says that the NDP's position with regard to the Canada Elections Act is forward-looking and when he cites Quebec's legislation as an example, he is absolutely right. Quebec's legislation has been in use for 30 years now and it has produced results in terms of cleaning up political contributions.

I want to know if he can lift the fog that rolled in with his remarks.

The NDP member for Windsor—Tecumseh told us earlier that he was not overly concerned about the fact that the party will be liable for a debt incurred by a candidate who is unable to repay that debt, because if a candidate has little chance of being elected, it is very likely that banks will not give him or her a loan. Therefore, he thinks that asking the party to be liable for those debts is not really a problem.

However, in his remarks, this member shared our position, and our concern deals with the fact that a candidate who is unable to pay off a loan can force his or her party to take on that responsibility.

I would ask the member to clarify for us his party's position on this issue.

● (1340)

Mr. Peter Julian: Mr. Speaker, it is very clear. The third amendment would essentially mean that if a loan contracted by a local candidate or an official agent is not paid, it falls to the party headquarters.

We are opposed to this amendment for the reasons just stated. It puts all of the responsibility on the political party even though it may not have approved loans contracted in the ridings.

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Mr. Speaker, I am pleased to speak to Bill C-29.

I am shocked by my colleague for Burnaby—New Westminster's response to my colleague for Chambly—Borduas in terms of a party's responsibility for loans contracted by candidates. My colleague just said that he was not in favour of this third amendment. I should point out that the amendments to the bill before us are a direct result of the NDP's change in position.

I do not necessarily want to dump on the NDP. We agree on certain things, but not in terms of this bill. There was a prior agreement. Given that I sit on the Standing Committee on Procedure and House Affairs, I succeeded in getting this amendment in order to withdraw this provision. It has now returned to the bill, which means that the responsibilities and debts contracted by local candidates will become the responsibility of the party in the case of insolvency.

I am on the Standing Committee on Procedure and House Affairs, a committee which is incidentally inoperative at the moment. A Conservative colleague was elected to replace the chair and member for Cambridge, whom a majority of the members had to kick out. Apparently he was not doing his job properly and impartially. A new chair was elected. Unfortunately this new chair resigned, and this means that the Standing Committee on Procedure and House Affairs, because of the Conservatives, is inoperative.

On reading the bill, I noted this problem. I agree that a local candidate has a party banner to defend. Still, in the case of the Bloc Québécois, there are 75 ridings. There are more in the case of the so-called “national” parties. The Bloc Québécois is the national party of Quebeckers. We run candidates in the 75 ridings of Quebec. When we talk about 308 ridings and 308 Conservative, Liberal or New Democratic candidates, there is a coordination problem. How do we find out what is happening at the local level? An ill-advised candidate could make excessive, extravagant, totally crazy and inappropriate expenditures. I would even go so far as to say that he might exceed the limit provided for.

Some hon. members: Oh, oh!

Mr. Michel Guimond: Mr. Speaker, somebody keeps yapping and that is distracting me. I realize that you yourself are so distracted that you cannot take down any notes about my speech.

So there could be a breach of the spending limit. The party might not know anything about it but would be responsible for the expenditures of this insolvent person. That is the point of this amendment. I have difficulty seeing the logic of my colleagues from the other parties.

● (1345)

That being said, I consider that we are democrats in the Bloc Québécois, and we will acknowledge the democratic decision of the House. Allow me, however, to express some misgivings that I have.

With regard to the general thrust of Bill C-29, the Bloc Québécois remains in favour of it on the third reading. We consider that it contains some interesting, though perfectible elements, given that by definition perfection does not exist in this lowly world.

We are in favour of it for two main reasons. First of all, we think that it is necessary to provide a framework for loans so as to avoid people getting around the spending limits. We realize this on analyzing certain leadership races, among both the Conservatives and the Liberals.

For example, the member for Toronto Centre, the new Liberal Party critic for foreign affairs, apparently received loans totalling $705,000, including a loan from his brother, John Rae, a former vice-president of Power Corporation, for $580,000 at 5% interest. He apparently lent himself $125,000.

The same goes for the current opposition leader, who is supposed to have received loans totalling $655,000 from various people: Mamdouh Stephanos, Marc de la Bruyere, Stephen Bronfman, Roderick Bryden, Christopher Hoffmann. In all, they amount to $655,000.

Since we are including everyone, the current Prime Minister still refuses to reveal who his contributors were during his run for party leadership in 2002. He refers us the web site of the party once called the Canadian Alliance. That party has changed names many times. First it was the Reform Party, then the Canadian Alliance, and now the Conservative Party. It reminds me of the new Coke: it is the same recipe, but in an improved version. It is actually quite confusing.

In any case, a *Globe and Mail* article on October 2, 2002, revealed that the current Prime Minister spent $1.1 million on his leadership campaign in 2002. According to the article, the Prime Minister said he had posted a partial list of his contributors on the Canadian Alliance web site, but in fact only those who contributed more than $1,075 were listed. Thus, there are many grey areas.

As for election spending limits regarding contributions from individuals, we know that corporate financing is no longer allowed. We support this. Such limits have always been a traditional demand of the Bloc Québécois, that is, since 1993, for one simple, good reason. The Act to govern the financing of political parties has been in force in Quebec since 1977 and has proven effective. It has helped clean up political and electoral funding practices.

I can still vividly recall former Prime Minister Jean Chrétien paying homage to the legacy of René Lévesque, who gave us Quebec's act respecting elections and referendums in municipalities and the referendum act, among others. I am sure it was not easy for Jean Chrétien to pay homage to René Lévesque.

● (1350)

It is not necessarily logical, and certainly not every day, that Mr. Chrétien would pay tribute to René Lévesque.

That is basically what I wanted to say in my allotted time. Question time is approaching, and I am sure that some of my colleagues have some interesting questions for me. I will be pleased to answer them to the best of my knowledge and abilities. I want to stress that we still support this bill, and that we will likely vote in favour of it.

However, we see some serious problems with the fact that parties are responsible for expenses incurred by candidates at the local level. It should be a given that when someone agrees to run for a particular political party, that individual takes responsibility for his or her own expenses.

It is also important to remember that election campaigns are fast-paced. People who work on an election campaign have a hectic life from morning to night, and that includes the researchers who work nights. It is seven days a week. It is not always possible for all expenses to receive approval from senior party officials. That could mean that, although the party has nothing to do with the expense, it could end up being responsible, which does not make sense and is completely unacceptable.

But regardless, the Bloc Québécois supports this bill overall.

[*English*]

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I want to pursue a point that I raised earlier. It has to do with loans by a financial institution to a candidate. The deemed contributions provisions under 405.7 stipulates that the loan must be repaid by three years. However, if the amount has not been paid, there are four conditions under which it would be a deemed contribution. One of those is the loan has been written off by the lender as an uncollectable debt in accordance with the lender's normal accounting practices.

If that is the case, where there is a deemed contribution, a bank could loan $50,000 to a campaign, write it off and it becomes a deemed contribution. I did not think that was really the intent. I am not sure if I missed something in the legislation, but it would appear there would be a way in which banks could effectively contribute to candidates when corporate and union donations would be prohibited under previous changes to the act.

This concerns me, along with the issue that the loans or debts incurred by a candidate would ultimately turn out to be the responsibility of a riding association or a political party if they were unpaid. The member may have—

● (1355)

The Acting Speaker (Mr. Royal Galipeau): The hon. member for Montmorency—Charlevoix—Haute-Côte-Nord.

[*Translation*]

Mr. Michel Guimond: Mr. Speaker, my colleague has raised some serious issues. However, we remain convinced that the problem lies with the wording. It is all about the interpretation. Given that we are about to pass this bill, we believe that it would have been advantageous to improve the final wording of the bill in order to clear up any misunderstandings or errors of interpretation.

That is precisely why we have courts, to interpret the laws passed by parliaments. While travelling by plane, I had the opportunity to speak with a superior court judge, who told me that if parliamentarians would pass good, clear laws, there would be no need for the courts to interpret them. We recognize the independence of the judiciary and the executive. The judiciary only interprets the laws that are drafted by this Parliament.

It would have been better to have obtained further clarifications. However, I greatly appreciate my colleague's comments.

Mr. Yves Lessard (Chambly—Borduas, BQ): Mr. Speaker, I would like to congratulate my colleague from Montmorency—Charlevoix—Haute-Côte-Nordon his speech.

He spoke about transparency in the financing of political parties and touched on the transparency in financing for the leadership races of major parties, giving as an example his observations about a party that opened its books, and we need only think of the leader of the official opposition.

What we have been able to obtain is quite revealing and that is appropriate because this information should be available to citizens.

He also gave the example of the leader of the government, that is the Prime Minister, who did not open his books and, once again, muddied the waters as much as possible so that citizens know nothing.

I would like to ask my colleague this question: in the near future, should we not put measures in place—especially when dealing with a party leader or a leadership race—to ensure that transparency and information be required?

Mr. Michel Guimond: Mr. Speaker, my colleague is absolutely right. It is the principle that I have adapted to fit this situation: tell me who your backers are and I will tell you who you are. Human nature being what it is, it can be easy to reward or help those who helped us. It is called returning the favour.

If everything was done in the full light of day for everyone to see —in an open and transparent manner—it would not leave any questions unanswered.

The same thing could be said for the Couillard affair. Perhaps, Mr. Speaker, you will invoke the relevance rule to interrupt me, but you will be interrupting me in the next few seconds anyway. By not allowing the ministers and the Prime Minister to appear before the committee, the government is sowing the seeds of doubt.

Last weekend, I took part in eight events. People are asking us what the Conservatives have to hide and why they do not want to tell the truth.

It could be the same for leadership races.

● (1400)

The Speaker: There are four minutes left for questions and comments on the member's speech, but we must proceed now to statements by members.

STATEMENTS BY MEMBERS

[*English*]

CANADA MILLENNIUM SCHOLARSHIPS

Mr. Bev Shipley (Lambton—Kent—Middlesex, CPC): Mr. Speaker, I would like to take the opportunity to recognize three exceptional students from my riding of Lambton—Kent—Middlesex. Each has won a millennium scholarship through the Canada Millennium Scholarship Foundation.

They are: Danika Teeple, from Arkona, who attends North Lambton Secondary School; Celina Flannery, from Komoka, who attends Medway High School; and Lucy Hinton, from Strathroy, who attends Strathroy District Collegiate Institute.

All have displayed excellence in the classroom and beyond. These young women have been chosen in a nationwide competition for three of only 1,052 scholarships that have been awarded to students across Canada.

The competition is based on outstanding achievement in four key areas: academic performance, community service, leadership, and innovation.

I wish to express congratulations to each of the winners. I wish them the best for a safe and enjoyable summer and a successful and very bright future.

* * *

CHINA

Ms. Joyce Murray (Vancouver Quadra, Lib.): Mr. Speaker, China is important to Vancouver Quadra, to Canada and to the global economy.

World leaders from France, Britain and Australia get it. Our Prime Minister does not.

As the world's second largest economy, China represents enormous economic opportunities for Canada.

Why, then, does our Prime Minister ignore the importance of our relationship with China? Since he has been in office, he has never once travelled to that country. He has travelled to Europe, to South America and to other regions, yet China is not even on his radar.

Like President Bush, Prime Minister Harper continues to indulge in ideological behaviour that further distances China from North Americans.

I call on the Prime Minister to recognize the importance of China. I call on him to engage, not insult, Chinese leaders and to lead a trade delegation to that country at the soonest possible opportunity for the benefit of Canadians.

The Speaker: I remind hon. members that mentioning other hon. members by name is not in order. I would urge them to comply with the rules in that respect.

The hon. member for Terrebonne—Blainville.

* * *

[*Translation*]

SENIORS COMMUNITY CENTRE

Ms. Diane Bourgeois (Terrebonne—Blainville, BQ): Mr. Speaker, our seniors community centre is celebrating 25 years of operation. Congratulations.

Our seniors need assistance, support, information and respect. They often become casualties of excessively fast-paced and hurried lives that leave us with very little time and room for immediate family. Thus, they live in insecurity and isolation. They have given a lot and in return are entitled to receive protection, care and affection.

For them, the Amis de Lamater seniors community centre is a sanctuary. For them, it is a resource. I extend my thanks to the centre's director general, directors, staff, volunteers and users, and wish them all a very happy anniversary. Our community needs them. In Terrebonne, they are a must.

* * *

[*English*]

MANUFACTURING INDUSTRY

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Mr. Speaker, for more than a century Windsor has been the automotive centre of Canada and manufacturing has been the lifeblood of the local economy. Yet since May 2002, the area has lost more than 17,700 manufacturing jobs.

Chrysler, Ford and GM have all announced layoffs and closures. The loss of jobs at these large facilities has meant losses for dozens of smaller manufacturing companies, including Industrialex Manufacturing, Diageo, The Precision Group, Southern Wire Products, Lamb Technicon, Hallmark Tool and Die, Windsor Tool and Die, and Plastex, to name only a few. They have been forced to lay off workers and in many cases to outright close their doors.

These job losses come with very real consequences. In concert with the loss of revenue that employment generates for much needed services comes the very personal cost of layoffs.

There is very little disagreement within the auto sector of what needs to be done, the roles that all the participants in the sector need to play and, in particular, the need for a partnership with the federal government.

The thousands of men, women and children in my community who are facing the negative consequences of the manufacturing crisis deserve more than the government's empty rhetoric that blames the problem on sectoral adjustments or restructuring. They deserve action now.

* * *

● (1405)

WORLD ELDER ABUSE AWARENESS DAY

Mrs. Lynne Yelich (Blackstrap, CPC): Mr. Speaker, since 2006 we have recognized June 15 as World Elder Abuse Awareness Day as a means to promote action against elder abuse.

This year, Ottawa was chosen to host an international conference for World Elder Abuse Awareness Day 2008. This is recognition of the significant action this government has taken on this issue.

Discussion of the Canadian experience at the conference today and tomorrow will set the stage for further action around the world.

This government is helping to combat all forms of elder abuse: physical, financial, psychological and sexual. In budget 2008, our government announced significant investments to help raise awareness of elder abuse and to assist seniors in dealing with this difficult issue.

As part of this funding, a national awareness campaign will be launched this fall.

Seniors from all walks of life are vulnerable to abuse. It is happening in communities across Canada.

I invite all Canadians to help combat elder abuse by keeping their eyes open and refusing to ignore this problem.

* * *

CANADA POST

Hon. Scott Brison (Kings—Hants, Lib.): Mr. Speaker, Canada Post is conducting a review of all rural mailboxes in Canada to address safety concerns.

Home mail delivery is an important quality of life issue for rural Canadians. It must be protected.

Losing home delivery can be devastating, particularly for seniors who rely on mail to stay connected but cannot always drive into town to pick up their mail.

I have met with the minister responsible for Canada Post and also with the president of the Canada Post Corporation, Moya Greene. Both have assured me that they will make every effort to save rural home mail delivery.

I have urged Canada Post to work with provincial departments of transportation to address road safety issues. Canada Post has now confirmed that it will make every effort to do so. I urge provincial governments to cooperate fully with Canada Post to save home mail delivery.

Will the government stand up and defend home mail delivery as an essential service for Canadians?

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[*Translation*]

BLOC QUÉBÉCOIS

Mr. Jacques Gourde (Lotbinière—Chutes-de-la-Chaudière, CPC): Mr. Speaker, I would like to take this opportunity to highlight the Bloc's anniversary.

We all remember the coalition's beginnings. The Bloc leader said that the Bloc's role was to close files. Given the number of files our government has closed, it would appear the Bloc has failed.

The Bloc believed it had power. Eighteen years on, the Bloc has succeeded in changing the names of two ridings.

The Bloc wanted to achieve sovereignty via Ottawa. Now, however, many members of the Bloc fear that they have instead improved federalism.

The Bloc was supposed to build momentum for the sovereignist cause. Now, however, the referendum has been put off indefinitely.

The Bloc was supposed to be very, very temporary. Now, however, Bloc members tell themselves that the longer they stay here, the better their pensions.

Despite its record of failure, the members of the Bloc seem to be quite content to still be in Ottawa. After all, they are contributing to their pension funds, collecting their salaries and taking advantage of their benefits, all without having to make one single decision.

Now that it is 18 years old, I would invite the leader of the Bloc to acknowledge that his party is powerless and utterly empty-handed.

* * *

FERNAND OUELLETTE

Mr. Robert Carrier (Alfred-Pellan, BQ): Mr. Speaker, on June 23, in Paris, Mr. Fernand Ouellette, who is one of my constituents, will receive the Grand Prix international de poésie de langue française Léopold-Sédar-Senghor. This award was created in honour of the poet, writer and first president of Senegal.

This is a major recognition for Fernand Ouellette, who is one of Quebec's most prominent poets, and who just published a book of poems written between 1997 and 2002, entitled *Présence du large*.

This exceptional writer has published some 40 books, and he has received many awards, including the Prix Athanase-David, the Governor General's literary award on three occasions, the prix Ludger-Duvernay, and the prix Gilles-Corbeil of the Fondation Émile-Nelligan.

He also became a Chevalier de l'Ordre National du Québec in 2005.

On behalf of my Bloc Québécois colleagues, I congratulate Mr. Fernand Ouellette.

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BLOC QUÉBÉCOIS

Mr. Luc Harvey (Louis-Hébert, CPC): Mr. Speaker, in 1990, I remember, the series *Les filles de Caleb* debuted, and Guy Carbonneau was the captain of the Montreal Canadiens.

At the time, the founder of the Bloc said that his coalition would be temporary, and that it would help improve the winning conditions. Eighteen years later, the times have changed: the PQ is no longer even talking about a referendum, and the Bloc is still trying to justify its presence here in Ottawa.

After playing armchair quarterback for 18 years, what is the Bloc's plan? Asking 4,000 questions without ever getting anything done? Finding 450 different ways to ask about the sponsorship scandal without being able to put an end to it? Making more than 700 empty promises to Quebeckers?

The day the Liberal leader finally takes a stand, Quebeckers will be better able to see the relevance of the Bloc here in Ottawa. The moment of truth is fast approaching.

* * *

GILLES PATRY

Hon. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, today I want to acknowledge the excellent university presidency of Dr. Gilles Patry, a skilled manager and talented academic.

An outstanding researcher and board member of a number of prestigious agencies, it is as president and vice-chancellor of the University of Ottawa since August 2001 that he made his mark on the university, my alma mater.

● (1410)

[*English*]

Under his stewardship, the University of Ottawa grew from 24,000 to over 35,000 students, added numerous academic programs to its roster, surpassed the $200 million goal for its most recent capital campaign, and is now ranked fifth in the country for research investments.

[*Translation*]

Gilles Patry has always been an approachable man despite his heavy responsibilities. Under his watch, the ivory tower became a welcoming beacon and Ontario's francophonie is the better for it.

We wish to express our sincere appreciation to Dr. Patry and his wife, Ruby Heaps, and wish them all the very best in the years to come.

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BLOC QUÉBÉCOIS

Mr. Daniel Petit (Charlesbourg—Haute-Saint-Charles, CPC): Mr. Speaker, the one-mandate party is celebrating its 18th anniversary. I would have this to say:

The time has come, my dear Bloc Québécois, to accept your powerlessness.

The time has come, my dear Bloc Québécois, to turn to the PQ since that is what you want.

The time has come, my dear Bloc Québécois, to justify your relevance.

The time has come, my dear Bloc Québécois, to explain your empty hands.

The time has come, my dear Bloc Québécois, to justify your empty promises.

The time has come, my dear Bloc Québécois, to explain your inconsistency.

The time has come, my dear Bloc Québécois, to be accountable.

The time is long past, my rich Bloc Québécois friends, for sitting on your salaries and your pensions.

The time will soon come, my dear Bloc Québécois, when Quebeckers will judge you for your inaction.

* * *

[*English*]

GRANDMOTHERS TO GRANDMOTHERS CAMPAIGN

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, June is Seniors' Month and I want to take a moment to recognize the incredible work being done by grandmothers across Canada in the fight against HIV-AIDS in Africa.

Over 13 million children in sub-Saharan Africa alone have been orphaned by AIDS. Grandmothers are at the heart of the response to the AIDS pandemic in Africa, as they often care for and bury their own children while parenting their grandchildren as well.

In March 2006 the Stephen Lewis Foundation launched the Grandmothers to Grandmothers Campaign, which was designed to raise awareness in Canada about the plight of Africa's grandmothers and to mobilize support.

Today over 200 groups of its kind have sprung up in Canada. These grandmothers campaign tirelessly to raise awareness, build solidarity with their counterparts in Africa and raise the critical funds needed to fight this devastating disease. We recently hosted such an event in my riding of Parkdale—High Park.

African grandmothers are the silent victims of this pandemic, but I am honoured to report that our grandmothers here in Canada have taken up the fight and continue to do all they can to ease this overwhelming burden.

* * *

UN HIGH COMMISSIONER FOR HUMAN RIGHTS

Mr. Glen Pearson (London North Centre, Lib.): Mr. Speaker, next month, one of the most accomplished individuals to serve this country overseas is leaving her post as UN High Commissioner for Human Rights, a job she has performed with distinction since 2004.

Madam Arbour's international career began in 1996 as the chief prosecutor of war crimes before the International Criminal Tribunal for Rwanda and for the former Yugoslavia, in The Hague.

A justice of the Supreme Court of Canada and an advocate of justice around the world, Louise Arbour has served her country in the cause of human rights with courage and dedication.

Sadly, too many have remained silent on the accomplishments of this great Canadian.

Canada owes Madam Arbour a great debt of thanks.

We on this side of the House cannot let this occasion pass without comment. On behalf of the Liberal opposition and all Canadians, let me express congratulations and thanks to Madam Louise Arbour for a life of service to Canada and the world.

* * *

[*Translation*]

GASOLINE PRICES

Mr. Jean-Yves Laforest (Saint-Maurice—Champlain, BQ): Mr. Speaker, the citizens in my riding are exasperated by the rising price of gas. The people of Haut-Saint-Maurice have taken action to make the government aware of this.

Jacques Bouchard from La Tuque is circulating a petition. More than 1,900 names have been collected, and I salute this initiative.

People in the so-called remote regions do not all have access to public transit. They sometimes use more than 30% of their net income to buy gas to get to work. People who are planning their summer vacations are worried. The tourist season may be jeopardized in a number of regions, such as Haut-Saint-Maurice.

In order to support this civic action, I also launched a petition in my riding, calling on the government, among other things, to quickly adopt Bill C-454 introduced by the Bloc Québécois. I will be presenting this petition shortly.

[*English*]

THE ECONOMY

Hon. John McCallum (Markham—Unionville, Lib.): Mr. Speaker, since the budget, Canadian economic growth forecasts have been lowered by the Bank of Canada, the IMF and the OECD. In fact, the IMF is about to lower its forecast again, yet the finance minister refuses to even acknowledge the downward trend.

Why would a finance minister choose to remain deliberately ignorant of an economic downturn? Why will he not revise his growth forecasts?

The reason is simple. According to page 214 of the budget, if GDP growth slows to 1.2%, he will be running a deficit next year.

The shame of being the Conservative finance minister who ended a decade of Liberal balanced budgets is too much for him to bear. Instead, he will do everything in his power to hide these facts, just like he did in 2003 when he sat at the Ontario government's cabinet table as its members conspired to hide a massive $5.6 billion deficit from voters.

He will not revise his numbers and now Canadians know why.

* * *

● (1415)

CARBON TAX PROPOSAL

Mr. Dean Del Mastro (Peterborough, CPC): Mr. Speaker, last week I tabled a motion at the finance committee which asked the committee to endorse the position of the Canadian Federation of Independent Business, calling on the government to reject any notion of a carbon tax, which has been causing great nervousness among Canada's many entrepreneurs.

Sadly, the Liberal and Bloc members combined to endorse a new carbon tax hike on everything small businesses purchase by defeating my motion.

It should be noted that the member for Scarborough—Guildwood called the motion "stupid" and the member for Markham—Unionville remarked that he would not say that no Canadian would be unharmed by the Liberal leader's tax on everything.

Tax Freedom Day came early this year; 11 days earlier than under the previous Liberal government.

I can say with certainty to the Canadian Federation of Independent Business and the Canadian Taxpayers Federation, as well as their many members from across Canada, that this government and this finance minister will not be introducing a punitive, job killing carbon tax.

We know the Liberal leader simply will not provide the same assurance to Canadians. Shame on him.

Oral Questions

ORAL QUESTIONS

[*English*]

FOREIGN AFFAIRS

Hon. Ujjal Dosanjh (Vancouver South, Lib.): Mr. Speaker, every day there are more questions about the extent to which Julie Couillard had infiltrated the Conservative government.

The government claims that foreign affairs is doing a review, but how can the foreign affairs department possibly have the capacity to look into Ms. Couillard's dealings with the Departments of Transport, Public Works and Public Safety?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, once again, the hon. member is carried away with speculation. We all understand, in this incident, that the former minister of foreign affairs improperly left documents in an unclassified area. Those documents were returned. The department will undertake a full and professional review of the matter.

Hon. Ujjal Dosanjh (Vancouver South, Lib.): Mr. Speaker, the government can no longer hide behind the usual explanations that it has given so far. Michael Fortier and security experts have clearly shown that it is no longer about private lives or something minor.

Can the government tell Canadians who at foreign affairs is doing the review, what is the mandate of the review, and what is the scope of the review?

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, the hon. member just said it could not be maintained that this was only about personal issues, but he is the one who said himself that the reason why the Liberals want to have a public inquiry is because they want to know, "Who else—", and I will quote him talking about Ms. Couillard, "—does she have relationships with? I'd like to know".

That is why he wants to have a public inquiry. We believe the foreign affairs inquiry can look into the one legitimate question here which is the question of the documents that were left in an unsecured place, and all the rules and practices surrounding those documents.

Hon. Ujjal Dosanjh (Vancouver South, Lib.): Mr. Speaker, here is why we want to have a public inquiry. There are at least four government departments plus the RCMP and CSIS that ought to be the subject of a public inquiry in this matter. Experts have publicly stated that foreign affairs does not have the capacity nor the expertise to conduct this kind of investigation.

This is a matter of national security and the integrity of government contracts. Canadians deserve to know and to have confidence that all these matters are being protected appropriately.

When will the government do the right thing and call a public inquiry?

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, foreign affairs has the ability to draw on whatever agencies or resources there are available in the government that, of course, do have the ability to get to the bottom of the questions that are of genuine public interest, not the kinds of questions that are of interest to the Liberal member for Vancouver South who set out on CBC's *The National* why he thinks a public inquiry is needed.

Speaking of Ms. Couillard, he said he wants to know, “Who else does she have relationships with? I'd like to know”. That may be very interesting to him. He may want to know that. We do not think it is a good enough reason to hold a public inquiry though.

● (1420)

[*Translation*]

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, more and more questions are arising regarding the extent to which Julie Couillard infiltrated the Conservative government. The government claims that the Department of Foreign Affairs is conducting a review.

How can that department investigate the affairs of Julie Couillard within Transport Canada, Public Works and Government Services, and Public Safety, and within the RCMP and CSIS? How?

[*English*]

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, the legitimate public policy concern that arose was one relating to the secure treatment of documents of a classified nature. That is an issue that actually led of course, as we know, to the resignation of the foreign affairs minister who took responsibility in a very proper way for his error in breaching the rules.

Foreign affairs is of course the most appropriate department to investigate that because we are talking about documents that were foreign affairs documents.

[*Translation*]

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, I noticed that he failed to mention the contracts with Public Works and Transport Canada, and the fact that the RCMP and CSIS should have been investigating. He left that out completely.

The government can no longer claim that this is a private matter. Security experts and even Conservative cabinet colleague Michael Fortier, the unelected minister, disagree.

Will the government finally tell Canadians who in the Department of Foreign Affairs is responsible for this investigation, and what are the investigation's mandate and mission?

[*English*]

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, we have indicated a great many times, and I know they like to continue to talk about the issue, but foreign affairs will be looking into the question of the secure treatment of documents, what the rules are that apply to them now, what the practices are that apply to those documents, and determine if there are any other—

[*Translation*]

Hon. Marlene Jennings: Oh, oh!

[*English*]

Hon. Peter Van Loan: The hon. member asked a question. She does not appear to want to hear the answer. I will do my best to continue.

She would want to know I think that foreign affairs will be able to draw on the resources of what other agencies there are in government to make recommendations on any rules that may need to be changed and any practices that may need to be changed.

* * *

[*Translation*]

REGIONAL ECONOMIC DEVELOPMENT

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, while the Prime Minister champions open federalism, his Minister of the Economic Development Agency of Canada for the Regions of Quebec is sending a clear message with his funding cuts for not for profit organizations. Everyone has criticized the actions of the Minister of the Economic Development Agency of Canada for the Regions of Quebec: mayors Régis Labeaume and Gérald Tremblay, the elected members of the National Assembly, the Bloc Québécois, the Quebec manufacturers and exporters association, the Quebec federation of chambers of commerce, and the list goes on.

Does the Prime Minister realize that his cuts to economic development are turning everyone against him? Is that what he calls being open to Quebec?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, that is an interesting question from the Bloc, who has long been opposed to the federal government playing any role in economic development programs for the regions of Quebec. Nonetheless, the minister is working to ensure that our programs support real economic development and job creation.

I understand that there are differences in the approach with other levels of government. The Government of Quebec, for example, is free to pursue its own policies in this matter.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, the Prime Minister just said he is doing real economic development and that no one in Quebec is doing that. That kind of contempt for Quebec is why every premier of Quebec for decades has asked that economic development in its entirety be handed over to Quebec.

This contempt persists, since the Premier of Quebec, the mayors of Montreal and Quebec City and the president of the Union des municipalités du Québec asked the Prime Minister weeks ago to meet with them and they have not so much as received an acknowledgement of that request.

Has the Prime Minister not revealed his true colours of contempt, contempt and contempt?

Hon. Jean-Pierre Blackburn (Minister of Labour and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr. Speaker, 17 years ago today the Bloc Québécois officially came into being. Is it such a sad life to be here as a Bloc Québécois MP for 17 years and do nothing but ask questions, ask questions and ask questions? And when people ask them what they have accomplished, the answer is nothing.

We are getting things done for regional economic development. We will continue to support small and medium sized businesses and organizations through one-off projects.

● (1425)

Ms. Christiane Gagnon (Québec, BQ): Mr. Speaker, Mayor Labeaume of Quebec City has criticized the Minister of Labour's obtuseness in regard to some major projects that the economic development agency will no longer be funding. The mayor was very clear that the minister does not listen to anyone. The latest cuts will force the National Optics Institute in Quebec City to reconsider a number of research projects that create many high skill jobs. The entire Quebec City region is going to miss out on some major economic benefits.

Does the minister realize that some major projects are being compromised as a result of his laissez-faire ideology? Will he finally listen to reason and restore the funding for these agencies to their previous levels?

Hon. Jean-Pierre Blackburn (Minister of Labour and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr. Speaker, let me say something quickly about the National Optics Institute in Quebec City. Before I arrived, it was receiving $5 million a year on a triennial basis, or $15 million over three years. That was increased by $1 million. So then it received $6 million a year for three years, for a total of $18 million. In addition, there was a line in the budget giving it another $15 million over and above what it was already getting. All of this runs until the end of 2010.

If the National Optics Institute wants to focus more on research, it can always turn to the Department of Industry.

Mr. Jean-Yves Roy (Haute-Gaspésie—La Mitis—Matane—Matapédia, BQ): Mr. Speaker, it is not just the mayors of Montreal and Quebec City who are criticizing the labour minister for his stubbornness but other mayors in Quebec as well, including mayors Forest and Marcotte of Rimouski and Mascouche, who want the funding of the not for profit agencies restored. No one in this government takes the economic development of Quebec seriously any more. The parliamentary secretary just answers any old thing, as usual, and the minister does whatever he wants.

Will he finally listen to all the stakeholders in Quebec and restore the funding of these agencies? Will he do it, yes or no?

Hon. Jean-Pierre Blackburn (Minister of Labour and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr. Speaker, I have just returned from Sherbrooke. Together with the University of Sherbrooke and its applied technology centre, we agreed with Bombardier Recreational Products to put a total of $10 million into a $36-million project to create jobs and make some progress in what is called applied research. Senior officials at the University of Sherbrooke told me,

"Minister, that is exactly the kind of assistance we hope to get from your department and we appreciate it because this is a one-time project, and after it, we will be able to get along on our own".

* * *

AFGHANISTAN

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, the Sarpoza prison break in Kandahar proves that there is a serious problem with the government's policy on the transfer of detainees. For some time now, the NDP has been saying that, given the existing conditions, transferring detainees to Afghan authorities was a mistake. Canada is not complying with its international obligations. Now, in addition to allegations of torture, some 1,000 prisoners have escaped.

What will the government do to fix this problem?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the Canadian Forces always comply with their legal and international obligations. Yes, a serious incident occurred at the Sarpoza prison. That should be a reminder to the members of the House that the Taliban are a real threat. Our forces, the Afghan government and our allies are working on this incident.

[*English*]

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, the government has never been transparent over this issue of the transfer of detainees. For example, the number of detainees being transferred is not being updated. We have no way of knowing how many are being transferred. Proper monitoring is simply not being done when detainees are transferred. There are cases of torture, sexual abuse, corruption, and now we have seen an escape on a major scale.

The NDP has been pushing, along with Amnesty International and others, for the creation of a joint facility to keep Afghan detainees. Will the Prime Minister at least support this idea so that Canada can be sure to meet its obligations under international law?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, I will ask the NDP to explain the contradiction of wanting us out of Afghanistan but also to build permanent Canadian institutions there.

The reality is, as I just said, there was a very serious security incident at the Sarpoza prison. We are all aware of that. What that should remind everybody in this chamber of is how dangerous some of the prisoners in that prison are, indeed the danger of the Taliban that the local population and our Canadian Forces have to deal with every day. They should bring that appreciation to every member of the House and we should support our Canadian troops.

● (1430)

Hon. Bryon Wilfert (Richmond Hill, Lib.): Mr. Speaker, last week the Taliban broke hundreds of Afghan prisoners out of Sarpoza prison in Kandahar. While the Minister of National Defence was quick to blame our Afghan allies for the setback, he ignored reports from his government by Correctional Service Canada over a year ago. The service clearly told the government that securing the perimeter of the prison itself had to be an urgent priority.

Will the minister confirm that the government knew about these reports and continued to do nothing?

Hon. Peter MacKay (Minister of National Defence and Minister of the Atlantic Canada Opportunities Agency, CPC): Quite the contrary, Mr. Speaker. As the Prime Minister has just alluded to, the Canadian Forces continue to distinguish themselves each and every day that we are in Afghanistan.

This prison break was a very serious security breach, as everyone knows, as the member is aware. As soon as we heard of this break, Canadian Forces were deployed. They immediately arrived on the scene with efforts to cordon the area. We continue to make every diligent effort to provide security in Afghanistan so reconstruction and development can continue to take place in that war-torn country.

Hon. Bryon Wilfert (Richmond Hill, Lib.): Mr. Speaker, the accountability of our troops is not in question. It is the accountability of the government in knowing about this report.

When the House voted for the Afghan mission, we were promised more accountability, but again the government failed. Although the government knew about the problems facing Sarpoza prison, it did not do anything about it.

How many of these prisoners who broke out and are now at large threatening our troops were originally captured by Canadian Forces personnel in Afghanistan? What is the government doing in conjunction with our allies and with the Afghan authorities to ensure that they are rounded up?

Hon. Peter MacKay (Minister of National Defence and Minister of the Atlantic Canada Opportunities Agency, CPC): Mr. Speaker, with regard to transparency, I would remind the member opposite that during our time in government we have now had 28 technical briefings. Under the Liberals' administration, there was one. We have answered questions here in the House of Commons. We have provided appearances by ministers before committees.

With respect to his question, we continue to work with the ISAF members of this mission. We continue to work diligently to train up, to provide the Afghan forces to build their capacity. That is our role. We are there to ensure that Afghans will eventually be able to provide security and sovereignty for their own country and rid the land of this insidious insurgency known as the Taliban.

* * *

[*Translation*]

VETERANS

Mr. Brent St. Denis (Algoma—Manitoulin—Kapuskasing, Lib.): Mr. Speaker, last week, I asked the minister responsible for veterans when this government will take action on the issue of post-traumatic stress disorder which is affecting Canada's newest generation of veterans.

The current system is not working. When will the government actually put money toward treating PTSD?

[*English*]

Hon. Greg Thompson (Minister of Veterans Affairs, CPC): Mr. Speaker, our plan is working. When we took office a little over two years ago, we immediately put funding into that. We in fact are doubling the clinics the Liberals had on their shift. We have doubled what they were doing. We are getting the job done. We made those announcements across the country. The latest announcement was in Fredericton, New Brunswick.

Mr. Brent St. Denis (Algoma—Manitoulin—Kapuskasing, Lib.): Mr. Speaker, anyone who has actually talked to veterans in this country about this serious problem will tell you that we are simply not doing enough to help. Recent reports of our soldiers being told to ignore incidents of sexual assault in Afghanistan of civilians, some by Afghan soldiers, have only made matters worse. Already many of our soldiers come home with PTSD. Now we add this latest terrible twist.

When will the government do something to help our soldiers by taking these matters seriously?

Hon. Peter MacKay (Minister of National Defence and Minister of the Atlantic Canada Opportunities Agency, CPC): Mr. Speaker, we of course take these matters very seriously. These incidents are deeply disturbing. Just prior to coming to question period, I again spoke with leaders within the office of the head of the army. We want to ensure that all Canadian soldiers continue to follow Queen's regulations and orders, and that is to report any allegation of any unlawful act that they might see in the course of their duty. By all means we are looking into these allegations, just like those in the past. These are serious allegations and we will get to the bottom of them.

* * *

● (1435)

[*Translation*]

PUBLIC SAFETY

Mr. Serge Ménard (Marc-Aurèle-Fortin, BQ): Mr. Speaker, despite all that was uncovered in recent weeks, the Prime Minister is continuing to trivialize the Couillard affair. Just this weekend, we learned that, out of the blue, Julie Couillard found a passion for security services and even managed to meet with the head of the transport security agency.

Does the Prime Minister not find it troubling that a security firm whose top man is heavily indebted to organized crime managed, with Julie Couillard, to get to the heart of Canada's airport security system?

[*English*]

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, I will remind the House that the meeting that took place and the incident being discussed occurred under the previous government. That being said, I understand there was no contract issued in that regard so there is very little to be concerned about.

[*Translation*]

Mr. Serge Ménard (Marc-Aurèle-Fortin, BQ): Mr. Speaker, the Prime Minister refused to take seriously any ties between Julie Couillard and organized crime. He has stubbornly refused to see Julie Couillard's efforts to infiltrate his party through members of his cabinet and their political staff. Now the Prime Minister is continuing to trivialize organized crime efforts to infiltrate airport security.

Will the Prime Minister recognize that he has done everything in his power over the past weeks to sweep the Couillard affair under the rug so as to hide his own incompetence, but was unsuccessful?

[*English*]

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, again this is something that took place under the Liberal government, but I will advise the member, for his information, that CATSA performs security checks on companies that are awarded contracts and have access to classified information. Of course, the companies in question here were never awarded any contracts, and as a result, there are no security concerns of any type.

* * *

[*Translation*]

COURT CHALLENGES PROGRAM

Mr. Réal Ménard (Hochelaga, BQ): Mr. Speaker, the Prime Minister is now backpedalling on eliminating the court challenges program. By proposing an out of court settlement, he is recognizing that the ideology-driven cuts made in 2006 were irresponsible. We are also hearing not only that the agreement could reduce the scope of the program, but also that the program would now apply only to official language minorities.

Can thePrime Minister confirm these rumours?

Hon. Josée Verner (Minister of Canadian Heritage, Status of Women and Official Languages and Minister for La Francophonie, CPC): Mr. Speaker, an agreement has in fact between reached by the two parties, to their satisfaction. We have agreed to keep the terms and conditions of the agreement confidential. When it is possible, we will make them public.

Mr. Réal Ménard (Hochelaga, BQ): Mr. Speaker, the Conservatives have gone half way by saying they made a mistake with this program, but they still have to acknowledge that it is not just French-Canadians and Acadians who have been affected by the budget slashing by Conservative ideologues; it has also had an impact on advocacy groups for women, gay men and lesbians, people with disabilities and other groups for whom the Conservatives have no sympathy.

What is the government waiting for to restore the program funding for all those groups?

Hon. Josée Verner (Minister of Canadian Heritage, Status of Women and Official Languages and Minister for La Francophonie, CPC): Mr. Speaker, the government has agreed to keep the terms and conditions of the agreement confidential. When it is possible, we will disclose the content.

[*English*]

ETHICS

Hon. Dominic LeBlanc (Beauséjour, Lib.): Mr. Speaker, Stevan Pausak, one of Canada's top audio experts, said someone hired him to analyze the recording where the Prime Minister talks about financial considerations offered to Chuck Cadman in exchange for his vote. Mr. Pausak said he was approached a long time ago.

We know the Conservatives hired two audio experts and now possibly a third. Can the government clarify how many audio experts it had to retain until it received the answer it wanted?

Mr. James Moore (Parliamentary Secretary to the Minister of Public Works and Government Services and for the Pacific Gateway and the Vancouver-Whistler Olympics, CPC): Mr. Speaker, the two audio experts that we hired are Tom Owen and Allan Gough.

My hon. colleague from Beauséjour can ignore the facts all he wants, but the facts are very clear about what these audio experts said. They said, “The tape has been edited and doctored” to misrepresent the event as it actually occurred. That is what the experts said.

The Liberals can continue to mislead on this issue, but the facts are very clear. If the Liberals want to ignore them, that is fine. They have been caught using a doctored tape. They have been caught misleading Canadians. They have been caught falsely accusing the Prime Minister of this country of a crime. We will see them in court.

[*Translation*]

Hon. Dominic LeBlanc (Beauséjour, Lib.): Mr. Speaker, it is strange that the Conservatives have offered up their “expert audio analysis” months after the allegations were made.

One of Canada’s top audio experts, Stevan Pausak, says someone hired him a long time ago to analyze the recording where the Prime Minister talks about “financial considerations”.

How many experts did the Conservatives shop the recording around to until they got the answer they wanted?

● (1440)

Mr. James Moore (Parliamentary Secretary to the Minister of Public Works and Government Services and for the Pacific Gateway and the Vancouver-Whistler Olympics, CPC): Mr. Speaker, the question is exactly the same in French and English. My colleague can look at the answer I have just given in English.

[*English*]

I would invite my colleague from Beauséjour to check his mail. He asked the RCMP to look into this. The Liberals gave the RCMP everything that they had on this. Here is what the RCMP said: There is “no evidence to support a charge under the Criminal Code or under the Parliament of Canada Act”. There is no evidence.

Do you know why there is no evidence, Mr. Speaker? This is as clear an example of Occam's razor as anybody has ever seen. There was no wrongdoing. The simplest explanation stands. There was no wrongdoing. The Liberals should listen to the RCMP, drop their false charge and apologize to the Prime Minister.

* * *

ELECTION FINANCING

Ms. Bonnie Brown (Oakville, Lib.): Mr. Speaker, at the heart of the in and out scandal is Elections Canada's finding that Conservative candidates filed expense claims that they ought to have known were false and misleading. Not a single contract exists between any candidate and the company that handled the ad buys. Worse, it appears that invoices were forged after the fact to try to cover up the original crime.

When will the Conservatives simply come clean, admit they broke the law, and drop the frivolous court case against Elections Canada?

Mr. Pierre Poilievre (Parliamentary Secretary to the President of the Treasury Board, CPC): Mr. Speaker, as I have mentioned before, Conservative candidates spent Conservative funds on Conservative ads. They got financial assistance from the national party to do so. Elections Canada found out about this because we told it. Why would we not? After all, it is legal and all parties do it.

Elections Canada singled us out so we took it to court. One day before Elections Canada officials were to be questioned, they interrupted proceedings by barging into our office with Liberal cameras following soon behind. We find this very unusual and we will continue to press our case.

Ms. Bonnie Brown (Oakville, Lib.): Mr. Speaker, that member should follow the *Ottawa Citizen*'s advice and step aside.

The Conservatives even tried to gouge their own candidates by telling them to bill for amounts above and beyond the actual costs. In a December 14, 2005 email, Michael Donison of the Conservative Party staff suggests billing candidates set amounts even though “the actual media buy for that region will be less”. That is fraud.

Why does the government insist on defending what is so clearly indefensible?

Mr. Pierre Poilievre (Parliamentary Secretary to the President of the Treasury Board, CPC): Mr. Speaker, Conservative candidates spent Conservative funds on Conservative advertising. They got financial assistance to do so from the national party. Elections Canada found out about this because we told it. Why would we not? After all, it is legal and all parties do it.

Elections Canada singled us out, so we took it to took to court. Elections Canada interrupted those proceedings one day before being questioned, by barging into our office, followed quickly behind by Liberal cameras. We find this very unusual, so we will continue to press our case.

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NOT FOR PROFIT INDUSTRY

Mr. Dave Van Kesteren (Chatham-Kent—Essex, CPC): Mr. Speaker, not for profit organizations play an important role in building a stronger Canada. They are significant contributors to our economy.

On Friday, the government tabled a bill, the Canada not-for-profit corporations act.

Could the Secretary of State (Small Business and Tourism) explain why the legislation is important and how it will contribute to reduce paper burden on business?

Hon. Diane Ablonczy (Secretary of State (Small Business and Tourism), CPC): Mr. Speaker, the new act would modernize the not for profit sector. The old act is from 1917. New measures would promote accountability, better protect the rights of members and clarify responsibilities of directors. This would enhance public trust in a sector, which includes national business associations and charities, like the United Way and the Canadian Federation of Independent Business. The new act would help reduce the regulatory and paper burden.

The new act would mean that not for profits would spend less time and money on red tape and more time on what they do best, which is help deliver important services to Canadians.

* * *

● (1445)

HEALTH

Ms. Judy Wasylycia-Leis (Winnipeg North, NDP): Mr. Speaker, lead and lead compounds are prohibited ingredients in cosmetics in Canada for good reason. Lead is a neurotoxin that can cause cancer or reproductive toxicity. Yet the government will not disclose which brands of lipstick actually contain lead.

Why is the government hiding the truth from Canadians?

Mr. Steven Fletcher (Parliamentary Secretary for Health, CPC): Mr. Speaker, Health Canada monitors the levels of lead or any other toxins in any material. I can tell the member that the levels are within safe criteria.

My question, though, is this. Why does the Liberal leader want to increase the cost of cosmetics due to his carbon tax?

Ms. Judy Wasylycia-Leis (Winnipeg North, NDP): Mr. Speaker, this is a serious health issue. Evidence shows that there are brands of lipstick that contain beyond any acceptable level of lead or a lead compound. Therefore, we are simply asking the government this. Why will it not even reveal the names of the lipstick brands that have levels of lead that are toxic. Why does it not give Canadians the information they need so at least they can protect their own health?

Oral Questions

Mr. Steven Fletcher (Parliamentary Secretary for Health, CPC): Mr. Speaker, Health Canada is continuously monitoring the safety of products, but what Health Canada will not do is put a carbon tax on cosmetics or any other health products.

It is important that Canadians get the health products they deserve at a reasonable price. That is why we, as a government, will ensure that Canadians have the maximum amount of money in their pockets so they can take care of themselves.

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GOVERNMENT APPOINTMENTS

Hon. Geoff Regan (Halifax West, Lib.): Mr. Speaker, this will be the last week the Treasury Board president sits as a member of Parliament, since this summer he will be appointed a judge in Manitoba. This move will open up a Conservative riding and solve a messy political problem for the Prime Minister, while also giving the Treasury Board president a soft landing and a golden parachute.

However, why are the taxpayers of Manitoba being sent the bill for removing the Prime Minister's political embarrassment?

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, I thank the hon. member for his advice on judicial appointments. Again, we never discussed that subject.

However, I can tell members that I am very proud of the 165 outstanding individuals who have been appointed by this government. I can assure him that we will continue to make appointments of the calibre and the quality that we have made in the past.

Hon. Geoff Regan (Halifax West, Lib.): Mr. Speaker, the Treasury Board President selected the panel that would recommend the appointment. He is the regional minister who will approve the appointment. He is a member of the cabinet that will make the appointment.

Does his lordship not see a conflict?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, we all—

Some hon. members: Oh, oh!

The Speaker: Order, please. The right hon. Prime Minister has the floor. We will have some order so the member for Halifax West can hear the response.

Right Hon. Stephen Harper: Mr. Speaker, first, we all know the former minister of justice is doing an excellent job as President of the Treasury Board.

Second, literally everything in that question is complete nonsense. It just shows to what degree the Liberal Party will go to avoid any discussion about the economy and its plans to impose a new tax on everything.

* * *

CANADA-U.S. RELATIONS

Hon. Navdeep Bains (Mississauga—Brampton South, Lib.): Mr. Speaker, as John McCain prepares to come to Ottawa, we are reminded how the Conservative government refuses to answer questions surrounding an investigation of the NAFTA-gate leaks.

Frank Sensenbrenner, a Republican operative embedded inside the Canadian embassy, has been fingered as the potential source of the leaked memo, which has damaged both Barack Obama's campaign and Canada's international reputation.

Could the government tell us why Frank Sensenbrenner was never interviewed?

● (1450)

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, this is a remarkable lineup that the Liberals have put up in question period. I do not know how many questions we have had and not a single question that touches on public policy.

We had a question that I thought for a moment might be about NAFTA and the importance of NAFTA to the Canadian economy. We know those members do not want to talk about a strong Canadian economy and they do not want to talk about their carbon tax. However, they should at least take the time to look at the report of the Clerk of the Privy Council on this, in which he has found there is no evidence that any classified information was disclosed by the Prime Minister's Office and that none of the concerns he raises repeatedly in the House on this matter have any basis. Not once has he apologized for his false allegations.

Hon. Navdeep Bains (Mississauga—Brampton South, Lib.): Mr. Speaker, let me read from the report that the House leader is hiding behind. It says:

> During the course of the investigation, the names of a few U.S. citizens who were not employed by the Government of Canada were raised as having been possibly in contact with Canadian officials with access to the report....interviewing these U.S. citizens was beyond the scope of this investigation...

How can we trust the results of an investigation that did not even interview the key suspects?

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, the difficulty and the problem was the document was circulated by an official at foreign affairs to over 200 email addresses, many of which were outside the foreign affairs department.

What the report did was make very significant suggestions on how the processes could be improved, on how documents should have the appropriate classification and how circulation should be a little more tight.

None of that has anything to do with the false allegations he has continued to make. I call upon him to apologize to the Prime Minister's chief of staff for repeatedly making those false accusations. He has never once even acknowledged they were false.

* * *

[*Translation*]

FILM FESTIVALS IN QUEBEC

Mr. Pierre Paquette (Joliette, BQ): Mr. Speaker, Telefilm Canada's new criteria ignore Quebec film industry's reality by requiring more Canadian content as a condition for film festivals to get funding. Because Quebec's feature films are released throughout the year, Quebec's film festivals will not be able to meet the required standards.

Does the Minister of Canadian Heritage, Status of Women and Official Languages realize that Telefilm Canada's criteria are threatening the survival of film festivals in Quebec?

Hon. Josée Verner (Minister of Canadian Heritage, Status of Women and Official Languages and Minister for La Francophonie, CPC): Mr. Speaker, after being here in Ottawa for 17 years, what has the Bloc been able to bring to the Quebec film industry? What has the Bloc been able to bring to Quebec's festivals? Nothing.

Our government is committed to film festivals and to our film industry, and will continue to be.

Mr. Pierre Paquette (Joliette, BQ): Mr. Speaker, after 141 years in this Parliament, the Conservatives have yet to do something for Quebec, and this continues to be the case today.

The whole Quebec's cultural community is condemning the Conservatives' abysmal ignorance of the Quebec film industry. The Conservative ideology is simply not in accord with Quebec's culture. In fact, as is the case with the issue of community organizations' economics, the Conservatives are totally disconnected from the Quebec reality and the Quebec nation.

Will the minister ensure that Telefilm Canada's funding criteria will not unduly penalize Quebec's film festivals?

Hon. Josée Verner (Minister of Canadian Heritage, Status of Women and Official Languages and Minister for La Francophonie, CPC): Mr. Speaker, once again, we are talking about 17 years of unfulfilled projects for the Bloc. This is the Bloc's anniversary, and empty hands is all that it has to show for it.

Last week, I was in Quebec City to inaugurate the airport. The Conservatives members of the Quebec City region had made a commitment in that regard, and they made good on their promise.

* * *

FIREFIGHTERS

Mr. Marcel Proulx (Hull—Aylmer, Lib.): Mr. Speaker, on October 26, 2005, this honourable House passed a motion recommending that the government erect a monument displaying the names of all firefighters killed in the line of duty. The contribution firefighters make to our communities should be honoured. These women and men face danger each time they fight a fire in order to save our possessions and often our life.

Will the Minister of Canadian Heritage, Status of Women and Official Languages agree to honour the firefighters who have died while serving our communities? Will she agree to erect a monument honouring firefighters killed in the line of duty?

● (1455)

[*English*]

Hon. John Baird (Minister of the Environment, CPC): Mr. Speaker, we cannot do enough to honour the great contribution of firefighters and emergency personnel from right across the country. They do a great job in our communities and this government is committed in doing anything we can to help honour the great work they do for Canadians each and every day.

THE ENVIRONMENT

Mr. Mike Wallace (Burlington, CPC): Mr. Speaker, our government is serious about cleaning up the air we breathe and improving the health of Canadians.

We brought forward tough new emission standards to reduce air pollution from cars, launched a national vehicle scrappage program to get smog producing cars off the road and put limits on smog producing chemicals in every day products.

Could the Minister of the Environment tell the House what other clean air initiatives the government has taken?

Hon. John Baird (Minister of the Environment, CPC): Mr. Speaker, last year the government announced a national air quality health index pilot project. This year we are taking it right across the country. We believe we have an important responsibility to inform Canadians and to help ensure that the air they breathe is of much better quality than it is now.

The response of stakeholders has been great. The Canadian Cancer Society, the Canadian Lung Association and the Heart and Stroke Foundation have said that our announcement is good news for Canadians.

* * *

[*Translation*]

COURT CHALLENGES PROGRAM

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, ever since the court challenges program was eliminated, communities have been fighting this government to get it fully restored. The NDP will fight to the finish. We will not accept some second-class program patched together to keep the official language minority communities quiet.

Did the government negotiate some agreement on the cheap semi-restoring the court challenges program? When will it be made public?

Hon. Josée Verner (Minister of Canadian Heritage, Status of Women and Official Languages and Minister for La Francophonie, CPC): Mr. Speaker, our government is very proud of the agreement concluded with the Fédération des communautés francophones et acadienne du Canada. When the terms and conditions of the agreement can be announced, we will be pleased to do so.

That being said, the two parties have agreed to keep the terms and conditions confidential.

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, the Conservatives got the communities on the ropes, bowled them over and beat them. They tried to force a cheap agreement down the throats of minorities.

Did the government negotiate an agreement restoring the court challenges program for the official language minority communities but intentionally excluding other minorities such as the disabled, women, and gay men and lesbians? Why do the Conservatives want to create second-class citizens?

Hon. Josée Verner (Minister of Canadian Heritage, Status of Women and Official Languages and Minister for La Francophonie, CPC): Mr. Speaker, in addition to growing red from shouting, the hon. member for Acadie—Bathurst should blush from shame because the agreement between the FCFA and our government was mutually agreed to by the parties.

In addition, our government announced another $30 million for the communities—that is $30 million for the communities and their particular projects.

* * *

[*English*]

CANADIAN HERITAGE

Mr. Marcel Proulx (Hull—Aylmer, Lib.): Mr. Speaker, the Canadian Fallen Firefighters Foundation has submitted a funding application to the Minister of Canadian Heritage and is willing to contribute 25% of the total funding needed. Furthermore, a site has been identified for this memorial at LeBreton Flats. The foundation will be holding its fifth memorial ceremony on September 14.

Will the heritage minister, who has been sitting on the application for over a year, work with the foundation to announce the planned monument before the 2008 memorial ceremony?

[*Translation*]

Hon. John Baird (Minister of the Environment, CPC): Mr. Speaker, it is impossible to say enough about our firefighters all across Canada. They do very important work for our communities and our country. I know that my colleague, the Minister of Canadian Heritage, Status of Women and Official Languages has received an application. She will await the fine work that our public servants do to provide their views and work together with them on this matter.

* * *

[*English*]

HUMAN RESOURCES

Mr. James Rajotte (Edmonton—Leduc, CPC): Mr. Speaker, we know the nature of the job market is changing in Canada and our demographics are changing dramatically as well. We see certain sectors of our economy struggling while other sectors are booming, with labour shortages in almost every region of the country.

Clearly we need to prepare our young people to become the highly skilled and flexible workforce that will be critical to Canada's economic success in the coming years.

Last week the OECD released a report on jobs and youth. Could the Minister of Human Resources and Social Development tell us how Canada compares to other countries with respect to training and education for youth and what our government is doing to further advance these critical issues?

● (1500)

Hon. Monte Solberg (Minister of Human Resources and Social Development, CPC): Mr. Speaker, the OECD lauded Canada for its efforts to help young people enter the workforce. Today they are employed at record levels. The incidences of long term unemployment are at record lows.

The good news is that, because of the new Canada student grant, no student in the future will ever be denied the chance to go to college, tech school or university. This government is getting the job done for Canada's young people.

* * *

[*Translation*]

NOT FOR PROFIT INDUSTRY

Ms. Louise Thibault (Rimouski-Neigette—Témiscouata—Les Basques, Ind.): Mr. Speaker, many Quebec stakeholders, the UMQ, Minister Bachand and the two federal ministers responsible for the western and Atlantic economic development agencies believe that NPOs have a role to play in the development of the regions and should be funded by Economic Development Canada. The Minister of the Economic Development Agency of Canada for the Regions of Quebec believes that his government should stop funding NPOs and even believes—he has said it loud and clear—that they just get in the way.

Will the Prime Minister make his minister listen to reason and ensure that he stops digging in his heels?

Hon. Jean-Pierre Blackburn (Minister of Labour and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr. Speaker, once again, I would like to remind this House that we will be maintaining funding for economic development organizations for their one-off projects. The funding we will be providing will remain in the region concerned and will allow us to contribute to the development and diversification of the economic activity in those regions.

I would like to remind my colleagues that, after the budget, the Government of Quebec had an additional $1.6 billion, which generated $242 million for the Quebec minister of economic development. He is in a position to make the appropriate decisions in this regard.

* * *

[*English*]

ABORIGINAL AFFAIRS

Mr. Todd Russell (Labrador, Lib.): Mr. Speaker, one of the painful facts flowing from the sad legacy of residential schools is that some of the victims have never been included in any settlement or apology.

The schools at Île-à-la Crosse and Timber Bay in Saskatchewan are clear examples. There are many others across the country like those in Newfoundland and Labrador.

Despite which government may have originally created them, federal or provincial, the Prime Minister specifically promised compensation. He did so explicitly and repeatedly and then denied it.

When, specifically, will the government deliver specifically what the Prime Minister promised to do for Île-à-la Crosse and others?

Hon. Chuck Strahl (Minister of Indian Affairs and Northern Development and Federal Interlocutor for Métis and Non-Status Indians, CPC): Mr. Speaker, we were delighted last week with the apology on June 11. This will go down as a very historic day in Canada. It was the first time ever that a full, sincere and meaningful apology was given by the Prime Minister of this country on behalf of the nation for this sad legacy of residential schools.

The residential schools agreement that preceded this, which is something this government signed but which was never signed by any previous government, enforced a court ordered procedure about which schools were in and which schools were out. It also has an appeals process so other residents could add schools or appeal the process as they wish.

* * *

AFGHANISTAN

The Speaker: There have been discussions among representatives of all parties in the House.

[*Translation*]

I invite the hon. members to stand to observe a moment of silence in memory of the Canadian soldier who lost his life recently in Afghanistan.

[A moment of silence observed]

ROUTINE PROCEEDINGS

● (1505)

[*English*]

GOVERNMENT RESPONSE TO PETITIONS

Mrs. Lynne Yelich (Parliamentary Secretary to the Minister of Human Resources and Social Development, CPC): Mr. Speaker, pursuant to Standing Order 36(8) I have the honour to table, in both official languages, the government's responses to six petitions.

* * *

COMMITTEES OF THE HOUSE

FINANCE

Mr. Rob Merrifield (Yellowhead, CPC): Mr. Speaker, I have the honour to present to the House, in both official languages, the ninth report of the Standing Committee on Finance in relation to Bill C-219, An Act to amend the Income Tax Act (deduction for volunteer emergency service), with amendments.

PUBLIC ACCOUNTS

Hon. Shawn Murphy (Charlottetown, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the following report of the Standing Committee on Public Accounts: the 18th report, chapter 4, Canadian Agricultural Income Stabilization, Agriculture and Agri-Food Canada of the May 2007 report of the Auditor General of Canada.

HUMAN RESOURCES, SOCIAL DEVELOPMENT AND THE STATUS OF PERSONS WITH DISABILITIES

Mr. Dean Allison (Niagara West—Glanbrook, CPC): Mr. Speaker, I have the honour to present, in both official languages, the eighth report of the Standing Committee on Human Resources, Social Development and the Status of Persons with Disabilities entitled “Strengthening the Employment Insurance Premium Rate-Setting Process”.

Pursuant to Standing Order 109, the committee requests that the government table a comprehensive response to the report.

GOVERNMENT OPERATIONS AND ESTIMATES

Hon. Diane Marleau (Sudbury, Lib.): Mr. Speaker, I have the honour to present, in both official languages, a report of the Standing Committee on Government Operations and Estimates entitled “Passport Canada: A Model to be Reviewed”.

This is a report on the issuance of passports for Canadians across the country, in particular Canadians in regions who have no access to emergency passport services.

* * *

BILLS OF EXCHANGE ACT

Ms. Libby Davies (Vancouver East, NDP) moved for leave to introduce Bill C-564, An Act to amend the Bills of Exchange Act (rights of bill holders).

She said: Mr. Speaker, I am pleased to rise in the House today to introduce my private member's bill entitled, “An Act to amend the Bills of Exchange Act”.

The bill would prevent the cashing of cheques by a cheque-cashing business when a cheque has been cancelled by the person who wrote it. This would put the onus on the cheque-cashing business to ensure any cheques it is cashing have not had a stop-payment put on them.

As currently worded, the Bills of Exchange Act allows businesses, such as Money Mart, to successfully sue the issuer of a cheque cashed by a third party, even when a stop-payment order has been issued. There are dozens of cases on record and the problem is rooted in the Bills of Exchange Act that dates back to the 1890s.

My bill today is a much needed amendment to this flawed and outdated piece of legislation. I hope all members of the House will support this bill so we can put an end to this injustice and protect the rights of consumers.

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

* * *

CORPORATE SOCIAL RESPONSIBILITY OF MINING CORPORATIONS OUTSIDE CANADA ACT

Ms. Alexa McDonough (Halifax, NDP) moved for leave to introduce Bill C-565, An Act respecting Corporate Social Responsibility for the Activities of Canadian Mining Corporations in Developing Countries.

She said: Mr. Speaker, it is my pleasure to table a private member's bill to ensure that Canadian companies involved in mining operations abroad conduct themselves in compliance with the International Bill of Rights and international law.

The bill would require Canadian companies to report on their mining activities to an impartial, independent ombudsperson responsible to develop guidelines on best practices. The ombudsperson would submit an annual report to the House of Parliament on the provisions and operations of this act.

This is to try to move forward the corporate social responsibility file that was the subject of extensive work by the international human rights committee and the foreign affairs committee before a series of national round tables came out with a consensus report urging the government to take action.

Fifteen months have passed and we have had no response from the government on this report. I challenge the Prime Minister, before he goes to the G-8 and admits that nothing has been done on this file, to support this bill.

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

* * *

● (1510)

TOBACCO ACT

Ms. Judy Wasylycia-Leis (Winnipeg North, NDP) moved for leave to introduce Bill C-566, An Act to amend the Tobacco Act (cigarillos, cigars and pipe tobacco).

She said: Mr. Speaker, it is my privilege to present this bill to the House of Commons and recommend its serious consideration.

The bill would amend the Tobacco Act by closing the loophole that allows big tobacco to take advantage of young people by marketing products that are attractive, such as flavoured cigarillos that are sold individually on a cost effective basis and come without sufficient warning labels. We need changes to the Tobacco Act to close this loophole and ensure Canadians are protected to the maximum from this addictive product.

The bill would actually shut the door on flavoured tobacco products, would require cigarillos to be sold in packages of 20 instead of individually and it sets out warning label requirements as is now the case when it comes to cigarette products and packages.

I urge members to support this measure. I urge the government to take up this bill because these measures would discourage Canada's youth, the targets of these new products, from becoming smokers.

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

* * *

PENSION BENEFITS STANDARDS ACT, 1985

Mr. Pat Martin (Winnipeg Centre, NDP) moved for leave to introduce Bill C-567, An Act to amend the Pension Benefits Standards Act, 1985 (protection of the assets).

He said: Mr. Speaker, I am proud to introduce this bill on behalf of many members of pension plans. This bill would ensure members have guaranteed representation on boards of trustees so that members and beneficiaries are represented on trustee boards, pension committees and pension councils.

It would also provide, and this is what we call the Enron clause, that not more than 10% of the total value of assets in a pension plan may be held in securities issued by the company where the employees work or by a corporation associated with the company.

It also would prevent pension plan administrators and beneficiaries from being restricted in the sale of the employer's securities unless the directors and officers of the employer are similarly limited and, in any event, for not more than year.

Finally, to ensure that pension benefits are adequately cared for, it would require that information that affects or is likely to affect the value of the security be provided to pension plan administrators at the same time as it is provided to anyone other than the directors, officers, managers, et cetera, to prevent insider trading problems.

This is very important legislation to ensure that what happened to Enron employees in the United States does not happen to employees working for Canadian firms in this country.

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

* * *

[*Translation*]

PETITIONS

ANIMAL CRUELTY LEGISLATION

Mr. Marcel Proulx (Hull—Aylmer, Lib.): Mr. Speaker, I have the honour to present a petition to strengthen the regulations for transporting animals. The petitioners are calling on the government to bring the Health of Animals Act in line with the findings of the European Union's Scientific Committee on Animal Health and Welfare.

In particular, they are calling for a reduction in the transport time for certain types of animals, and for assurance that these regulations will be enforced. They are also asking that these amendments be made as quickly as possible.

[*English*]

JUSTICE

Mr. Bob Mills (Red Deer, CPC): Mr. Speaker, I rise today to present two separate petitions signed by the people of my riding of Red Deer.

The first petition is from citizens who are outraged with the violent beating of a 61-year-old apartment caretaker by repeat offender Leo Teskey.

● (1515)

HUMAN TRAFFICKING

Mr. Bob Mills (Red Deer, CPC): Mr. Speaker, the second petition refers to the trafficking of women and children across international borders for the purpose of sexual exploitation.

The petitioners demand that Parliament pass tougher laws regarding repeat and violent offenders and continues to work to combat trafficking of people worldwide.

CITIZENSHIP AND IMMIGRATION

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, I have three petitions today. The first one that I am pleased to table is a petition on behalf of hundreds of signatories in my riding of Hamilton Mountain who are concerned about the government's changes to the Immigration and Refugee Protection Act. The petitioners believe that these changes are deceptive, damaging and irreversible. They also do not believe that the changes will help to address the backlog of immigrants. Finally, they believe that the extraordinary power that this legislation gives to the Minister of Citizenship and Immigration is dangerous and that it will deny Parliament its crucial role in setting immigration policy.

The petitioners, therefore, call on the Government of Canada to abandon the changes to the Immigration and Refugee Protection Act and to deal with the immigration backlog instead by increasing staffing at overseas visa offices, stopping the expansion of the temporary foreign workers category, and increasing Canada's immigration target to 1% of the Canadian population. It is a privilege to table this petition on their behalf.

SENIORS

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, I am also pleased to table a petition that arises out of my national campaign to fight for fairness for ordinary Canadians and in particular for seniors who were shortchanged by their government as a result of an error in calculating the rate of inflation. The government has acknowledged the mistake made by Statistics Canada but is refusing to take any remedial action.

The petitioners call upon Parliament to take full responsibility for this error which negatively impacted their incomes from 2001-06 and take the required steps to repay every Canadian who has been shortchanged by a government program because of the miscalculation of the CPI.

The petitions are signed by hundreds of people from my hometown of Hamilton as well as Sudbury, Richmond, Ottawa, Kamloops and Saskatoon. The petitioners are all people who have worked hard all their lives and have played by the rules and now are finding it harder and harder to make ends meet. All they are asking for is a little bit of fairness from their government.

FILM INDUSTRY

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, finally, I am pleased to table a petition that is signed by residents of Ontario and British Columbia who are concerned about the role of the Minister of Canadian Heritage in promoting and defending Canadian cultural and artistic freedom. They believe that there should be no ability for the government, the Minister of Canadian Heritage, any office of government or government official to make subjective judgments concerning artistic content that limit the freedom of expression.

The petitioners call on Parliament to staunchly defend Canadian artistic and cultural expression, to rescind any provisions of Bill C-10 which allow the government to censor film and video production in Canada, and to ensure that the government has in place subjective and transparent guidelines that respect freedom of expression when delivering any program intended to support film and video production in Canada.

CANADA POST CORPORATION

Hon. Roy Cullen (Etobicoke North, Lib.): Mr. Speaker, I am very pleased to present a petition signed by a large number of people in the Toronto area who are very concerned about Canada Post policy to accelerate the installation of community mailboxes. They believe that Canada Post has not consulted very widely or fairly, that these community mailboxes create safety hazards, that they are often not accessible to seniors, that they are not accessible because of winter conditions, and that they create an environmental problem. They are asking that Canada Post reconsider this misguided policy.

ISRAEL

Mr. James Lunney (Nanaimo—Alberni, CPC): Mr. Speaker, a moment ago we had a moment of silence on behalf of a Canadian fallen soldier.

I present today petitions with some 10,000 signatures dealing with the troubling issue of missing soldiers in Israel. The petitioners acknowledge a petition of 10,000 signatures submitted to Parliament in 2001 on behalf of eight missing Israeli soldiers and the response in 2004 with three of the soldiers' remains being returned. They thank Canada for our intervention in that regard.

They also draw to our attention that there remains the status of Yehuda Katz, Tzvi Feldman, Zachary Baumel, Ron Arad and Guy Hever. They are still missing years after having disappeared. Also mentioned are Gilad Shalit, Ehud Goldwasser and Eldad Regev.

There are about 6,000 signatures asking the Canadian Parliament to do everything within our power to see that these remains are returned, and for Canada to continue its international efforts by putting pressure on those responsible for terrorism including Hezbollah and its state-sponsors of Lebanon, Syria and Iran.

● (1520)

FOREIGN AFFAIRS

Mr. James Lunney (Nanaimo—Alberni, CPC): Mr. Speaker, the final petition is for Eliahu Cohen, who was arrested, tortured, tried and convicted, and finally hung in Syria on May 15, 1965. There are nearly 4,000 signatures here asking for the remains of Eliahu Cohen to be restored to his family so that they may receive their shalom in this regard.

I would like to draw attention to Renanah Goldhar who has personally worked very hard to receive these petitions on behalf of the families of the missing soldiers.

[*Translation*]

AUTOMATED TELLER MACHINES

Mr. Thomas Mulcair (Outremont, NDP): Mr. Speaker, I have the honour to present a petition today in this House that calls on the government to put an end to customer abuse through automatic teller machines, specifically in regards to the charges the public must pay to access their own money.

[*English*]

It is an honour for me today to table a petition from a number of people, mostly in the Thunder Bay region of Canada, who want to make sure that the abusive ATM fees that are currently being charged by Canadian banks are eliminated when workers are trying to get access to their own money.

DARFUR

Mr. Ken Boshcoff (Thunder Bay—Rainy River, Lib.): Mr. Speaker, it is an honour for me today to stand and present this petition from Canadians for Action in Darfur.

The petitioners insist that Canada must act to stop the humanitarian catastrophe in Darfur. They outline that since 2003 over 400,000 people have been killed and 2.5 million people have been displaced. The petitioners also call upon the Canadian government to engage with the international community in whatever way is necessary to end these atrocities.

It is interesting that each signature on this petition represents 100 innocent citizens of Darfur who have been killed.

This is primarily the work of Mr. Dan Leroy from Canadians for Action in Darfur and his association. We thank them for their continued involvement and conscientious caring for the people of Darfur.

UNBORN VICTIMS OF CRIME

Mr. Ken Epp (Edmonton—Sherwood Park, CPC): Mr. Speaker, I am honoured to present again over 1,100 new names on a petition in support of the unborn victims of crime act.

These signatures come from right across the country and just a short sample: Fort St. John, British Columbia; Clarenville, Newfoundland and Labrador; Thunder Bay; and Ste-Agathe, Quebec.

These petitioners recognize that to force upon a woman the termination of her pregnancy through the death of her unborn child is the most grievous of violations of her reproductive freedoms.

NAHANNI NATIONAL PARK

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, I have two petitions to table this afternoon. The first petition is signed by a large number of Canadian citizens requesting that Parliament move quickly to expand the Nahanni National Park Reserve to protect the entire south Nahanni watershed and the Nahanni Karst lands, so as to secure this globally significant wilderness for future generations of Canadians and for the world.

VOLUNTEER SERVICE MEDAL

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, my second petition is signed by a large number of Canadian citizens who call upon the Government of Canada to recognize, by means of the issuance of a new Canadian volunteer service medal to be designated the Governor General's volunteer service medal, volunteer service by Canadians in the regular and reserve military forces, cadet corps, and support staff who are not eligible for the aforementioned medals and who have completed 365 days of uninterrupted honourable duty in the service of their country since March 2, 1947.

DARFUR

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, I am pleased to rise today and present petitions organized by Canadians for Action in Darfur. The petitioners call upon the government to engage with the international community in whatever way is necessary to stop the humanitarian catastrophe in Darfur.

NATIONAL PORTRAIT GALLERY

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, I have three petitions to present today. It is an honour to present to this Parliament a petition from residents, not only here in Ottawa but from right across the province and into Quebec as well. The petitioners want the government to do the right thing and locate the national portrait gallery in the nation's capital, as is the case in other nations.

DARFUR

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, I also wish to present a petition on the humanitarian catastrophe in Darfur, as some of my colleagues have. The petitioners call upon the government to engage with the international community in whatever way is necessary to end the atrocities that are occurring in Darfur. Each signature on the petition represents 100 innocent lives that have been taken in Darfur.

SECURITY AND PROSPERITY PARTNERSHIP

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, my third and last petition is a petition that calls on the Government of Canada to bring forward the security and prosperity partnership to Parliament in order to have democratic oversight on it.

● (1525)

INCOME TRUSTS

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I am pleased to present another income trust broken promise petition on behalf of a large number of residents of my riding of Mississauga South.

The petitioners would like to remind the Prime Minister that he promised never to tax income trusts, but he did break that promise by imposing a 31.5% punitive tax which permanently wiped out $25 billion of the hard earned savings of over 2 million Canadians, particularly seniors.

The petitioners, therefore, call upon the Conservative minority government to: first, to admit that the decision to tax these income trusts was based on flawed methodology and incorrect assumptions, as was shown in the finance committee; second, to apologize to those who were unfairly harmed by this broken promise; and, finally, to repeal the punitive 31.5% tax on income trusts.

S. O. 52

SPONSORSHIP PROGRAM

Mr. Gary Goodyear (Cambridge, CPC): Mr. Speaker, I have the honour to table a petition today. These petitioners ask that the House of Commons recognize its parliamentary duty to protect the taxes collected from Canadian citizens.

These petitioners are requesting that Parliament continue to investigate the location and possible allocation of the $40 million of taxpayers' money which mysteriously vanished under the Liberal Party of Canada during the sponsorship scandal.

DEMOCRATIC REFORM

Ms. Catherine Bell (Vancouver Island North, NDP): Mr. Speaker, I have the honour to present a petition signed by 239 constituents from my riding of Vancouver Island North.

These constituents are concerned about Canada's electoral system and the lack of participation. They are concerned that the electoral system was created so long ago that it has the ability to omit women, aboriginals and non-property owners who are disenfranchised. They are calling on the government to consult broadly and change our electoral system.

DARFUR

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, it is with sad regret that, as I have previously done and as have three of my colleagues done today, I present another petition from many people in Quebec, Ontario and Nova Scotia. These signatories, collected by Canadians for Action in Darfur, want to stop the humanitarian crisis in Darfur.

They note that since 2003, 400,000 people have been killed and 2.5 million have been displaced. They say that Canada has a responsibility to work with the international community to end these atrocities and they want us to know that each signature on this petition represents 100 innocent murdered persons in Darfur.

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QUESTIONS PASSED AS ORDERS FOR RETURNS

Mrs. Lynne Yelich (Parliamentary Secretary to the Minister of Human Resources and Social Development, CPC): Mr. Speaker, if Question No. 263 could be made an order for return, this return would be tabled immediately.

The Speaker: Is that agreed?

Some hon. members: Agreed.

[*Text*]

Question No. 263—**Mr. Bill Casey**:

With regard to the pension claw backs alleged to be affecting both Canadian Forces (CF) veterans and retired members of the RCMP: (*a*) did the government ever make promises to CF personnel in 1965, 1968 or in 1971 that no person would receive less after the amalgamation of the Canada Pension Plan (CPP) and the Superannuation at age 65 and prior to superannuation reduction; (*b*) can the government confirm that public service members, who contributed to superannuation, prior to January 1, 1966 enjoy specific protections within the Superannuation Act with regard to their pensions; (*c*) is the same protection for public service members as discussed in (*b*), extended to CF veterans and retired members of the RCMP, or have these groups been excluded from this protection; (*d*) in the years following 1966, were superannuates awarded full and indexed CPP benefits despite having contributed for a very short time; (*e*) if it can be confirmed that there is not the same protection for CF Members and retired RCMP members that public service members currently enjoy within the Superannuation Act, is the government prepared to make the corrections required to make the law more equal for all three groups; (*f*) if the government is not prepared to make the corrections, why not; (*g*) how has the government acted to alleviate the concerns of retired CF Veterans and RCMP members who believe that their pensions have been clawed back because of the integration of the CPP with their pensions in 1966; (*h*) what steps has the government taken to explain or clarify their pension policies to specifically address the claw back concerns of CF veterans and retired RCMP members; (*i*) with regards to (*f*) what groups or veterans associations has the government communicated with in regards to the pension claw back issues, with the goal of addressing the concerns of these groups, from 2000 to the present day; (*j*) in 1966, when the CF and RCMP Superannuation plans were reportedly coordinated with the CPP, how were members of the CF and RCMP members notified or briefed on the effects or benefits of such a policy change on individual pensions; (*k*) what recommendations has the government considered, since 2000, to change the CPP-related reduction calculation contained in the three primary federal public sector pension plans, including the CF Superannuation Act and the RCMP Superannuation Act, to address the concerns of CF veterans and retired RCMP members that they are losing an amount of pension income because of current policy; (*l*) does the government intend to meet with national organizations representing veterans and retired RCMP members in 2008 to work on ways to reduce or alleviate their concerns about the alleged pension claw backs and, if so, when are meetings planned, and for what cities in Canada; and (*m*) how many messages have been received by the Minister of National Defence from veterans, requesting that he personally become involved in terminating the benefit reduction formula being allegedly applied to the pension annuities of the CF veterans and retired RCMP members?

(Return tabled)

[*English*]

Mrs. Lynne Yelich: Mr. Speaker, I ask that all remaining questions be allowed to stand.

The Speaker: Is that agreed?

Some hon. members: Agreed.

* * *

REQUEST FOR EMERGENCY DEBATE

WEST COAST SALMON FISHERY

The Speaker: The Chair has notice of a request for an emergency debate from the hon. member for Vancouver Island North. I will hear the hon. member now.

Ms. Catherine Bell (Vancouver Island North, NDP): Mr. Speaker, as you know, I requested an emergency debate and was denied. My hon. House leader also requested a take note debate, but the government is denying all take note debates. Therefore, because this is such an urgent issue in British Columbia, I am once again requesting an emergency debate to highlight the issue of the disappearing Pacific salmon.

Overall, abundance is down. On the Skeena River, diverse salmon stocks are in such dire straits that harvest would have to be cut by 50% just to save them. On the Fraser River, 94 first nations bands, totalling 50% of all first nations people in British Columbia, have been told to ration their catch. On the west coast of Vancouver Island, fishermen will see their harvest cut by 30% this year, and I just learned that yesterday the Fraser chinook will be closed for this summer.

Chinook in the Fraser and Thompson and coho in the Upper Fraser are low. The Cowichan River had returns in the hundreds instead of in the usual thousands, and there are many more rivers and streams that have virtually no returns.

Conservation measures are kicking in under the wild salmon policy, but they do not address why the salmon are in peril. In question period last week, the Minister of Fisheries and Oceans agreed with me that this is a crisis, a serious situation, and that I was not exaggerating the significance of this issue.

I truly want to strongly emphasize the importance of this issue for the people of British Columbia, for our coastal communities, for first nations people, for all fishermen, for habitat restoration groups, but especially for the salmon.

● (1530)

The Speaker: I must say the Chair appreciates the fact that the hon. member put arguments on this matter before us last week and I have now had an opportunity in effect to review the arguments and hear further submissions on the point.

I do not deny that there is a problem in the salmon fishery on the west coast. There is no question about that. The difficulty is whether it constitutes an emergency for the purposes of an emergency debate since it is, in my view, a longstanding problem, one we have had for some time now that is perhaps getting worse but has been there for awhile.

Based on what I have heard today, again, I feel I must say that I do not believe that a request meets the exigencies of the Standing Order at this time, and accordingly I am inclined to decline the request at this time.

GOVERNMENT ORDERS

[*Translation*]

CANADA ELECTIONS ACT

The House resumed consideration of the motion that Bill C-29, An Act to amend the Canada Elections Act (accountability with respect to loans), be read the third time and passed.

The Speaker: Before question period, the hon. member for Montmorency—Charlevoix—Haute-Côte-Nord had the floor for questions and comments following his speech.

Questions and comments. The hon. member for Yukon.

[*English*]

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, I cannot remember if the member referred to it in his speech, but I would ask him to repeat the rationale for how to deal with the problem of a person running for office who incurs debts that people do not know about, with those debts then becoming the responsibility of the local or national party. If a new candidate for the Bloc Québécois were to incur a lot of debt that the party does not know about and the party has to pay for it, is there any precedent for that elsewhere in life?

My other question is related to the financing and to allowing only chartered financial institutions to provide the financing. Does that

then give them a more favoured position in that they are the only ones that can provide the loan financing?

[*Translation*]

Mr. Michel Guimond: Mr. Speaker, it is a shame that there are only three or four minutes left in the debate. I almost wish I could seek unanimous consent to talk about this for another 20 minutes, but I will be reasonable.

I will explain to my colleague that the problem stems from the fact that a local candidate could incur expenses to get nominated or elected, expenses that the party could be completely unaware of, expenses that could be considerable. The individual could declare bankruptcy, and the party would be liable for the debt.

My colleague is a member of the Liberal Party. There will be 308 candidates in the next election. Some of them might end up spending excessive sums of money to get their nominations.

Why should the party be responsible for expenses that it did not even know about? That is the problem.

I see that my colleague, the member for Hull—Aylmer, is here. I managed to get an amendment in the committee to raise this absurd possibility. Unfortunately, we have to go back to the original starting point as it was set out in Bill C-29 at first reading.

Mr. Marcel Proulx (Hull—Aylmer, Lib.): Mr. Speaker, I would like to ask my colleague to explain once again, however briefly in the time that remains, the negative impact of this. I realize that his answer will have to be brief, but so is my question.

As members of the Standing Committee on Procedure and House Affairs, we worked on this issue together, and I think that my colleague should have a chance to explain this once again, however briefly, because it is of utmost importance that everyone understand his point of view on this.

● (1535)

Mr. Michel Guimond: Mr. Speaker, in law, this is what we call the principle of surety. A guarantor is responsible for the debts incurred by a third party. We wonder why, if the guarantor did not witness the expenses—in this case, the political party did not witness the ineligible expenses—it should be held responsible for expenses made unbeknownst to it by a third party.

Ms. Louise Thibault (Rimouski-Neigette—Témiscouata—Les Basques, Ind.): Mr. Speaker, I am pleased to take this opportunity to present my general views on this bill, and on what accountability with respect to loans means.

Of course, I cannot imagine that many people here would be opposed to tighter controls. Personally, I am very much in support of a strict control of election expenses, and of ensuring that there is no way to circumvent the Canada Elections Act, so as to manage—illegally—to spend more money during an election campaign.

As we know—and the numbers are often mentioned by many in our society, with good reason—elections cost a fortune. To whom? Because of our type of financing—and we should be pleased that it is primarily a public type of funding—elections cost money to taxpayers. They are the ones who must once again foot the bill. Indeed, a large number of candidates will be refunded for their election expenses. Of course, this costs a lot of money to militants, to people with or without party memberships, who decide to make an election contribution. It is important to keep this in mind, when we look at the spirit and the letter of legislation dealing directly or indirectly with the issue of financing.

Since 2004, when I ran in my first non-municipal election, a federal one, I thought—and I still do—that the goal was to limit money spent during an election or leadership campaign. I always thought that the last thing a candidate should do is blithely say that they need a certain amount of money or else they will not be able to get elected. There could be some stiff consequences for the people paying the bill at the end of the day.

In recent years, I have observed different parties and realized that the opposite is true: parties are departing from the spirit of the law to find ways to spend as much money as possible, and in some cases, more money than the law allows. That in itself is rather telling. At the federal level, the law was changed a few years ago to give parties access to rather significant funding: $1.75 per vote in the different ridings. This corresponds to direct funding for the parties by the government, thus by taxpayers, the public, the people paying taxes in various forms.

One way to spend more than what is authorized is obviously to take out loans for which the terms of repayment are unfair. These loans make it possible for individuals or businesses to make significant contributions to get a candidate or party elected, while ignoring the set limits.

In my opinion, election spending should be as closely monitored as possible, and any deviations should be punished as severely as possible. That is the objective of this bill, and for that it is laudable, although there are still some restrictions, such as the ones other colleagues have mentioned. I will not go into detail about what was discussed before my speech.

Nevertheless, there is an inequity that I would like to see changed one day. For our democratic process, referred to as an “election”, there are essentially two types of candidates: party candidates and independent candidates.

● (1540)

Of course I take full responsibility for the decision I made a little over a year ago. When I run again, as I have announced, it will be up to me to take charge of my election campaign according to the guidelines I will set for myself.

People should take the time to read the Canada Elections Act and talk to independent candidates, past or future. It is remarkable to see that because they do not run under a party banner, they are not treated the same under the Canada Elections Act as are candidates who run as part of a party. Whether or not a party is aiming to be in power is irrelevant.

As soon as it comes to a recognized party with associations, there are known financing methods. I will name a simple way to generate revenue known to the majority of people here in this House, as well as to those watching at home. I am talking about fundraising activities—collecting, one way or another, reasonable contributions of $20 or $50 that the people in our municipalities and towns are willing to give to a candidate or a party.

If independent candidates try to obtain funding, they must naturally give a receipt to record the transaction and keep detailed financial records. Yet, they cannot give tax receipts. They can only do that once the event has started, that is to say, once an election has been called. That seems truly absurd to me.

The member for Argenteuil—Papineau—Mirabel had this to say on Friday:

> —it is disappointing that not everyone in this House realizes that politics should be open to every man and woman, to every citizen. It is not a matter of money, friends or anything like that. It takes someone [referring to candidates] who is able to express their ideas and defend them—

This clearly demonstrates that an inequity exists from the outset, since the elections act imposes such a limit and makes such an important distinction between independent candidates and candidates running for a particular party. In any case, I would like to tell future independent candidates to be prepared, because once they are elected to this House, the inequity will continue. Indeed, our parliamentary system is a party-based system, so one must have patience. We are given the opportunity to speak during a debate, as I am speaking now, but only after all other members have spoken and right before the debate ends. We can attend committee meetings and sit at the table, but we do not have the right to speak, unless another member shares a moment or two of his or her time with us. I would point out that this is highly unlikely, since time is always at a premium in committees.

So, once again, when it comes to elections, there is discrimination. The Canada Elections Act truly reserves different treatment for candidates who want to serve their constituents but not under a particular party.

As for loans, it would be very difficult for independent candidates to take out loans in good conscience, knowing full well that they will not be able to pay them back. Indeed, only small amounts of money could be borrowed, considering the short amount of time these people have for their funding, that is, probably 25, 27 or 30 days, at the most.

Anyone who has been through an election campaign knows what is involved in funding a campaign, not to mention running the campaign itself. Since there is a non-repayment provision, it would be entirely dishonest to take out a loan when the candidate knows full well that he or she will not be able to pay it back when the time comes, with no riding association involved that make up the shortfall by holding special events. Clearly, this is impossible for independent candidates.

I thought this was an important point to raise for those watching us. Indeed, very few people know this.

● (1545)

Like my other colleagues in the House, I regularly meet with people in my riding and we talk about this aspect of election campaigns. It should be said that many hundreds of people run in federal elections as independents. It is not unusual. It is unfair to them right off the top, therefore, because they will not have the same opportunity to raise money as people who run on behalf of a party.

We know very well, of course, that candidates can fund their own campaign. We are entitled, as individuals, to give to our own campaigns. I have always done so, and the amount can be topped up with an equal amount given as a candidate. Unless the figures have changed, it is about $2,200. That is already a good start for someone who wants to run as an independent. It will hardly surprise anyone to hear it, but I think these rules should be changed, along with some others.

My colleague from Montmagny—L'Islet—Kamouraska—Rivière-du-Loup said earlier that independents and party members run with all the pros and the cons that their status entails. He also said that candidates should be given equal opportunities. I agree with him on that. They should have equal opportunities, and this means the overall situation should be fair. That is not the case, though, as I just explained.

It is necessary, therefore, for the most basic funding avenues to be available to any citizen who wants to get involved in politics. I think we need fewer and fewer irritants because there is unfortunately a lot of cynicism at large in the general public. I say unfortunately because I think it is bad for democracy. I can understand it very well, though, because we regularly see moments in the House that are not exactly brimming over with respect and goodwill. Quite the contrary, there are times when the least pleasant aspects of human nature take over, on both sides of the aisle. We often see it at the end of a session when it is time for us to leave and go meet with our voters and take a few days of well deserved rest.

In summary, independent thinkers who do not want to have their say through a particular political party have a somewhat more limited ability to speak and act when the key moment arrives in democratic life, that is to say, elections. In other ways, though, many people clearly see an advantage in being independent, and I am one of them.

I chose to be an independent MP and believe me when I say that I accept full responsibility for that. I just wanted to point out the differences. I am not complaining. I just wanted to mention some of the inequities that exists. And I believe that this inequity, if not injustice, must be corrected because we have a democratic system. We are proud of our democratic system. Furthermore, we are envied throughout the world.

When we have to take measures to restore balance, we do so here on behalf of the people we represent. And I believe that such measures are indicated.

● (1550)

[*English*]

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, I have watched the hon. member, in her role as an independent member of Parliament, show up all the time. She is here, she does her work and she needs to be recognized for her contribution, in spite of the challenges she has mentioned.

We talked earlier about how Prime Minister Chrétien brought in the toughest legislation and made a lot of changes to how we would run our elections, as well as other things, when it came to ensuring fairness and transparency. However, the issue of the spending limit interests me, given some of the changes, and a lot of us desire full accountability and transparency.

Does the member think we should, along with Elections Canada, also look at the whole issue of the limits we would be allowed to spend on elections, that if we had lower limits, less fundraising would be needed, which is always a challenge for everyone?

[*Translation*]

Ms. Louise Thibault: Mr. Speaker, I thank my colleague for her glowing comments. It is always nice to recognize each other's work. Most of us do very good work, with conviction and sometimes with emotion. I understand my colleague to have said that we owe this legislation to Mr. Chrétien. I am pleased to say, as other colleagues have said in this House, that he followed Mr. Lévesque's lead. People know that not only am I an independent, but I am also a separatist. I am always pleased to commend Mr. Lévesque, his influence and his inspiration.

As far as limits are concerned, as I was saying earlier, I think our goal should be to spend as little as possible and not to adopt the philosophy of spending as much as possible, since it is not our money. It is not right to think that way because it is all our constituents who pay a big part of the bill, whether through the Elections Canada rebates, and that is fine, or through financial donations.

In my opinion, it has always been absurd for political parties to tell their candidates to take advantage and spend the maximum in order to elect their party and their candidates. The priority should obviously be to work as democratically as possible, to defend the common good and our citizen's interests and to show them how we, as candidates, plan on doing that.

What about visual pollution? We should agree to not buy the huge numbers of signs that we see in major centres or rural regions on posts kilometres apart. Candidates in rural areas know this. In the cities, it is a visual abomination and is very harmful to the environment because the material used, coroplast, is not recyclable. It can be used to insulate garages, but it lasts 504 years.

Our guiding principles could be to spend less and also to save the environment. I have never believed, especially in the case of candidates outside major urban centres, that regional advertising in daily newspapers has helped elect anyone. We do it because everyone else is doing it. Candidates end up spending inordinate amounts.

To answer my colleague's question, I have always been pleased to say, and this can be verified, that I have always spent only half of the amount allowed by the Chief Electoral Officer in my riding.

● (1555)

Mr. Daniel Petit (Charlesbourg—Haute-Saint-Charles, CPC): Mr. Speaker, I listened closely to my colleague. I would like to begin by congratulating her on her work. We have attended committee meetings on the issue of violence against seniors together, and I appreciated her presence there because she knows this file well. I have also benefited from her advice when we discussed this issue together.

Today, we are considering a particular act, the act that governs the election of members of Parliament. Earlier, my colleague said that she wants to spend as little as possible. My question is, does she agree with a political party that demands that its candidates spend the maximum allowed so that it can get as much as possible back from Elections Canada? Does she agree with that?

Ms. Louise Thibault: Mr. Speaker, the answer to that is easy. I know exactly what the member is getting at: he is looking for an answer he can use.

I have always expressed my opinion publicly, whether to party officials or in my riding. I am against any kind of action that makes it appear as though people are taking advantage of money that, as I said, comes from public coffers, from taxpayers.

That is disgraceful in and of itself, regardless of the party involved. There could be as many as 150 registered parties in Canada. I have no idea. Provincially, in Quebec anyway, it is the same thing. It would be appalling to ask a party to spend as much as possible in such-and-such a riding when reimbursement is guaranteed because it will garner at least 10% of the vote.

To answer my colleague, it is unbelievable that any candidate representing a party in this House—Conservative, Liberal, New Democrat, Bloc or independent—would be unable to figure this out for him or herself, would fail to think this over and decide that it is not right, to realize that the money is not a gift from the gods, that taking money from fellow citizens and the general public simply should not be done.

Actually, there is a way to work it out without using the maximum allowed.

[*English*]

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, you are an honourable man and I am just amazed that you would not let the member speak in committee because she is an independent. Does the member have some suggestions that she should at least have one out of three hundred and eighth of the amount time to be allowed to speak in committee?

[*Translation*]

Mme Louise Thibault: Mr. Speaker, I thank the hon. member for his question. As I said earlier, and I have discussed this with several people, but many members in this House are not aware of the fact that members sitting as independents are not allowed to speak at committee, unless another member agrees to share his or her time with them. All they are allowed to do is sit at the table.

I suggest that the rules be changed. The parties should be able to reach an agreement. Similarly, when we rise to seek the unanimous consent of the House, we should not state that there is agreement among the parties. Everyone in this House should forget about the political parties and think instead of the other meaning of parties, or sides.

I can say that the four independent members of Parliament are merrily ignored by all parties. It is as if they did not exist, as if their consent was not required. So, from time to time, I make a point of rising to refuse consent, at which time I indicate that I was duly elected to this House, even though I left a party to sit as an independent member, as opposed to another member who was elected as an independent. I work as hard as my colleagues.

Every independent member should have speaking time both in the House and at committees. That is essential. We have things to do and things to say, and what we do is just as valuable as what our colleagues do. We bring grist to the mill. We are here to debate. A fine way to recognize that would be to give unanimous consent to allow independent members to speak at least three or four minutes every two hours of sitting time of a committee. That is not too much.

I expect my colleague from Yukon to make that suggestion to his party.

● (1600)

[*English*]

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

Some hon. members: Question.

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

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

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

Some hon. members: Nay.

The Acting Speaker (Mr. Royal Galipeau): In my opinion the yeas have it.

And five or more members having risen:

The Acting Speaker (Mr. Royal Galipeau): Call in the members.

And the bells having rung:

The Acting Speaker (Mr. Royal Galipeau): The vote is postponed until tomorrow at 5:30 p.m.

* * *

TSAWWASSEN FIRST NATION FINAL AGREEMENT ACT

The House proceeded to the consideration of Bill C-34, An Act to give effect to the Tsawwassen First Nation Final Agreement and to make consequential amendments to other Acts, as reported (without amendment) from the committee.

SPEAKER'S RULING

The Acting Speaker (Mr. Royal Galipeau): I must first share with the House a ruling by the Speaker on Bill C-34, An Act to give effect to the Tsawwassen First Nation Final Agreement and to make consequential amendments to other Acts.

There are nine motions in amendment standing on the notice paper for the report stage of Bill C-34.

Motions Nos. 1 to 9 will be grouped for debate and voted upon according to the voting pattern available at the table.

MOTIONS IN AMENDMENT

Mr. John Cummins (Delta—Richmond East, CPC) moved:

Motion No. 1

That Bill C-34 be amended by deleting Clause 5.

Motion No. 2

That Bill C-34 be amended by deleting Clause 7.

Motion No. 3

That Bill C-34 be amended by deleting Clause 8.

Motion No. 4

That Bill C-34 be amended by deleting Clause 9.

Motion No. 5

That Bill C-34 be amended by deleting Clause 10.

Motion No. 6

That Bill C-34 be amended by deleting Clause 11.

Motion No. 7

That Bill C-34 be amended by deleting Clause 18.

Motion No. 8

That Bill C-34 be amended by deleting Clause 28.

Motion No. 9

That Bill C-34 be amended by deleting Clause 32.

He said: Mr. Speaker, these motions are important because they address and highlight key flaws in the Tsawwassen treaty, flaws that most residents of British Columbia and most members in the House are not aware of.

There are issues that should not be tolerated in a free and open society and represent an ongoing fiscal commitment of the federal and provincial governments that is not justifiable.

Motions Nos. 8 and 9 address taxes. Treaty negotiators have repeatedly advised Canadians that post-treaty Tsawwassen Band members will pay taxes just like other Canadians. That is incorrect. Post-treaty, all band members resident on Tsawwassen lands will pay income taxes to the band government, not the Government of Canada as other Canadians do.

Post-treaty, all residents of Tsawwassen treaty lands, native and non-native, band members or non-band members, will pay income taxes to the band government, not to the federal and provincial governments.

All GST collected on band lands will go to the band government and half of the PST collected on band lands will go to the band government.

Currently there are approximately 160 band members living on Tsawwassen lands and 500 non-native, non-band members living on the reserve.

The federal government estimates that $1.5 million would have flowed to band coffers in 2007 based on these tax concessions. The government refuses to indicate how much tax revenue the federal treasury expects to lose when all treaties in British Columbia are signed.

Observers conservatively estimate that when all the treaties are signed in British Columbia, the cost of lost tax revenue to the federal government alone would be $100 million annually.

If members vote against the amendment to delete the tax concessions, they will be voting in favour of increasing the tax collected from Canadians by $100 million annually.

Motion No. 2 addresses treaty lands. The treaty approves the transfer of approximately 1,100 acres of prime farm land to the Tsawwassen Band. Approximately half of that land will be moved from the agricultural land reserve and used for a rail marshalling yard, container storage and warehousing area as agreed to in a deal with the Vancouver Port Authority.

Initially, the government evaluated the land being transferred at $26 million. Independent appraisers put the land value at 10 times that. They put it at $254 million and they lowballed the numbers.

If all the bands in British Columbia are given land of equal value, the cost alone to satisfy treaty requirements would top $120 billion. British Columbia and the federal government cannot afford the bill. Furthermore, much of this farmland has served a dual purpose.

As protected farmland, it ensured an economically viable farm economy in the Fraser delta, provided green space for the population of Delta and Vancouver and, perhaps most important, formed part of what is recognized as the most important bird area in Canada by providing forage areas for the millions of migratory birds using the Pacific flyway.

Without the farmers, the area is lost to wildlife and green space for the million or more residents of greater Vancouver and Delta.

An added injustice in the whole farmland fiasco surrounding the treaty is the anticipated taking, for treaty purposes, of an additional 700 acres of farmland at Brunswick Point as the existing farm families are squeezed out.

If members vote against the land amendments, they will be voting to commit senior governments to pay $120 billion to complete the land portion of the treaties remaining in British Columbia and the wanton destruction of valuable farmland and wildlife habitat.

Motions Nos. 5, 6 and 8 address the fisheries. The treaty ignores the decisions of the Supreme Court of Canada in Sparrow and Van der Peet that rejected aboriginal claims to the trade and barter sale of food fish and the commercial sale of salmon. It creates a treaty right to be enjoyed by at least some members of the band who are not even Canadian and have never stepped foot on the Tsawwassen Reserve.

Using basic calculations based upon the current population of status Indians published by the Department of Indian Affairs and the Department of Fisheries and Oceans and Pacific Salmon Commission records of the Fraser River salmon run size, it becomes clear that 170% of the total allowable catch of Fraser sockeye would be required if the salmon allocations given the Tsawwassen Indian Band are repeated for bands claiming Fraser sockeye.

● (1605)

Not only are there not enough fish to satisfy Indian claims to similar allocations, there would be nothing for sport or commercial fishermen.

The government claims that only 33% of the total allowable catch would be required to satisfy Indian claims. This unsubstantiated estimate by the Department of Fisheries appears to be based on the findings of a departmental study to assess the coast wide implications in the Nisga'a treaty allocations. That study was based on the Nisga'a treaty allocation of 26 fish per person. The Tsawwassen allocation is 156 fish per person. Clearly, the fisheries' allocations need to be revisited before the treaty proceeds.

If members vote against the fisheries' amendments, they are voting for a fisheries' allocation that is not sustainable and which will make even the delivery of food fish to upriver natives impossible.

Motions Nos. 1 and 9 address the issue of protecting parliamentary supremacy.

The Tsawwassen government, which would be created by this agreement, would have the power to enact laws that would prevail over federal laws and the law-making power of Parliament in approximately 40 specific areas.

Parliament must maintain the supreme law-making power for those matters entrusted to it by our Constitution. Parliament has a responsibility to ensure that laws enacted under these federal constitutional powers respect the rights and privileges historically enjoyed by Canadian citizens.

The Tsawwassen government would have the power to imprison Canadian citizens. It is a government that is not representative or responsive to the Tsawwassen band members who live on the reserve. It is a government that is controlled by off-reserve band members, many of whom are permanent residents and citizens in the United States. It is a government that is not accountable to Tsawwassen residents, is exempted from the scrutiny of Parliament and is a government that can largely act with the knowledge and guarantee that it cannot be held accountable if it acts contrary to the Charter of Rights and Freedoms.

This House must remain the supreme law-making authority so as to protect the rights and privileges of Canadian citizens and the powers entrusted to it by our Constitution.

If members vote against the motion to delete clause 5, they will be voting for a form of government that will prevail over federal and provincial law, a situation that should be viewed as intolerable in an open and democratic society such as Canada.

The Tsawwassen treaty is troubling in the extreme to those of us who have taken the time to study the implications of the treaty. It is troublesome for the reasons I have given but it is also troublesome because it does not recognize individual effort.

Harvey Enchin, in *The Vancouver Sun* on the weekend, had an outstanding article on Canada's native reserves. He stated that we should:

> Abandon the failed socialist concept of collectivism and protect individual property rights.
>
> As Peruvian economist Hernando de Soto has proven in the developing world, formal title (along with a formal system for recognizing it) [that being property rights] is the building block of financial independence. Without title to their assets, aboriginals cannot participate in the mainstream economy; they can't use their property as collateral for bank loans to upgrade their homes or take out equity to invest in or start businesses.
>
> Aboriginal reserves are repositories of what de Soto might call dead capital.

He suggests that:

> Unlocking that capital and leveraging it will put aboriginals on the path to amassing individual net worth....

The underlying flaw in this treaty is that it does nothing to remove the dependency on the federal government. It simply shifts dependency on the federal government to dependency on the band leadership, which is fundamentally wrong.

● (1610)

[*Translation*]

Mr. Marc Lemay (Abitibi—Témiscamingue, BQ): Mr. Speaker, I am somewhat surprised, and in a few minutes, I will explain why. I am stunned and disappointed. My colleague opposite's position is unacceptable, and I hope that other members of his party will vote against these motions that—I will try to choose my words carefully here, but it is hard for me—seem to me to be infused with paternalism, smugness and disrespect despite the fact that not even a week ago—the ink is still wet—the government apologized for what was done to aboriginals in Indian residential schools.

I studied Bill C-34 very closely, from all angles. The Standing Committee on Aboriginal Affairs and Northern Development also studied it thoroughly.

The final agreement covers approximately 724 hectares of treaty settlement land including approximately 290 hectares of former reserve lands. These lands belonged to the Indians, not to the whites, because the Indians were there first. The aboriginals will get 372 hectares of provincial Crown land belonging to British Columbia back, and the first nation will also own in fee simple 62 hectares of waterfront land comprised of the Boundary Bay and Fraser River parcels.

I do not understand what gives them the right to say that the aboriginals, under this agreement that took five years to negotiate, do not have rights to these lands that belong to them. I would really like him to explain that.

● (1615)

[*English*]

Mr. John Cummins: Mr. Speaker, my friend has raised a number of issues.

He suggested that the Standing Committee on Aboriginal Affairs and Northern Development examined very clearly the bill. That is simply not the case. I think the bill was before the committee for two hours. For an hour the committee members heard from the minister and for an hour they heard from the chief. That is hardly a careful examination of the bill.

What the member does not seem to understand is that there are 160 band members who live on the reserve and the band claims a membership of 360. Most of the band members do not live on the reserve. In fact, they live in Los Angeles, California, the states of Washington, Oregon and Alabama, the province of Ontario, and Winnipeg, Manitoba, yet this treaty gives these people the right to determine what kind of lifestyle the people who are resident on the reserve will have.

Let me provide an example. The family of one of the band members who is opposed to the treaty, Bertha Williams, has lived on the reserve since the land was created. The family has held a certificate of possession of the land which her house sits on and about an additional 50 acres of land. When this treaty goes through and the land use planning is put in place, and remember that all of this happened with the majority of people living off reserve, Bertha's house and property will be in the middle of a rail marshalling yard, in the middle of container storage and warehousing, for whose benefit? It is for the benefit of the port of Vancouver, because that is what this treaty is about. It is about advancing the business enterprise of the port of Vancouver. It is not about—

The Acting Speaker (Mr. Royal Galipeau): Unfortunately, I must now interrupt the hon. member because this period has now expired. We are resuming debate with the hon. member for Yukon.

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, I have a written speech, but I am not going to use it because the member referred to six points that were wrong with the treaty. He is basically emasculating it with the amendments and they are all wrong. If we refute that, then everyone should definitely vote for this treaty. I will talk about how embarrassing it is to the Prime Minister that a government member would be allowed to totally emasculate a government bill and only relate it to aboriginal affairs. I do not know why other members have not spoken out on other things their constituents have told them to speak about.

The first point the member suggested not to vote for the bill is that taxes would go to the first nations government. I guess if we were to vote for the member's amendments, we would tell all the provinces that they should not be getting money from the federal government, and all the municipalities that they should not be getting infrastructure money and other types of grants from the federal government.

Of course the federal government helps other governments in this country. That is one of the reasons these treaties have been so successful across the country. This treaty would be another one. I think that is why the government has put this forward.

The member's second perceived problem is not a problem. He suggested that there would be new rights to all sorts of unaffordable land for the first nations. First of all, as a Bloc member outlined, this land is traditionally first nations land, since a royal proclamation in 1763. The first nations have never ceded this land.

There are much larger volumes of this land in the tiny corner they have agreed to in this agreement. It is not as though governments are giving this up. First nations still have a legal case to this under the royal proclamation of King George III in 1763 and a negotiated settlement of this tiny portion of land. That does not cost the government. In fact, what the government is gaining is many more billions and billions of dollars of land that were traditionally used by the aboriginal people and on which they are making a good faith agreement with governments, so that they can still continue some semblance of a life that they have always had.

The Conservatives had so much potential to work in the area of farmland and the tiny amount of land related to the environment. Why is it that the only time it is ever raised is in this situation? That is simply not believable. Those points are now refuted.

The next point is related to the commercial sale of salmon. The member suggested that if we extrapolated this, all the sockeye salmon for the other agreements to come and all the sockeye salmon in British Columbia, in fact, more than all the salmon, 170% of the salmon would be gone.

Once again, there is a saying that for every complex problem there is a simple answer, and it is wrong. That is a simple extrapolation of the same numbers per person, as if every first nation in British Columbia ate the same food, had the same access to the one species and that they were all the same, which of course is not true. The first nations people who are inland have different food sources, access to different types of fish and obviously more access to land mammals such as moose. Each agreement would be negotiated separately. There would be different amounts of sockeye salmon and any other species.

I think that no one in his or her right mind would ever believe that thinking, rational people would ever sign away 170%. In fact, of the fisheries that are there, they are still based on conservation. If there is a conservation problem in numbers, they can be cut back. It is abundance based and it is a sliding scale. The Minister of Fisheries can still cut back when there is a conservation problem. I do not know if the member was referring to the commercial licences. Those are provided from retired licences. Therefore, that does not put more pressure on the situation.

● (1620)

The fourth suggested problem is not a problem. We should look at the bill itself and all the precedents where agreements such as this one have been so successful. The member said there would be laws that would prevail over federal laws in a number of areas. I think the member has analyzed 40 situations, and I congratulate him for doing that in-depth analysis, where it would prevail over other laws. Of course, different levels of government have responsibilities to make laws and to ensure that they do not conflict with those of other governments. Ontario can make laws. If we were to vote for this amendment, we would be saying that all governments in this country cannot have their own laws in their own areas of jurisdiction.

It would not override Parliament because the whole issue we are discussing is a federal law that the federal government is making and can change. One of the keys to the success of these agreements that have been established so far is that when one has self-determination, whether it is a municipality, province or a first nation, and is responsible for things in one's own jurisdiction, there is a remarkable increase in success rather than when it is someone else's responsibility to take care of it.

The fifth suggestion was that the Charter of Rights and Freedoms does not apply. Of course it does. It is in the agreement.

The last fallacious suggestion was that people cannot start a business or have any self-sufficiency. Once again, that is not true. It is telling first nations and their governments, just like the Government of Canada, the government of Vancouver or the government of British Columbia, that they own land and it is up to them what they do with that land. The first nation will have its land, as I said, a very tiny parcel of land compared to what is being freed up for everyone else in the agreement with the other two governments, and it is up to the first nation how to deal with the land. A first nation society is more of a collective society and there have been tremendous success stories, as I have said, with these particular agreements.

There is one in my area that owns half of the local airline, a success story at a time when airlines are not doing very well. There are different arrangements. Obviously it is not always the simple type of arrangement that the member has talked about. It is not that it is out of the control of the first nation. It is that it has chosen not to go that way so that the land, which is so important to the first nation as a society, is not eroded and will be used for its businesses.

I think the member mentioned a number of businesses and economic revenues, over and above the taxation revenue, that will come from the land to the first nation. In British Columbia there are a number of first nations with very innovative businesses and success stories. In relation to taxation, the first nation will also have its own source revenues, as every government needs, to fulfill the obligations that it did not have to fulfill before but now has to under this agreement.

None of the member's concerns are valid. They do not stand up in law. They do not stand up in precedent. They do not stand up in the failures of such previous agreements which, by and large, in many cases moved the first nations so far ahead.

It is very distressing that the Prime Minister, who has tight control over everything the party does—which is fine; that is his way of operating—in this one exception would allow two members to put forward a bunch of amendments that, first, are not true and do not match his government's analysis of them, and second, would totally emasculate a government bill. That is very distressing. It must be distressing to Conservative voters who did not want their members to vote for certain things but their members had to vote for. Now in this one particular case, they do not have to.

We should continue with the strong support that a vast majority of members of the House of Commons showed on the first vote. It was negotiated among three governments. We should let it stand and go ahead.

● (1625)

The Acting Speaker (Mr. Royal Galipeau): 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 Rimouski-Neigette—Témiscouata—Les Basques, Federal Protected Areas; the hon. member for Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, Manufacturing Sector.

Mr. John Cummins (Delta—Richmond East, CPC): Mr. Speaker, I listened with some interest to my friend's comments. I always find that when people go on the attack and suggest that other people do not know what they are talking about, they certainly leave themselves open to that criticism. However, what I would say, given the member's comments, is that it shows to me the reason why there should have been a more open debate on this.

So I do not take up all of the time of the member opposite, as there are only five minutes left, let me approach the issue of the salmon. The member suggested that somehow I had it all wrong.

The salmon issue is fairly clear. All of the bands up the river and down the coast have stated a desire to share in the commercial harvest of salmon, over and above their food fish allocations. The Supreme Court of Canada has ruled that there is no entitlement to a commercial allocation, but in this treaty the ruling of the Supreme Court of Canada has been ignored.

In fact, the government has entered into three treaties in the last two years. There is the Tsawwassen treaty. The first one that the government entered into was the Yale treaty. The Yale band is located just at the western entrance of the Fraser Canyon. It is a small band, yet it got an allocation very similar to the allocation of the Tsawwassen band.

The second treaty is the Lheidli T'enneh treaty. That band is resident and its lands are adjacent to Prince George, which is 500 miles up the river. That band has never had a commercial harvest of salmon. In fact, I would suggest that by the time the salmon have reached 500 miles up the river, they are not fit for commercial sale. Yet the band was given, although it rejected the treaty, a commercial allocation of salmon similar to the allocation given to Tsawwassen.

The member talked about precedents. Given the precedents, it is not outrageous for me to say these are the populations of these various bands and if they are given the same allocation as the Tsawwassen band, we are going to end up with a—

● (1630)

The Acting Speaker (Mr. Royal Galipeau): I must interrupt the hon. member. Even at that, the hon. member for Yukon will not have equal time if he responds to every point. The hon. member for Yukon has the floor.

Hon. Larry Bagnell: Mr. Speaker, I think it was really only one point that the member was making, which basically is related to commercial salmon and aboriginal rights to have a commercial salmon allocation.

He is very right to point to the court case. Of course, I do not imagine a federal government negotiator or the Department of Justice would allow a provision that was against a court case that had just been ruled on, and they have not. The salmon in this treaty is not a section 35 right to a commercial salmon allocation because, as the member quite rightly pointed out, the Supreme Court did not allow in several cases that commercial catch could be an aboriginal right. What has been done here is a side agreement that is not protected under section 35, with some commercial allocation.

Of course, the lifestyle here is very dependent on this. This is provided through the purchase of retired licences for that fishing area so that it does not increase the harvesting pressure. It is an opportunity with no specified catch limits, as is not the case for other vessels in the commercial fleet. The Tsawwassen First Nation can be out only when everyone else is out. Tsawwassen has to follow the same rules.

With regard to the fish, I am surprised that the member said the fish could not swim 500 miles, because they come 2,000 miles to my riding and are still in fine shape. However, the point is that the first nations in other areas have more access to other forms of harvest. The negotiators have made it quite clear that they will not be allowing the same percentages of sockeye per person in all cases.

[*Translation*]

Mr. Marc Lemay (Abitibi—Témiscamingue, BQ): Mr. Speaker, I am pleased to speak about the present file and particularly about the amendments proposed by the member for Delta—Richmond East.

From the outset, I should say that the Bloc Québécois will not support these motions, and I hope that all of the members in the House, with the exception of the two Conservative members, will vote against these motions. The two Conservative members—the member for Delta—Richmond East and his colleague—will perhaps be the only two in the House to vote against an agreement that has been reached between aboriginals and the governments of British Columbia and Canada.

Why is this bill so important for the Bloc Québécois? Because it talks about autonomy and negotiation between nations.

I think that my colleague, the member for Delta—Richmond East, missed some history classes. If he thinks that the Standing Committee on Aboriginal Affairs and Northern Development, for which I am the Bloc Québécois critic, did not adequately study this bill, I must tell him that not only did we study it very carefully, but we also received documents to prove what I am about to say. I am sure that my colleague was not alive, nor was his grandfather, nor his great-great grandfather when, in 400 B.C., reference was made to Tsawwassen being in the Vancouver delta. I think that they have a right.

Better yet, there is more, because my colleague thinks that all rights are to be taken for granted. He thinks that because white people came along, the Indians should make way. That is what my colleague opposite wants. In 1851—and I did not make this up, this is from the research results we were given, results that were double-checked—Tsawwassen territory was split in two by the establishment of the Canadian territory and the United States. That predated 1867 and, unfortunately for my colleague opposite, unfortunately for the member for Delta—Richmond East, that was long before he, his parents, his grandparents, or his great-grandparents came into this world. So I think that the aboriginals have some long-standing rights.

The Tsawwassen reserve was created in 1871. That was four years after Canada became a country. To my knowledge, British Columbia did not even exist then. See how the facts have been twisted. When talking about what is going on now, we have to remember that in 1874, the reserve included 490 acres in the Vancouver port and the delta.

The surprising thing is that they are now telling us that it does not exist, that the Indians can be shoved aside. That is bizarre because in 1906, the chiefs went to England—there is evidence supporting that—to ask for their traditional lands back. How would the member for Delta—Richmond East solve the problem? He would solve it by sticking the Indians in the lake or the river, anywhere at all, as long as he could get rid of them and make room for nice white people. He should be ashamed.

The member is part of the government. His government is responsible for this bill. The member is taking issue with a bill introduced by his own government. Not only is he challenging it, but he is introducing amendments that, if passed, would rob Bill C-34 of everything that was agreed to, of everything that was discussed and addressed in the treaty between the Tsawwassen and the governments of Canada and British Columbia. So much for self-determination. Bizarre actions like these lead us to believe that his government's apology was nothing but lip service. The member for Delta—Richmond East is part of the government that apologized just last week.

● (1635)

The ink on the documents is not even dry yet. It was only a week ago Wednesday that the government issued a formal apology for the ethnocide of aboriginals. It was indeed an ethnocide, that is, causing a people to lose their status, thus destroying their culture. That is exactly what was done to aboriginals on reserves who were sent to residential schools. It would certainly make things easier for the member if we could do the same thing to the people of Tsawwassen. If we could get them out of the way, that would take care of the problem. It would done with, one could say.

But my hon. colleague should know that aboriginals, especially with this treaty, will probably take much better care of the salmon. Actually, he seems to care more about the salmon issue than he does about first nations. That is not to say that I am not concerned about the salmon. In fact, with this agreement, the first nations peoples will be able to take much better care of the salmon than the white people that some would like to replace them with.

Furthermore, the agreement also proposes that the Tsawwassen nation, which negotiated nation to nation with British Columbia and Canada, be able to sit at the same table as the regional committee in the Delta and Vancouver area, in order to allow the same developments.

I saw the stocks. I went to see for myself. I find it exceptional, and I say this out of respect for the current government. Once again, I would like to repeat to my hon. colleague from Delta—Richmond East that negotiations began on this agreement in 2003. It has not been merely a couple weeks or a couple months. They have been going on since 2003 and even earlier. An agreement was reached with British Columbia and Canada around 2003 and, since that time, people from the Tsawwassen nation have come to Ottawa several times. They have met with the Standing Committee on Aboriginal Affairs and Northern Development several times to move this file forward.

For once, a file is finally making some progress in this government and I find it appalling that a member—a government member, at that—would put forward such a proposal to destroy his own government's bill. It makes no sense.

It is important to look at what they are claiming. At first, I thought they wanted half of British Colombia. I thought to myself that this made no sense. But no, it would give them 724 hectares of land. Sure, maybe the land is a prime location, in a commercial area. It is true that the Vancouver port will perhaps not be able to expand as it wanted to. It will just need to come to an agreement with the Tsawwassen First Nation. That is it. Finally, they can deal with each other as equals. The objective of the agreement, of the treaty, is to be able to negotiate as equals, as nations.

That is why the Bloc is in favour of this. The Tsawwassen agreement is the first of its kind below the 60th parallel. We think it could have a significant impact on other land claims.

I realize I am running out of time. I urge all of my colleagues in the House to vote in favour of this bill, with the exception of those two members. I would like to teach them a lesson so that they understand once and for all. I would like us to all vote in favour of this bill. Thus, the aboriginals of Tsawwassen will be able to finally reclaim their land, to get back what is rightfully theirs.

● (1640)

[*English*]

Mr. John Cummins (Delta—Richmond East, CPC): Mr. Speaker, I am not sure where to start, in response to my friend, but I remind him that this place is the House of Commons. This is where there is supposed to be debate on a variety of issues, including proposals put forward by people who have been given the responsibility to negotiate these treaties on our behalf.

I have represented this area, before the Tsawwassen treaty negotiations began. In fact, during all that time, I was never approached by any of the treaty negotiators and asked my opinion. I was not asked what the people in my riding thought about how the treaty negotiations were going.

During these negotiations, the municipal council in my area had a representative at the treaty negotiating table and that individual backed away from it. Anything the representatives heard or learned at the treaty table, they were unable to bring back to their councils. It all had to be kept secret and they found that it was simply not productive to participate in the process. The same transpired with the fishing industry, which has been participating in treaty negotiations in British Columbia as well. The representatives also backed away from the table because they felt their input was not being realized.

The sad part about all this is it is not only me who has a particular opinion that is at variance with the member opposite, and obviously at variance with some of the people in my party. The fact is I have addressed these issues in my community since the beginning. Anything I have said in the House, I have said in my community. The concerns I have expressed are broadly shared in my community. I was elected to represent my community and to speak to those issues here. That is exactly what I do.

Not only that, I represent native people who live on the Tsawwassen Reserve. What I say here reflects very clearly the concerns of people like Bertha Williams, whose family, as I mentioned earlier, has lived on that reserve since it was created. Her grandfather and fathers were chiefs and Bertha was a council member. She would not have any difficulty with what I have said here.

The allocations being made on this treaty, if replicated with the 200 treaties remaining in British Columbia, simply are not affordable. With regard to the fisheries there simply are not enough fish—

● (1645)

The Acting Speaker (Mr. Andrew Scheer): The hon. member for Abitibi—Témiscamingue.

[*Translation*]

Mr. Marc Lemay: Mr. Speaker, I am very surprised. My colleague is a member of a government that has just introduced a bill in the House of Commons. I am not saying that my colleague cannot hold an opinion different from mine. However, I want him to understand that we studied this bill and that it is an agreement entered into with aboriginal peoples.

The Standing Committee on Aboriginal Affairs and Northern Development was prepared to listen to him. Neither member who has spoken against this bill asked to appear before the committee. We would have agreed. I asked that they be invited.

At first and second reading stages, it was the same thing. And in committee, no one spoke against this bill. In the Tsawwassen community, more than 80% of those who voted were in favour of the bill.

There are some things I do not understand. This is a bill about a very important agreement. We must address the future of the first nations. These first nations wish to recover their lands. These lands belong to them. They have belonged to them for almost 500 years. They have lived on these lands all that time. What more do you want. To push them into the river? These lands belong to them. They will regain control of their lands with this bill and henceforth will be able to negotiate on a nation to nation basis with governments.

[*English*]

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, I am pleased to rise in the House today to speak to Bill C-34, specifically to indicate that New Democrats will be opposing the proposed amendments. I want to put this into context.

The Tsawwassen first nation treaty is the first urban treaty in modern day British Columbia. In the address that Chief Kim Baird gave to the provincial legislature, she outlined many reasons why British Columbians and all Canadians should support this treaty. I want to use a couple of her words. Chief Baird said:

> Critics choose to ignore Tsawwassen's history of being a victim of industrial and urban development to the benefit of everyone but us. The naysayers do not seem to care that they are calling for the continued exclusion of Tsawwassen from opportunities everyone else has enjoyed. "So what of Tsawwassen First Nations legitimate economic needs? So what of Tsawwassen First Nations land base needs? Let's just continue to ignore Tsawwassen First Nations needs".
>
> I try not to become too disheartened, and I hope the members of my community take the same approach, because the facts speak for themselves. Today we have a tiny postage stamp of a reserve, a small fraction of a percentage of our traditional territory fronting a dead body of water trapped between two massive industrial operations. Our land and aquatic ecosystems have been fouled beyond human comprehension.

Later on in her speech, she says:

> I think I can say on my and my community's behalf that true reconciliation requires this treaty receive broad support. I want our treaty to have the support of as many parties and individuals as possible. To have it become a political football due to various specific public policy issues, in my view, sullies the whole point of true reconciliation.
>
> Compromises are indeed difficult but also very necessary....

This treaty has been under negotiation for many years. In fact, over 14 years of negotiation have gone into this treaty.

In the Tsawwassen treaty summary and key benefits, the Tsawwassen people talk about a new relationship. They say:

> The treaty, signed on December 6th, represents a new relationship between Canada, British Columbia, and Tsawwassen First Nation. It begins the process of reconciliation, and sets TFN on the path towards self-sufficiency. Tsawwassen First Nation becomes a full partner with its provincial and federal counterparts, and undertakes the rights and obligations of its section 35 responsibilities. The treaty is not a windfall, nor is it perfect. It represents a compromise borne out of difficult and complex negotiations. It also represents a significant challenge to Tsawwassen First Nation: the responsibilities of treaty present a set of policy and operational challenges that TFN recognizes and is preparing for.

In any agreement that is developed there are often differences of opinion. Because this treaty has been in negotiation for many years, has gone through the provincial legislature and has now come to the House of Commons for ratification, I argue that there has been much discussion and review, especially in light of the historic apology that happened last Wednesday in the House. I think for many people it signals a step forward into a new era of recognizing nation to nation respect and status. This treaty is a way to signal that intent is truly there.

I want to also put it into a couple of other perspectives and one is an international perspective.

Under the United Nations Declaration on the Rights of Indigenous People, article 26 says:

> 1. Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.
>
> 2. Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.
>
> 3. States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.

Tsawwassen grandmothers and grandfathers and great grandmothers and great grandfathers for centuries have lived on the Lower Mainland and in areas around there, using the land and the sea to feed, clothe and house their people.

Many of us in the House support the UN declaration in terms of recognizing the rights of indigenous peoples to their lands and territories and to their economic self-sufficiency. This treaty would be an opportunity to signal, although Canada has not acknowledged the UN declaration, that at least we acknowledge the Tsawwassen people have the right to a small part of their traditional territory.

● (1650)

I want to go back, also in terms of historical context, to the report by the Royal Commission on Aboriginal Peoples in volume two, "Restructuring the Relationship". The commission spent a fair bit of time covering and talking about the importance of treaties.

The commission talked about the historical need for justice and reconciliation. It quoted Josephine Sandy from the Ojibwa Tribal Family Services. She said:

> Our people have always understood that we must be able to continue to live our lives in accordance with our culture and spirituality. Our elders have taught us that this spirit and intent of our treaty relationship must last as long as the rivers flow and the sun shines. We must wait however long it takes for non-Aboriginal people to understand and respect our way of life. This will be the respect that the treaty relationship between us calls for.

In this context, this treaty is a very important piece of having Tsawwassen and its neighbours move forward with some certainty, whether it is economic or social. It allows both the Tsawwassen and the surrounding community to establish that forward looking relationship, which will allow all to benefit economically and socially.

The same report talks about the need for reconciliation as being a way to move forward. Again, I know Chief Kim Baird talked about reconciliation. She talked about the fact that the treaty was compromised. The report states:

> By reconciliation we mean more than just giving effect to a treaty hunting right or securing the restoration of reserve land taken unfairly or illegally in the past. We mean embracing the spirit and intent of the treaty relationship itself, a relationship of mutual trust and loyalty, as the framework for a vibrant and respectful new relationship between peoples.
>
> New attitudes must be fostered to bring about this new relationship. A consensus will have to evolve that the treaty relationship continues to be of mutual benefit. New institutions must be created to bring this relationship into being. At present, the relationship between the treaty parties is mired in ignorance, mistrust and prejudice. Indeed, this has been the case for generations.

In 1996, 12 years ago when the RCAP report came out, there was a signal that the need for reconciliation was so important, both to the first nations and to the non-first nations communities. It is a call for us to find ways to build collectively together to move forward, to establish some trust, to establish those long term relationships that can truly make a difference for both the first nations and the non-first nations community.

In the conclusion of the recommendations, although some of these have been covered, it talked about fulfillment of historical treaties. In this case we are talking about the signing of a treaty and not the fulfillment. Under the recommendations, the commission recommends:

> The parties implement the historical treaties from the perspective of both justice and reconciliation:
>
> (a) Justice requires the fulfilment of the agreed terms of the treaties, as recorded in the treaty text and supplemented by oral evidence.
>
> (b) Reconciliation requires the establishment of proper principles to govern the continuing treaty relationship and to complete treaties that are incomplete because of the absence of consensus.

I think the treaty is an opportunity to heal some of those long-standing wounds that exist with the first nations. It is an opportunity to recognize the contribution that first nations make to this country and will continue to make. It is an opportunity to truly move forward.

In the conclusion of Chief Baird's speech to the legislature, she talks about the fact that:

> Our treaty is the right fit for our nation. More land, cash and resources provide us the opportunity to create a healthy and viable community, free from the constraints of the Indian Act. We now have the tools to operate as a self-governing nation for the first time in 131 years, since the first Indian Act was introduced.
>
> The Tsawwassen treaty, clause by clause, emphasizes self-reliance, personal responsibility and modern education. It allows us to pursue meaningful employment from the resources of our territory for our own people or, in other words, a quality of life comparable to other British Columbians.

The NDP will not support the amendments as proposed. We encourage members of the House to move quickly to ensure this treaty moves through the House and on into the Senate.

● (1655)

Mr. John Cummins (Delta—Richmond East, CPC): Mr. Speaker, I appreciate the comments of my friend and want to re-emphasize the notion that in this place there is an obligation to debate, to not simply rubber-stamp deals agreed to by bureaucrats. As well, I think there is an obligation on us to determine affordability. When we start talking about reconciliation, it is something that works both ways. It should not tip the scales in favour of either one.

One of the issues the member tends to overlook is the issue of overlaps. I know full well that there are overlaps with the bands that are resident in her area. The problem is that when these overlaps occur there is an obligation on the part of the federal government to compensate the Tsawwassen Band for the extent of the overlap.

That is going to be a significant cost, because there are nine bands that have registered concerns about overlaps. Thus, there are nine bands that are going to have claims in which the federal government will be liable.

The member also talked about the land and Chief Baird suggesting that the reserve was fronted by a dead body of water. What is also interesting is that recently when the band, and Chief Baird in particular, was negotiating a deal with the Vancouver Port Authority, Chief Baird and her council elected not to utilize their aboriginal and environmental concerns over this expansion of the Vancouver Port, because the port was willing to pay them to overlook this obligation of the federal government to redress aboriginal and environmental concerns.

So as we see, anything can be on the table here. Anything can be bought and sold. It certainly was when it came to the port expansion and Chief Baird.

The member quoted Chief Baird. I would like to quote Bertha Williams, whose family has been on that reserve since the beginning. Her grandfather was chief, as was her father, and she was a councillor. She said:

> A lot of our elders...are new to the community...They lost their status years ago. They went off, got married, they didn't want to be labelled as native....
>
> These elders...don't know our history...don't know our culture.
>
> I have never surrendered my birthright...I have never left my homeland....
>
> [But] we are outnumbered...The majority of those who are voting members live off the reserve.
>
> There are people that live in Alabama, Los Angeles...across the Prairies...They are band members but they have no intention of ever living on the reserve. Yet they are voting on our business. A lot of them have never even visited the Reserve. It is just ludicrous how much they have to say on our livelihood—

● (1700)

The Acting Speaker (Mr. Andrew Scheer): Order, please. I hate to cut off the hon. member, but I do have to allow at least a couple of minutes for the hon. member for Nanaimo—Cowichan to respond.

Ms. Jean Crowder: Mr. Speaker, the member for Delta—Richmond East covered a number of points that I know I will not have time to address, of course, but I will touch on a couple of them.

One is that it is always interesting to me that in this House we have discussions in which it is said that first nations must be held to different standards than the rest of Canada.

When it comes to environmental concerns, I just need to point to the fact that I know the Department of Fisheries and Oceans was considering two mining permits that were going to kill freshwater lakes, which fish reside in, as tailing ponds. Therefore, on the one hand we have the non-aboriginal population that continues with environmental impacts that affect us, whether it is the tar sands or tailing ponds, so I am not sure that it is a legitimate argument.

When it comes to overlaps, the member is absolutely right. There are some concerns with overlaps. Certainly, the Penelakut, the Cowichan people and the Sencoten have all signalled some concerns around overlaps.

I know that the Penelakut and Cowichan have been quite actively working with the Tsawwassen to address some of the concerns around the overlaps. The government has provided some additional funding, both provincially and federally, certainly to Penelakut, to help with some of the research, background and negotiation around that. The overlaps are a concern. I know from speaking to people from Cowichan and Penelakut that they are working to try to resolve some of those concerns.

When it comes to off reserve people having a say, we have a court decision which recognizes that people who belong to a particular nation have the right to have a say in what happens on their traditional territories. We know that Bill C-31 from 1985 recognized that women who had married out of their community had the right to be reinstated to their communities, but they were impacted, as they were not allowed to return to their communities because there simply were not the resources to allow them to return.

So now what I am hearing people say is that because these people, largely women and their families, could not return to the reserve because of a lack of resources, they should not have any say in what happens. That is a much larger question around where governments choose to put their time, energy and resources.

● (1705)

Mr. Todd Russell (Labrador, Lib.): Mr. Speaker, it is an honour for me to rise today to speak in support of Bill C-34 and to denounce the amendments that the member for Delta—Richmond East has brought before the House.

They are not simple amendments that would change a small bit of a bill or certain specific aspects of the bill. They are so broad that they would gut the bill, in essence, and there would be no treaty. The amendments attack everything from the taxation provisions to the provision of fish and wildlife for food and ceremonial purposes.

The amendments attack the provision that would provide for some economic development and some participation in the resources of the Tsawwassen people. That would be the commercial sale of salmon.

The amendments denounce or take away the issue of financial assistance that the Tsawwassen people would require in order to implement the provisions of the treaty. They also say that the Tsawwassen people should not have the ability to make laws for themselves, which is the essence of land claims and the issue of self-determination.

The amendments talk about the issue of the Charter of Rights and Freedoms not applying. That is totally misleading. It would apply. It says so in the treaty. It says so in this particular act, which purports to implement the treaty.

The amendments also talk about the provisions of the bill that would basically stop businesses from starting on the reserve.

All of those things fly in the face of what the Minister of Indian Affairs testified at committee on June 4. Indeed, he used language to say that there are “misleading interpretations” of provisions in the act and that he wanted to set the record straight.

I am just wondering if the member for Delta—Richmond East has had an opportunity to have a chat with the Minister of Indian Affairs. I wonder how the two could be so diametrically opposed.

We have the minister saying one thing. We have a government bill that has been presented to the House. It has taken years and years of hard work, if not decades, in order to reach this particular point. Then we have a couple of members, the member for Delta—Richmond East and the member for Calgary Northeast, saying something that is the total opposite.

I find it remarkable that this seems to happen only on the aboriginal file. Perhaps people can find or others can point to other instances in the House, but it seems like it is only on the aboriginal file that the Prime Minister allows people to oppose the government's own legislation.

Why is it that one can stand in the House on one day and make an apology based on historic grounds, on a tragic episode in our country's history, and call for a new day of reconciliation, of tolerance, a reconciliation of aboriginal and non-aboriginal people, and then tolerate what the Minister of Indian Affairs himself said are “misleading interpretations”?

We need to reflect a little. I want to quote from some of the notes that were prepared for us in the committee.

The notes are about the Tsawwassen people and the Tsawwassen First Nation, who are “a Coast Salish group whose historical use of the southern Strait of Georgia and the lower Fraser River and their environs is well documented”. It is well documented because the Tsawwassen people, like so many indigenous and aboriginal peoples around the country, have been there from time immemorial, but then it is noted, “Over time, [the Tsawwassen First Nation] lost the use of all but a fraction of its claimed traditional territory”.

Therefore, we have indigenous people with indigenous rights, aboriginal people with aboriginal rights, living in the historic lands that they have always occupied. They have lost much of it by the encroachment of others, and now we have arrived at a place where we are trying to reconcile that.

● (1710)

Believe me, there is no way that one can look at the traditional land use and occupancy of the Tsawwassen and think even for a second that the band members are getting that land back. They are getting only a fraction of that land back under this particular treaty.

To say that we should not have modern treaties, which is basically the essence of what a couple of members on the other side are saying, is to fly in the face of longstanding policy in this country. I think back to Labrador, where we have had a land claim accepted for the Innu Nation since 1978, one that has not been fully negotiated out and finalized. I think about the Labrador Métis Nation, which filed a land claim in 1990 and is still awaiting a decision from the federal government on whether it should negotiate or not.

The longstanding policy in this country is based on mutual respect, the recognition of the law and the many court cases that have gone to the Supreme Court of Canada which state that aboriginal people have rights and they have rights to their land and resources. For the member opposite to introduce these amendments is to fly in the face of the treaty itself and the comprehensive land claims policy that we have been working with since as early as 1975. Of course, there have been many variations on it.

The Tsawwassen treaty itself points to the need for certainty. The various provisions of the treaty point out the specifics that have been agreed on. It is not what everybody is happy with, but it is a compromise. It is something that people can live with. It is a treaty whereby people on the reserve lands and also those outside those lands can see some hope in terms of where the Tsawwassen people should be and want to be in Canadian society.

It brings back a bit of a déjà vu time. I recall watching the ratification of the Nisga'a treaty. It happened in the House. The minister of Indian affairs at the time, who had been the opposition critic, introduced 471 amendments to that particular treaty, trying to kill it.

So as for the voices I hear from the two particular members on the other side, they are not voices that have not been heard in the Conservative Party or the Reform or Alliance parties. Indeed, they are consistent with the voices and the objectives of certain individuals in whatever manifestation that particular party had at the time.

I want to close on a positive note. I want to quote Chief Baird, who appeared at the aboriginal affairs committee. She stated:

> —I have to say this treaty is a good deal for Tsawwassen First Nation. My responsibility was to negotiate the best treaty I could for my community. I had to be pragmatic and accept things that weren't palatable, but the overall impact will transform my community.
>
> We could not afford to wait for the perfect agreement. The world is changing, and we have to change as well. The poverty and inadequate governance structure of the Indian Act is not sustainable. I refuse to see another generation lost.

She went on to say:

> We recognize that the treaty is only a tool box. Hard work is still required, but at least it can be done with tools that can make a difference. We will have to work on poor education rates and underemployment and...[get rid] of poor socio-economic conditions. We have never fooled ourselves that a treaty would be utopia with a bow on it.
>
> It is with great pride, optimism, and determination that we face our destiny. We have already turned all our energy toward implementing the treaty, and for us there is no turning back.

This is not just about the technical or legal issues that the member opposite likes to raise. It is also about a future for the Tsawwassen people, their children and their grandchildren.

Mr. John Cummins (Delta—Richmond East, CPC): Mr. Speaker, off the top the member noticed that the motions were broad, which is because that is all that is allowed. We have a bill that would put in effect the agreement and it is impossible to be specific on the motions any more so than I was.

It is interesting that the member referred somewhat to the issues that I raised as mere details. However, the fact that the band will make laws that prevail over federal law is not desirable in this country. The federal government has its constitutional powers and those powers should prevail because that is the way a federation should work.

Municipalities and provinces have their own areas. The provinces' responsibilities are recognized in the Constitution and the municipalities are given theirs by the provinces and, in a sense, that is what should happen here.

The member raised a number of issues. He talked about Chief Baird talking about this agreement transforming the community. That is, indeed, quite right. It will transform the community. Almost half of the land that will go to the band and half of the treaty lands that will result after the treaty is signed, which is a full 500 acres, will be taken over by the Vancouver Port Authority. It intends to put a rail marshalling yard, container storage and warehousing on those lands.

As I stated earlier, Bertha Williams, whose family has lived on that reserve since the beginning, will have her home and property expropriated by the band and they will end up right in the middle of that environmental mess. The issue then becomes what happens to the rest of the folks on that reserve. Their homes will be within a few hundred yards of this active rail yard, this 24 hour, seven days a week container storage area and all of the dust, dirt, light pollution and noise pollution that will flow from that industrial area.

The same thing happens to the community of Ladner, which is less than a mile from the reserve, or to Tsawwassen, which is probably a little more than a mile. That whole area will be industrialized. The greatest number of people who will be paying for this are the people who are currently living on the reserve and they represent a minority of the people who signed on to this deal.

● (1715)

Mr. Todd Russell: Mr. Speaker, I am more than pleased that the rules and procedures governing the House did not allow the member to introduce any more amendments than he has already introduced. He virtually guts the bill with the motions that were allowed. I would not want for a second to see how many more amendments he would like to bring to the House.

The point here is that the member does not agree with land claims, aboriginal rights or indigenous rights whatsoever. He wants to gut this treaty absolutely. It is not about making improvements to the bill at all. That is the essence of the motions and the amendments that are before the House.

When it comes to law-making power, this is consistent with the Constitution. This is not the first agreement where a first nation or a land claim organization can have certain law-making powers. It has happened with other modern day treaties. These things are negotiated and they are consistent with the Constitution.

The member also talks about the fact that there are 500 acres. This is a postage stamp when it comes to the traditional territory of the Tsawwassen people and their historic and current land use. The member makes this out to be something of a gift to the Tsawwassen people. They have already had their lands encroached upon, resources taken away and the ability to make their own laws.

The member's amendments do not hold water and we should all reject them.

Mr. Harold Albrecht (Kitchener—Conestoga, CPC): Mr. Speaker, as a member of the Standing Committee on Aboriginal Affairs and Northern Development, I am pleased to speak today to Bill C-34.

The Tsawwassen First Nation final agreement was negotiated by Canada, the Province of British Columbia and the Tsawwassen First Nation.

Tsawwassen treaty negotiations began 15 years ago in 1993. Tsawwassen members ratified the final agreement through a community vote, with 70% of eligible members voting in favour. In October 2007, the Province of British Columbia introduced and subsequently passed settlement legislation to ratify the Tsawwassen final agreement.

The majority of the clauses in Bill C-34, which have been proposed for deletion, are fundamental to the Tsawwassen First Nation final agreement. The effect of removing these clauses would render Canada unable to fulfill the commitments it has made in the final agreement. In fact, deleting these clauses would effectively result in Canada not ratifying the Tsawwassen First Nation final agreement.

Canada negotiated the Tsawwassen First Nation final agreement in good faith and we are fully committed to implementing this agreement with all its provisions and commitments. To delete these fundamental clauses of Bill C-34 would be unacceptable, unfair to the parties and to the agreement, and a dishonour to the Crown.

When Tsawwassen chief, Kim Baird, addressed the provincial assembly in November, she said that one of the most important things the Tsawwassen treaty achieved was a new relationship between the Tsawwassen, British Columbia and Canada, that it achieved reconciliation, that true reconciliation signified real action and tangible change and that true reconciliation was the product of this treaty.

I am proud of the Tsawwassen First Nation final agreement and all Canadians can be proud of this treaty. It represents a positive and tangible step forward in building a new relationship with the Tsawwassen First Nation and the Crown.

I would like to take this opportunity, however, to address concerns that have been expressed about the possible impact of tax sharing arrangements on non-member residents of Tsawwassen First Nation lands. No such tax sharing arrangements have been concluded and may not be concluded for many years.

However, the Government of Canada supports the exercise of tax powers by first nations and has a well established policy approach for negotiating tax sharing arrangements with aboriginal governments. About 40 such arrangements have already been concluded under existing legal frameworks, such as the First Nations Goods and Services Tax Act enacted by Parliament in 2003.

Such GST and personal income tax arrangements are outside the treaty and would not change the amount of tax that non-member residents of first nation lands would pay, how they pay their taxes or what they receive in the way of federal services or benefits. These tax arrangements will not affect the ability of resident non-members to vote in federal or provincial elections or to make their views known.

The Tsawwassen treaty itself does not give the Tsawwassen First Nation the ability to impose taxes on non-members of the first nation. The first nations tax system only applies to non-Tsawwassen members through government to government agreements outside the treaty. Canada will only answer these arrangements under conditions that would protect non-members' interests, such as full harmonization and coordination with the corresponding federal tax.

There would be no additional tax burden on non-members. GST and income tax would continue to apply in exactly the same way as enacted by Parliament in federal tax legislation, using the same rates, the same rules and the same Canada Revenue Agency forms, administration and recourse processes.

Based on delegated, discretionary and terminable tax arrangements, Parliament retains ongoing political accountability for the application of the tax to non-members and for its decision to share tax room. Under these circumstances, these arrangements do respect the principle of representation.

Tax sharing arrangements would also include mechanisms to contain the amount of forgone federal revenue where, for example, non-members of the first nations account for a significant proportion of the first nation tax base. For instance, if such a tax arrangement were in place now, the Department of Finance estimates that about 40% of the total personal income tax derived from all residents of Tsawwassen lands would be shared with Tsawwassen and Canada would retain 60%.

● (1720)

Finally, I would stress that these taxes would apply equally to members of the Tsawwassen First Nation. The Tsawwassen treaty will end the existing Indian Act tax exemption following an agreed upon transition period. It, therefore, encourages the first nation to exercise its tax powers. These taxes would generate revenues that would help to fund the first nation's programs and services. They would contribute to the shared responsibility for funding self-government and reduce dependence on federal transfers. They would also encourage greater accountability between the first nation and its citizens and thereby promote better governance.

It is clear that it is important that Parliament pass Bill C-34 in the form in which it was ratified by Tsawwassen members and by the British Columbia legislature.

● (1725)

Mr. John Cummins (Delta—Richmond East, CPC): Mr. Speaker, it is a new relationship all right between Tsawwassen, B.C. and Canada. The member suggested that the comments I made about income taxes being paid by band members and non-members resident on the reserve was incorrect.

The information that I have and that I quoted from was given by the Department of Finance to the Tsawwassen Indian Band in a briefing prior to the band voting on the treaty. The band was assured that the income taxes of members resident on the reserve would not go to the federal government and that non-residents currently residing on the reserve would not pay taxes to the federal government but that they too would pay taxes to the band government. The band was reassured that probably 80% of the tax revenue that would be collected by the band would come from non-band members.

That was from the briefing note prepared by the Department of Finance. I do not think I was too far wrong unless the Department of Finance was misleading the band.

I never suggested that there would be an additional tax burden on the residents or the folks who are living on the reserve because their taxes will go to the Tsawwassen Band. In fact, they will be entitled to all the tax privileges that we all have, the write-offs and so on. The only difference is that at the end of the day the federal government will cut a cheque for the money they paid in taxes to the Tsawwassen Indian Band, which means there will be a shortfall for the rest of us. The estimate of that, given that the department has said that something like $1.5 million in federal taxes would have gone to the Tsawwassen Band in 2007 if the deal had been cut, is that $100 million will go to native bands in British Columbia after all of these treaties are concluded. That is straight tax money. If it is a 4:1 ratio, that is a lot of money.

The issue I raised about taxes still stands as I stated it. As I say, I have the full documentation from the briefing notes and the speaking notes that the Department of Finance used when it addressed members of the Tsawwassen Band prior to signing the treaty.

Mr. Harold Albrecht: Mr. Speaker, perhaps part of the misunderstanding or misinterpretation here is related to the amount of taxes that are paid currently by non-members. That is primarily a result of the fact, as has been pointed out previously in our debate today, that there are more non-members living in the Tsawwassen area than there are members and also many of these non-members are making larger incomes than many of the members. We feel that is unacceptable. One of the primary reasons that we feel this agreement should be ratified in its current form is to minimize some of the current inequities that occur.

One of the goals of this treaty, in fact probably the primary goal of this treaty, is to reduce first nations reliance on government funding. The Tsawwassen will contribute to the funding of its government from its own sources of revenue. Under this tax sharing arrangement, the first nation can obtain a predictable source of revenue in an efficient and effective way in order to help meet its needs and provide programs and services.

I want to underline that these tax revenues will help to reduce the dependence on federal transfers, thereby contributing to the goals that we all have in this place, which is of self-reliance and shared responsibility for funding self-government.

● (1730)

The Acting Speaker (Mr. Andrew Scheer): Questions or comments. There are only 30 seconds left, so if the hon. member for Delta—Richmond East has a very brief question or comment.

Mr. John Cummins (Delta—Richmond East, CPC): Yes, Mr. Speaker. I would point out to my friend that this does not reduce first nations reliance on government funding. It simply redirects it. The money that is paid by taxpayers is simply going to be routed through the federal government and right back. There is no reduction in reliance. It is simply a shell game. The money is still going to flow and it has done nothing to increase—

The Acting Speaker (Mr. Andrew Scheer): I will have to stop the hon. member there.

The hon. member for Kitchener—Conestoga.

Mr. Harold Albrecht: Mr. Speaker, in fairness, when we look at the rebates that are given to municipalities, whether it is the GST rebate or any of those types of tax sharing arrangements between the federal government and other levels of government, it is reasonable that this agreement also recognize those same privileges for the members of the Tsawwassen Band.

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

Some hon. members: Question.

The Acting Speaker (Mr. Andrew Scheer): The question is on Motion No. 1. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

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

Some hon. members: Nay.

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

I declare the motion lost.

I therefore declare Motion Nos. 2 and 6 lost.

(Motion Nos. 1, 2 and 6 negatived)

The Acting Speaker (Mr. Andrew Scheer): The next question is on Motion No. 3.

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

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

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

Some hon. members: Nay.

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

I declare the motion lost.

I therefore declare Motion Nos. 4 and 7 also lost.

(Motion Nos. 3, 4 and 7 negatived)

The Acting Speaker (Mr. Andrew Scheer): The next question is on Motion No. 5.

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

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

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

Some hon. members: Nay.

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

I declare the motion lost.

I therefore declare Motion Nos. 8 and 9 also lost.

(Motion Nos. 5, 8 and 9 negatived)

● (1735)

[*Translation*]

Hon. Josée Verner (for the Minister of Indian Affairs and Northern Development, CPC) moved that the bill be concurred in.

The Acting Speaker (Mr. Andrew Scheer): Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

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

Some hon. members: Nay.

The Acting Speaker (Mr. Andrew Scheer): In my opinion, the yeas have it.

I declare the motion carried.

(Motion agreed to)

* * *

[*English*]

AERONAUTICS ACT

The House resumed from June 2 consideration of the motion that Bill C-7, An Act to amend the Aeronautics Act and to make consequential amendments to other Acts, be read the third time and passed, and of the amendment.

Mr. Ken Boshcoff (Thunder Bay—Rainy River, Lib.): Mr. Speaker, I apologize. I had been led to believe that there would be an introductory speaker from the government side. Nonetheless, I am ready.

I believe that Bill C-7, An Act to amend the Aeronautics Act and to make consequential amendments to other Acts, should proceed.

When I first arrived in the House four years ago, I undertook an exercise that took several months and that was to read Marleau and Montpetit. Many of us here have read it and found it to be absolutely riveting in terms of jurisprudence and parliamentary procedure. I know the hon. member opposite found it exhilarating when I asked him what his comments were in the book review.

Let me just paraphrase what Marleau and Montpetit talk about when they talk about hoist amendments, which originated in British practice and appeared in the 18th century. A hoist amendment enabled the House of Commons to postpone resumption of consideration of a bill. An analysis of hoist amendments moved in the House of Commons since Confederation shows that the cases in which this procedure has been used fall into two specific periods: the first was from 1867 to about 1920 and the second from 1920 to the present day.

The first hoist amendment was moved on November 28, 1867. Prior to 1920, it was the government not the opposition that used hoist amendments most often. Because the House only had a little time for government business during the short sessions of that era, the government sometimes felt obliged to dispose of a great number of private members' bills by using the hoist procedure, so it would have more time to devote to its own legislation. Since 1920, the period set aside for government business has grown to take up the largest share of the time in the House. Hoist amendments have gradually come to be used almost exclusively by the opposition.

From an examination of the precedents, it is clear that hoist amendments were moved to motions for second and third reading during periods when there was considerable tension between the parties. Those amendments rarely passed. Of the scores of cases recorded in *Journals*, only four succeeded. In each of those four cases, the hoist amendment was moved by the government with the intent of defeating a private member's bill.

Thus, in order to stop the work of the other parties, and not just the three parties but by this very Parliament itself, the NDP has put forward this ancient parliamentary tactic, I believe, just to be obstructionist.

Bill C-7 deals with integrated safety management systems, or as we say in the vernacular SMS. It authorizes the designation of industry bodies to certified persons undertaking certain aeronautical activities. Other powers would be enhanced or added to improve the proper administration of the act, in particular, powers granted to certain members of the Canadian Forces to investigate aviation accidents involving both civilians and military aircraft or an aeronautical facility. This enactment is thus a proactive measure to assist in preventing airplane accidents from occurring in the future.

The opposition's approach at the committee table was clear from day one. Public safety was and is our number one concern not partisan politics as we have seen permeate so much of the government's manoeuvring in the 38th and now the 39th Parliament.

Regrettably, and I must introduce this little negative, the bill did not get through the House in June 2007 as it should have. I think most of us, if not all, were expecting that it would, especially when all members of the committee were working together.

● (1740)

Members of the NDP, who were also working diligently on this in the House, ended up fighting every improvement and then voted to accept them all, coming into the House with a change of mind. That is fine. Such is the way of politics. However, each party seemed to contribute to improve the bill. Government members also demonstrated that they were ready to accept the very good position that all parties had worked diligently to bring forward.

Now, we have a bill that says we have taken into consideration all of those issues and have put into place a safety management system that does not replace the ministerial regulatory oversight required to ensure that the weight of the law is behind all regulations, systems and requirements, that ensure that the public is being served, and that this is always put forward with security and safety first and foremost. If nothing else, that level of cooperation merits supporting this bill.

The Standing Committee on Transport, Infrastructure and Communities has already heard from many key witnesses and stakeholders, such as the Air Line Pilots Association, Transport 2000 Canada, the Union of Canadian Transport Employees, the Transportation Safety Board of Canada, the Aerospace Industries Association of Canada, the Air Canada Pilots Association, the Canadian Federal Pilots Association, and the Helicopter Association. It heard from unions such as Teamsters Canada, business organizations such as the Canadian Business Aviation Association, transportation associations such as the Air Transport Association of Canada, and airport representatives such as the CAC, the Canadian Airports Council, and the International Civil Aviation Organization. In addition to other organizations, it heard from CUPE, the Canadian Union of Public Employees, and departmental officials from the Department of National Defence and Transport Canada.

As a party, we listened to witnesses' concerns on the possible reduction of aviation inspectors with the implementation of this system. If Transport Canada were to essentially diminish the role of the inspectorate or eliminate it altogether, Liberals would not support the bill. However, all the witnesses had the same point of view or enjoyed concurrence in one way or another.

The committee dealt with the issues that appeared to focus particularly on safety. Of the concerns that were raised, the committee realized that these were responsible amendments and, thus, responsible amendments were put forward to strengthen the bill.

The committee actually devoted six months to the hearings and that was a very large amplitude and cross-section of stakeholders and witnesses. Some, indeed, were opposed but most were in favour. Many had concerns but that is why we have an amending process.

Most of the amendments made by the three opposition parties were passed and now form part of the legislation before the House. This is an example of a committee doing its work and expecting a forward movement with the bill. Hopefully, a vote will occur and members can actually indicate it in a democratic fashion.

To summarize some of the key amendments, we have provided definitions to explain safety management systems and have updated the International Civil Aviation Organization's standards. There have been several amendments made to the Aeronautics Act over the years but none of these amendments seem to have actually addressed the matter of bringing Transport Canada's standards and regulations up to ICAO standards. The amendment was put forward by the opposition parties.

● (1745)

Another amendment had the minister take responsibility for the development and regulation of aeronautics and the supervision of all matters relating to aeronautics, thus ensuring, hopefully, the highest safety and security standards.

Ensuring that regulatory oversight is not replaced by safety management systems so that safety management systems have to be implemented by each company that operates in the aeronautics industry, whether it be the carriers, the maintenance companies or the suppliers, would have an additional layer of safety available to Canadians who are justifiably concerned when they use airplanes. I note that the hon. member for Charlottetown, in supporting some of these key amendments, was keen to ensure that there is a definition to explain safety management systems.

Those types of hearings, meaning that people are responsive to them, represent what Parliament can do in a minority government that actually listens, acts and agrees on amendments that make the minister responsible for the development of regulations on these matters of supervision. Canadians want to know that we as a nation have taken a leadership role, and that when they get on board an airplane they know it meets our expectations as Canadians to meet the highest possible standards, and rightly so. Do we know of anyone who would want to take a chance on getting on an aircraft? I do not think so.

Further, I note that the hon. member for Charlottetown made mention that the committee devoted six months to hearings. He stated that there was a whole host of stakeholders and witnesses and that some were opposed but most were in favour, that some had concerns, but that is why we had many amendments.

I believe that the hon. member for Charlottetown, in the spirit of compromise and in trying to make the committee system work, really was on the right track. I know he has spoken at length on this matter several times. We hear now in the last days perhaps of this parliamentary session that we should try to pass as much legislation as possible. If we were almost a year late on this bill already, then at the very least we should be moving forward and trying to clear some of this legislation so that people in the public service can actually get to it and start doing their job, which they are eager to do, to tighten this up and to make our skies more secure.

I see that during the previous debates there were more compliments than there were acrimonious accusations. In this House it is always a pleasure to see people getting compliments. I notice that all parties were recognized for their contributions. It is interesting that in coming together on something like this we can recognize that safety is paramount. We cannot say it enough times that safety is first.

Taking into consideration all of these issues, I believe the committee members deserve credit for their six months' worth of work, which is enough in itself, but the introspective scrutiny and lack of partisanship is a compliment of which we can all be proud.

The hon. member for North Vancouver was also active in this matter. Including aspects of the Canadian Forces to assist in the investigation of aviation accidents that involve both civilians and the military is something that can be done in Canada. It would enhance our inspection services and the reliability of a system that has a built-in backup and follow-through for these things.

● (1750)

I was trying to calculate the total number of witnesses and stakeholders. Among them are CUPE, the teamsters, the airline pilots associations, the Canadian airport associations and the Canadian Business Aviation Association. That is just a precis of the organizations that appeared. When we add up all of that input, we are talking well into hundreds of thousands of people converging on one point in everyone's self-interest. Fortunately the public is the main beneficiary of those hundreds of thousands of people represented by those dozens of organizations all aiming for the same thing which is to make sure that those planes that everyone takes land safely.

The concern about the possible reduction of inspectors has been addressed. We have assurances that this will not happen. Judge Moshansky was the commissioner of inquiry into the Air Ontario crash at Dryden. To my continuing sorrow, and I will never forget the day when I heard the news, I lost two of my very best friends in that crash. It was a very emotional day. I can remember it vividly. In having a chance to speak to this now, it is almost impossible to think of this in that context, when one loses one's best friends. At the best of times one wants to make sure that there is some legacy to actually ensure that no one else will have to endure that kind of sorrow.

In summary I will talk about key amendments. First I want to mention the many major organizations that spoke in favour of the bill: the Union of Canadian Transportation Employees, Teamsters Canada, Transport 2000, the Air Line Pilots Association, the Aerospace Industries Association of Canada, the Canadian Airports Council, the Air Transport Association of Canada, the Canadian Business Aviation Association, the Transportation Safety Board of Canada and the Transportation Appeal Tribunal of Canada.

These amendments include additional regulation making powers for things such as aircraft emissions and fatigue counter-measures, as well as safety management systems for holders of Canadian aviation documents. Agreed? I hope so. There are new powers comparable to those of the Canadian Transportation Accident Investigation and Safety Board for the Canadian Forces Airworthiness Investigative Authority to investigate aviation incidents and accidents involving both military and civilian contractors. Agreed? I sure hope so. There are provisions to encourage employees of Canadian aviation document holders to report safety concerns voluntarily without fear of legal or disciplinary action. Supported? I believe that should be so. There are provisions to allow for more self-regulation in low risk areas of the aeronautics industry. Hopefully this would receive unanimous consent. There are additional tools for the Minister of Transport, Infrastructure and Communities to ensure compliance and increased penalties for contravention.

● (1755)

I hope that this bill is passed with its amendments and that everyone supports it when it comes to a vote.

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, I have to say at the outset that the greatest expertise in my caucus lies absolutely with the member for Burnaby—New Westminster. He has been very thorough in his study of this bill. He has followed it very closely. He has consulted widely. One of the things that concerns me a lot is that while the Liberal member who has just spoken has acknowledged there were many amendments needed and a number of amendments were adopted, it is very much the view of my colleague, who is the critic for this bill, that about 50% of the flaws, omissions or sins committed by this bill have been adopted. In other words, about 50% of the problems remain to be fixed.

I wonder if the member could elucidate for those of us who are trying to follow the debate here in the House but also for the public who share a real concern when we are talking about something as fundamental as air safety. Can he honestly say that fixing about 50% of the flaws in the bill is the kind of assurance that absolute air safety, of which we have a responsibility to assure the public, is reflected in this bill?

Mr. Ken Boshcoff: Mr. Speaker, I read through that huge list of organizations. I would have to say that if we have a committee that has been working for six months and has come to an agreement, especially with the chance of Parliament adjourning perhaps by June 20, there must be some form of compromise to move forward and get that large number of constituencies on board rather than lose all of that work. The committee has been six months in the process; it almost had it a year ago. I have to say that some may feel that the legislation is flawed.

Of course everybody in this House knows that Thunder Bay's airport is the third busiest in Ontario.

An hon. member: Of course.

Mr. Ken Boshcoff: Thank you for understanding that fact. It is great geography.

Mr. Speaker, I have to say that when everybody's goal is primarily aviation safety and security, we really want to show some conclusion to the committee's work rather than risk losing it all and starting from scratch again in the fall. I would really encourage everyone in this House to support the bill.

Hoist motions are one thing. There is a historical precedent for why they are used, but now they are being used as a technique to slow things down and just be obstructionist. I think that in the spirit of compromise among all parties, getting these amendments through should be the goal of this Parliament.

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, I have something I want to get on the record related to aeronautics, and this is the only spot where I know I can do it.

The Department of Transport is trying to force every airplane to have an upgraded ELT machine. I wish I had the number, but I was not expecting to debate this so quickly. This is fine for commercial airlines because they can afford it. The item will cost between $2,000 and $5,000, once it is inspected and integrated into the airplane. The problem is between 70% and 90% of the time it fails because the plane crashes and it gets wrecked. There are modern pieces of equipment, such as the GPS, which can be bought for a few hundred dollars. It will do the same job and in some ways a better one. I am talking about small private airplanes. Thousands of pilots in Canada are complaining about this. There was an agreement with the pilots association and then, for some reason, the government went back on that.

I ask the government to revisit this regulation because it will cause people to unnecessarily die. Pilots will ignore this because they cannot afford it, yet they could have had an alternative. I would ask the government to go back and negotiate with the pilots again and come up with something that is reasonable. Let the airlines have this fancy piece of machinery, which does not necessarily work all the time. However, for pilots of small aircraft let us keep them safe and let them use some of the alternatives that have come on stream since this was originally envisioned. It will make the skies safer and it will be a win-win situation for everyone.

● (1800)

Mr. Ken Boshcoff: Mr. Speaker, the hon. member for Yukon has made a statement, which is a reasonable one. From the standpoint of northwestern Ontario, I understand for the large number of smaller aircraft the concern is the expense. It is the kind of thing that committee should have on the record as addressing. In many cases in our society there is frequent over-compensation. In this modern era of technology, almost everyone in this room who has a BlackBerry can pretty much find out where they want to go or where they have been. Therefore, the technology need not be so expensive.

Mr. Lloyd St. Amand (Brant, Lib.): Mr. Speaker, I very much enjoyed the speech of the member for Thunder Bay—Rainy River. I have the opportunity to work with him on the natural resources committee and the agriculture committee. I know how effectively he performs on those two committees and how he keeps uppermost in his mind the concerns of his constituents.

He mentions, very eloquently, the ability of the House of Commons to work together. He took us very thoughtfully through the workings of the committee as it went through Bill C-7. He mentions that the overwhelming majority of groups, which are involved in this industry on a hour to hour basis, clearly are in favour of Bill C-7.

What are the member's constituents saying about the bill? How do they feel it will advance the issue of air safety, which is a concern to every Canadian?

Mr. Ken Boshcoff: Mr. Speaker, it is very interesting that in northwestern Ontario, my riding of Thunder Bay—Rainy River, there are several small airline companies. There is the Thunder Bay International Airport Authority, which is the third busiest airport in Ontario. A number of very small private charter operations and a number of tourist camp operators have their own systems in concert with their tourist camp operations.

As someone who used to be in the insurance industry, not only do I know these operators personally, and they are far from shy people, they will always let me know if there is an issue of concern to them. In addition to the airport authority board, which is rather dynamic and forward thinking, in my meetings with the Canadian Airports Council, it has been pretty unanimous that everyone in these professional organizations and as independent business people have been very much in favour of something that strengthens safety for all passengers in Canada.

● (1805)

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, I know some members in the chamber have said how much they enjoyed the speech from the member for Thunder Bay—Rainy River. I do not particularly want to single him out, but I am very nervous about his speech. I heard him say that we have been at this for a long time, that some amendments have been and we should now recognize that some compromises should be made and get the bill through.

I, for one, am not a nervous flyer at all. I am quite relaxed flying, but there are a lot of reasons to be nervous, particularly if one is inclined to be a nervous flyer and sees us sailing through a bill that is based on compromises. Surely there is nothing less appropriate to compromise over than airline safety.

This is one of the areas in which it is pretty absolute, that if there are any doubts or any possibilities that safety considerations are being compromised, then we should stick with the project, keep working at it until, as my colleague from Burnaby—New Westminster has said, we absolutely get rid of the flaws in the bill and we can assure the public that no compromises have taken place with respect to it. It is very hard to imagine one would rationalize to members of the public, whether they are frequent flyers, or are occasional flyers or do not fly at all, because I am sure they have loved ones who fly, that we have decided to make some compromises in order to say that we have something to show for it.

I know the member, as have others, said that a good many of the amendments brought forward were adopted and the majority of those who appeared before the committee were satisfied with the amendments. However, as I look back at some of the testimony before the committee, I am very worried about the fact that some of those who clearly were not satisfied, those who remain very concerned and very critical of some of the fundamental aspects of the bill appear to be those who would be the most knowledgeable. I think it is fair to say that those who do not have a self-interest involved, but rather who have a particular technical and professional expertise makes them in some ways the most informed and the most reliable critics. They are the ones to whom we ought to pay the most attention.

There is no question that this is very complicated legislation. Therefore, I do not pose as somebody who has suddenly become an expert because it would not be true. What I do have is a very great concern about what appears to be the most fundamental principles that need to be upheld. We do not simply pass over, essentially to the airlines, the ability to enforce their own safety requirements.

The simplistic way of putting this is the notion of the fox looking after the hen house. I know some will object and say that there are some checks and balances. However, it does seem as though it is really a concern, that we essentially are putting in place a system that depends on the airlines being their own safety management enforcers. That is fundamentally wrong, and not because all would act responsibly. I think we would agree that the overwhelming majority of airlines would act absolutely responsibly. Thank goodness we can say that about the vast majority. However, there are also known situations where particular airlines have acted very irresponsibly, have disregarded the need for the most basic safety requirements. Therefore, we need to be sure that we have a fail proof system that attends to those who will be least responsible.

● (1810)

I have reviewed some of the concerns that have been brought forward. It seems to me that we are playing somewhat fast and loose with what is ultimately our responsibility as legislators. We have to ensure we put an airline system in place that is tight enough and based on the important principle that self-interest cannot be allowed to interfere with fundamental safety requirements, and not a system that will work for the vast majority. We have to ensure a system of checks and balances is in place that will never make the mistake of putting self-management into the hands of an irresponsible airline.

It is really a concern when I hear members talk about compromising in order to have something to show for what has been a year's work. What could be more serious than placing the fundamental issue of safety in the hands of those of us who are not experts, those of us who are not professionals in the field? The fundamental issue of safety should be placed in the hands of the most appropriate structure and the most appropriate system. A number of those who expressed real reservations about that are the very people who have the most expertise in the field. This is indeed a worry.

It is not clear to me, from having followed some of the debate here and having reviewed some of the *Hansard* transcript, whether official opposition members will stand and vote, for once, on something as important as this. Some members may vote for the bill and some may vote against it. I have heard people speaking on both sides of this issue.

It is not surprising to me that a number of members on the official opposition bench, if we can still call the Liberals in the House the official opposition, have indicated that they will be voting for the legislation. If I recall correctly, the bill was brought in by the Liberals in the first place and we find ourselves still working through it to try to arrive at a higher standard of safety enforcement.

Once we get the kind of references to the need to compromise and some indication it looks like there will be Liberals voting on both sides of this, some really important work still needs to be done to get this thing right.

I am persuaded that some of the most important principles about assuring the checks and balances are in place and that it is not just the airline industry policing itself have yet to be really properly grounded, if I can use that in the context of what we are talking about, which is airline travel.

I do not get to ask questions on this for the member who has advocated compromise. I do not want to seem like I am singling him out, but when we are talking in terms of compromise, it is frightening to imagine that we could be rationalizing our way to voting for the bill in its current form.

Enough concerns have not been addressed in terms of the amendments. W e have to be very mindful of what some of those concerns were. Who would better know what the hazards are in the current bill than Justice Virgil Moshansky, who conducted the Dryden crash inquiry and who expressed some major concerns about the bill in its current form. Who would know more than those who have themselves served as inspectors about the remaining flaws in the bill now before us?

● (1815)

My time is up, but I want to say finally, one more time for the record, that there is no room for compromise on something as fundamental as airline safety. Therefore, this bill in its current form is not supportable from my perspective and that of my NDP colleagues.

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, the member for Halifax spoke eloquently, as she always does, on this issue of compromising passenger safety, which is really the intent of the bill, essentially.

Because Transport Canada wants to cut back on the number of flight inspectors it has, it came up with this brilliant scheme that it simply will give the safety management systems to the airlines themselves, which, as the member for Halifax noted, works very well in the case of a number of airlines but will not work so well with some of the fly-by-night airlines that exist in Canada, which have had problems in the past. Without appropriate oversight, it is a very real compromise for passenger safety.

I want to ask the member for Halifax this question. Given the fact that she travels every week to her riding in Nova Scotia, has travelled across this country as a former leader of my party and continues to do so today as a member of Parliament, and since she meets thousands of people in her own riding and elsewhere throughout Nova Scotia and across Canada, what does she think the reaction of members of the Canadian public would be to find out that Parliament has adopted legislation that compromises their safety when they fly on certain airlines?

Ms. Alexa McDonough: Mr. Speaker, I suppose all of us as members of Parliament do not want to scare the wits out of the travelling public, but it does come up from time to time. One tries to raise the issues where one thinks there is some expertise to lend to addressing the legislation in its current form and certainly to what we have identified as flaws.

The fundamental question remains. How many Canadians would vote to have an airline that has a record of repeated safety violations made responsible for its own safety management system? That is the question.

I said earlier that I am not a nervous flyer. I actually have a great deal of confidence. For example, I travel most of the time with Air Canada and I have never on a single occasion had a concern about whether my safety was assured or not.

However, we know there are such airlines. Some of them get into the business and get out of the business. Unfortunately, the one that most easily comes to mind is Jetsgo, which has had a really serious record of concerns about playing fast and loose with safety.

I do not think that one has to be the kind of expert who gave testimony in order to express real concerns. If there is any question about there being some airlines that would not operate in a totally safe manner and that would use the fact the safety management systems are put back in their hands, one just needs the common sense to say that this piece of legislation is not adequate to absolutely guarantee safety. That is why we have to keep working at it.

There is nothing about the deadline that people are suggesting which means that all the work is for naught. It means we have to go forward with the amendments that have already been made, but we still have to address those that have not been adequately adopted.

● (1820)

Mr. Peter Julian: Mr. Speaker, the member for Halifax referenced Jetsgo. I want to read into the record the problems of Jetsgo:

> Three months after the launch of the discount airline, sloppy maintenance forced an emergency landing in Toronto. Pilots noticed they were losing the hydraulic fluid that helps run aircraft systems...Mechanics had installed a temporary hydraulic line with the wrong pressure rating, and it failed within two flights.

There are a lot of articles on Jetsgo. Could the member for Halifax comment on the well-documented safety problems of Jetsgo and what it could mean for Bill C-7 and the safety of the travelling public if the airlines are responsible for their own safety?

The Acting Speaker (Mr. Andrew Scheer): The hon. member for Halifax has 30 seconds.

Ms. Alexa McDonough: Mr. Speaker, I do not have a lot of time to respond, but it does not take long to respond to that. Jetsgo is an example of why it is just simply wrong-headed to suggest that the major responsibility for the safety management systems can lie with the airlines themselves. If we have even one irresponsible airline operating, then there is reason to be concerned and, frankly, reason to be critical of this legislation at this point in its current but hopefully not final form.

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, I am glad to rise on Bill C-7, the unsafe skies act, because I think it is important that Canadians are aware of what is actually in this bill that is being proposed by the Conservatives and that was proposed by the previous Liberal government as well.

Essentially, this bill would do for the airline industry what we saw done for the railway industry and for business aircraft. I will come back to that in a moment. What it does is hand over, through self-serve safety, SMS, the safety management systems of airlines, to the airlines themselves, to the corporate CEOs.

Why would this be proposed by the government? People who came before the transport committee, the chief bureaucrats at Transport Canada, were very clear that over the past few years we have seen a substantial increase in the number of flights in Canada. There is no doubt about that. There has been a steady and substantial increase from one year to the next in the number of flights in Canada.

What have Conservative and Liberal governments done? While they were handing out tens of billions of dollars in corporate tax cuts, they decided that they could cut back on the number of safety inspectors.

According to testimony at the transport committee just a couple of weeks ago, it turns out now that through attrition we have lost a couple of hundred flight inspectors. We are not even at the full strength we were at 10 years ago. We are now down to less than 750 flight inspectors for the entire country.

Let us picture this. We have an escalating number of flights over Canadian skies and a smaller number of people to protect the public interest. What is the brilliant plan? Let us hand over safety management systems to the airlines themselves.

As the member for Halifax said, with some airlines I do not think any of us would have any concerns at all. We have some very well run airlines in Canada. However, not all of them are well run.

And here is the problem with the unsafe skies act. Essentially what it would do is hand over safety management. Whether the airline is an Air Canada or a Jetsgo, it would simply take care of safety itself.

That is simply not acceptable to the vast majority of Canadians, who want to make sure when they put their loved ones on an aircraft that the aircraft is certified as safe and is overseen by registered flight inspectors through the Government of Canada with the tax dollars that Canadians pay to ensure the safety of the travelling public.

We have seen this story before. We saw the same kind of thing happen with railway safety. The government said that we did really did not need to have all those railway inspectors. It said that we should just hand over inspection to the railway companies themselves. What happened? There was an escalating derailment rate, with deaths across the country. Unfortunately, British Columbia in particular is a victim of that wrong-headed and irresponsible policy of self-serve safety in the railway industry.

We are dealing with that legacy today as we see more and more derailments. There are higher rates now than there were before this handover.

We saw the first implementation of SMS with business aircraft. With business aircraft, we had a perfect record. For over more than a decade under the previous system, with flight inspectors in place, business aircraft in Canada were perfectly safe. When I say "perfectly safe", it essentially means that with business aircraft there were no accidents. There were no fatalities.

We turned over business aircraft to SMS and we have seen the first fatalities. Thus, through this wrong-headed—and let us call it what it is—budget-cutting measure, we have turned a perfect system into a situation where people now are dying, where people are victims.

It did not work for railways. It has not worked for business aircraft. Why would any member of Parliament in his or her right mind vote for a bill that is not going to help or enhance the safety of the travelling public but would essentially do the opposite?

I think it is fair to say that in this corner of the House the NDP has been saying since this bill first came forward that there were problems with it. We tried to fix it in committee. We got a number of amendments through.

● (1825)

Then the government and the Liberals worked together and basically steamrolled the bill through, badly flawed, as the member for Halifax said, with huge gaps that will have a result and an impact on the travelling public.

We do not have to look far. If it did not work for railways, has not worked for business aircraft, then we would think, rather than going for the three strikes and playing some sort of strange dice game with the lives of the Canadian travelling public, that the Conservatives would say that there is a problem here.

The government should say that it is going to have to withdraw this bill and actually look at it and see what the impacts are of cutting back on flight inspectors, handing over safety management to airlines, good or bad, and perhaps most particularly, ensuring both increased secrecy around safety problems that occur in the airline industry and also a get out of jail free card for corporate CEOs. They could violate the law, but they have a confidential reporting system that basically gets them around what essentially should be a safety system that protects Canadians.

These are the fundamental problems with the bill. It has not worked in the two sectors it has been implemented in. This is a big problem.

The Auditor General's report did not analyze the actual impact on safety. All she did was analyze how the paperwork was being handled by Transport Canada. The report that came out a few weeks ago was very harsh in condemning Transport Canada for not getting the paperwork right.

I am not concerned about the paperwork. When the Auditor General says that there are fundamental problems and flaws with the bill, I think the government should sit up and take notice. Members of Parliament should sit up and take notice.

But when the Auditor General says the paperwork has not even been done right, then we have to wonder about the impact with the implementation of this bill. If the government cannot get the paperwork right, we can be darn sure that it is not going to get the safety systems right.

The NDP initially was the spokesperson for the Canadian travelling public. I know now that there are members of the Bloc and the Liberal Party who are now questioning this whole issue and are concerned about it as more and more voices speak up against it, Judge Moshansky being one of them. There are the flight inspectors across this country who are concerned about the impact on safety. I could mention many more.

Fortunately, the fact that the NDP has been speaking up has led to other voices being brought forward. That is why we are opposing this bill.

The Acting Speaker (Mr. Andrew Scheer): The hon. member for Burnaby—New Westminster will have two minutes to conclude his remarks the next time this bill is debated in the House.

Adjournment Proceedings

ADJOURNMENT PROCEEDINGS

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

[*Translation*]

FEDERAL PROTECTED AREAS

Ms. Louise Thibault (Rimouski-Neigette—Témiscouata—Les Basques, Ind.): Mr. Speaker, I want to come back to the question I asked the Minister of the Environment a few weeks ago, on April 14, in which I mentioned a critical situation in the Pointe-au-Père National Wildlife Area, near Rimouski. That area has become part of Rimouski in the past few years. I agree with the hon. member for Montmagny—L'Islet—Kamouraska—Rivière-du-Loup who says that is a very beautiful part of the country.

This site has been completely abandoned by the federal government. Campers and pets are allowed there unsupervised. The sewers are overflowing. As a result of the federal government's chronic lack of involvement, migratory birds have deserted the site.

This is a major problem because the government had declared the Pointe-au-Père site a protected area since it is an essential habitat for migratory birds that are at risk.

Lack of funding and human resources have really put this natural habitat at risk. I am sure my colleagues in this House understand what it means to save species at risk and to save a natural habitat.

The minister confirmed that he felt this national wildlife area was still valuable. He said there would be increased surveillance at the Pointe-au-Père site in particular.

I will personally see to it that the government keeps its promise and that both financial and human resources are allocated to protect this important site forever.

There is a lot of work to do because, as I said, this federally protected area has been not only neglected but outright abandoned by both the current and previous governments.

The Government of Quebec and the municipalities of Rimouski and, for a time, Pointe-au-Père, have had to do what they could to look after this protected area.

This issue is still current. The environment commissioner's latest report revealed that several federally protected areas are at risk for want of management plans and adequate resources.

Once again, what does the Conservative government plan to do about this, not just for our protected area in the Lower St. Lawrence, but for other areas within our borders?

Unfortunately, we have seen that the government does not really care about conservation organizations, such as ZIP committees—committees for areas of prime concern—which take care of various St. Lawrence River protection and promotion projects together with the Government of Quebec and communities.

These organizations have already been weakened by the government's delays in providing the funding they need for their projects, and now their projects are being put off even longer. That is what happened to 14 Lower St. Lawrence ZIPs, and one of them in particular.

Eventually, we got an answer. However, I would like to reiterate my question. Funding decisions for the new year are supposed to be made in October or November, so why are those decisions not made, and why are people not informed? Even though we prevailed for the Lower St. Lawrence—and I am really happy about that—there was no reason to make the ZIPs wait that long. That was ill-considered. These organizations are important to us, and we should be able to depend on the government to look after them.

● (1830)

[*English*]

Mr. Mark Warawa (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, conserving the wildlife heritage is a real concern to this government. I am, therefore, happy to return to the item raised by the independent member from Rimouski-Neigette—Témiscouata—Les Basques last April 14 concerning the Pointe-au-Père National Wildlife Area.

The Pointe-au-Père National Wildlife Area, located on the outskirts of the city of Rimouski, is a popular destination and it is a source of pride for all residents in the Bas-Saint-Laurent region. It is also under a great deal of stress from human presence and we are, therefore, giving it very special attention.

The government has accepted the commissioner's report and is committed to taking the action that the previous Liberal government failed to take. Many of these problems were flagged under the Liberals years ago. What did they do? They did absolutely nothing.

Our government is clearly taking action where the former Liberals fell short. In the 2007 budget, our government announced a 50% increase in funding to enforce environmental legislation, which amounts to 105 additional officers across Canada, including 38 specifically assigned to wildlife conservation legislation. In particular, this funding will enhance monitoring activities within Environment Canada's protected areas network.

Canada has tough environmental regulations, the toughest in Canadian history. However, regulations mean nothing to polluters in the absence of a strong team of environmental enforcement officers. This government is committed to protecting and preserving our fragile lands.

Our environmental officers regularly visit the national wildlife areas and migratory bird sanctuaries to ensure the regulations are being upheld.

To answer the concerns raised by the member today, officers visited the Pointe-au-Père National Wildlife Area on April 16 and corrective action will be taken.

It is through the strong leadership of the Prime Minister and the environment minister that we are getting things done and ensuring that our environment remains clean, safe and protected. It will take time to clean up the legacy of Liberal mismanagement on federal protected areas but we are taking action with real dollars, moving forward and getting the job done.

I look forward to the member's support. We need to work together and hopefully she will support the commitments that this government has made and the real dollars that we are putting into protecting these sensitive areas.

● (1835)

[*Translation*]

Ms. Louise Thibault: Mr. Speaker, in the 40 seconds or so I have left, I would like to say that it is surprising to hear the Conservative government blaming others again. The Conservative Party is the one in power at this time.

I am glad I asked the question on April 14 and 16. People were there to keep a close watch and look into what was happening at Pointe-au-Père, in order to solve the problem of the gross negligence that we have seen.

As for the government's obligations, can the parliamentary secretary tell us in practical terms how much Environment Canada will invest in this site in order to correct the situation? He talked about 35 people across Canada, but how many people will visit the Pointe-au-Père site on a regular basis, in order to ensure that it will be revitalized?

[*English*]

Mr. Mark Warawa: Mr. Speaker, the member acknowledged the presence of the government. We are in government and, unfortunately, she voted against the funding for which she is now asking.

I would like to remind the member opposite of some of the examples of this government's commitment to the environment and conservation just in the last year alone.

We have committed to a 50% increase in the number of enforcement officers to ensure these stringent regulations are respected. We have massively expanded the Nahanni National Park Reserve, setting aside a land mass twice the size of Nova Scotia in the Northwest Territories for a future national park. We have created the Lake Superior National Marine Conservation Area, which is the largest freshwater marine park in the world. I could go on and on.

We are getting it done. I would ask the member to support the government, not only in words but in actions.

[*Translation*]

MANUFACTURING SECTOR

Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, on April 9, 2008, a little over two months ago, I asked a question in this House about what is being done by the federal government to help the manufacturing sector to get through the current crisis. I mentioned that the federal government's current aid in the $1 billion trust fund granted $20,000 per job lost in Alberta compared to $2,276 in Quebec, while Alberta has lost just 2% of jobs compared to 34% for Quebec over the past three years. This illustrates the unfairness of the current system.

In the meantime, unfortunately, a significant number of job losses have been added—just look at the automobile plant closure in Oshawa. Those job losses have a major impact throughout Quebec because 2,400 jobs in Quebec are tied to sub-contracts with that plant.

Unanimous recommendations from the Standing Committee on Industry, Science and Technology were supported by the Standing Committee on Finance with respect to refundable tax credits for companies that do research and development. We do not see the federal government taking any action. Does its ideological approach, whereby only the rules of the market matter, still apply? The public does not support that approach.

Or is it because it wasted money and did not use the tools it should have used, such as the $10 billion surplus it put toward the debt on March 31, 2008, even though Canada's debt to gross domestic product ratio is better than any other G-7 country's? The “pay off the debt” mentality is not meeting today's needs. Instead, we need the government to put money into the economy, not in the form of subsidies, but in the form of a fiscal framework that would help our companies deal with these realities.

Can my colleague tell me whether the Conservative government has a plan for new ways to help the manufacturing sector, which is still facing the same difficulties? That is what is happening now in Quebec and Ontario. Right now, Canada has a two-speed economy. When the Bank of Canada sets the interest rate, it has to take into account the pro-inflationary situation in Alberta and the situation in the east, Quebec and Ontario, which are having a much harder time keeping their economies going.

The government has the tools at its disposal, so will it decide to use them to ensure that our economy can benefit fully from a little boost in desperate times, when the rising dollar, linked to the rising price of fuel, is wreaking havoc on our ability to compete in the North American and global economies?

Is it not time to use some new tools? Should the government not step up with some new development tools and new ways to support businesses so that we can keep our jobs? Because without that, once all of our manufacturing jobs are gone and have been replaced by maintenance and sales jobs, we will not have what it takes to make our economy work.

Can my colleague comment on whether the government plans to change its approach?

● (1840)

[*English*]

Mr. Ted Menzies (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, thank you for the opportunity to speak to the strength of the Canadian economy. We all recognize that Canada is not an island. Challenges from abroad will impact our economy, but we are well positioned to weather global economic uncertainty. Our economic fundamentals remain strong.

As of June 2008, the OECD economic outlook reported:

> Canada has entered the current period of weakening global growth from an enviable position.

Indeed, our labour market remains strong. We are still recording job growth, wages are still rising, and a record number of Canadians are in the job market. Indeed, while the United States lost nearly 50,000 net jobs in May, Canada created over 8,000 net new jobs that month. In fact in Quebec alone, we see the lowest unemployment rate in 30 years.

According to Statistics Canada, in May employment rose by 18,000 in Quebec, with a big positive rebound in manufacturing jobs with gains, for instance, in the aerospace industry. Additionally, as the *Montreal Gazette* recently noted, Quebec is benefiting more than many would think from the same resource boom that has impacted western Canada. It said:

> With a forecast $10.8 billion in output this year, Quebec's mining industry is... growing like blazes, helping to spur still more billions in new investment.

Little wonder we now hear continual talk of job shortages and the need for more skilled workers from the province. For instance, just earlier this year Quebec launched an initiative to fill the huge gap in the province's labour shortage caused by an aging workforce. Indeed, some estimates suggest almost 700,000 jobs will need to be filled by 2011 to address this situation.

One of the most striking examples of the extent of Quebec's labour shortage, as referenced in a March 2008 *Globe and Mail* article, can be found in the community of Baie-Comeau where:

> —as many as 600 of the 1,500 workers at the Alcoa aluminum smelter will retire in the next five years.

In the words of Quebec Premier Jean Charest:

> These jobs pay on average $60,000 a year. They are good jobs. But you know what? They have a problem in Baie Comeau. Alcoa has a challenge.

To help address that challenge, the Government of Canada is at the table with tangible and constructive measures to support worker retraining and helping communities take advantage of the economic opportunities of tomorrow.

Two of those very positive measures that our government has introduced in that respect are the $1 billion community development trust, which supports communities and workers, and the targeted initiative for older workers, which budget 2008 extended with an additional $90 million in support.

● (1845)

[*Translation*]

Mr. Paul Crête: Mr. Speaker, my colleague referred to OECD remarks, but the OECD also make the following comments.

First, right now, Canada has a two-speed economy, and that is a very dangerous trend because it creates a spiral that puts Quebec and Ontario at a disadvantage. We could well find ourselves in the same position as Holland when petroleum development gained significant momentum and brought other industrial sectors crashing down.

Second, the OECD asked for a new approach to climate change. A lot of jobs could be created in that field.

Finally, some companies are doing well. Five out of 25 industrial manufacturing sectors in Quebec are moving forward, but 20 are moving backward.

Will the government finally provide an assistance program for older workers that will not only retrain people to do other jobs, but also ensure that if they cannot be retrained, they at least have access to something to bridge the gap to retirement?

[*English*]

Mr. Ted Menzies: Mr. Speaker, I would hope that my colleague from the Bloc will recognize the tangible and constructive measures this government brought forward. Including those I mentioned earlier, we have also helped the manufacturing sector with $9 billion in tax relief, including broad-based tax reductions as well as a temporary accelerated write-off for investments in machinery and equipment.

These tax relief measures, along with the community development trust and targeted initiative for older workers, are broad-based measures. Again, our economic plan, “Advantage Canada”, is working for Canadians and Quebeckers.

We are seeing in the May employment data, 18,000 net new jobs in Quebec and there are more positives on the horizon. As Jay Bryan pointed out in the *Montreal Gazette* this weekend:

> The backlog of unfilled orders among Canadian manufacturers has grown strongly in recent months, and is now 20 per cent higher than it was at this time last year.

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

(The House adjourned at 6:47 p.m.)

CONTENTS

Monday, June 16, 2008

PRIVATE MEMBERS' BUSINESS

Canadian Multiculturalism Act

Bill C-505. Second reading 6961
Mr. Szabo 6961
Mr. Mulcair 6962
Ms. Gagnon 6963
Mr. Lebel 6965
Mr. Crête 6965
Mr. Petit 6967
Mr. Paquette 6967
Division on motion deferred 6968

Suspension of Sitting

(The sitting of the House was suspended at 11:57 a.m.) 6968

Sitting Resumed

(The House resumed at 12:01 p.m.) 6968

GOVERNMENT ORDERS

National Defence Act

Mr. MacKay 6968
Bill C-60. Second reading 6968
Mr. Wilfert 6970
Mr. Bachand 6971
Ms. Black 6972
(Motion agreed to, bill read the second time and referred to a committee) 6973

Canada Elections Act

Bill C-29. Third reading 6973
Mr. Comartin 6973
Mr. Crête 6975
Ms. Black 6975
Mr. McKay 6976
Mr. Crête 6976
Mr. Szabo 6977
Mr. Lessard 6977
Mr. Julian 6978
Mr. Epp 6980
Mr. Szabo 6981
Mr. Lessard 6981
Mr. Guimond 6981
Mr. Szabo 6983
Mr. Lessard 6983

STATEMENTS BY MEMBERS

Canada Millennium Scholarships

Mr. Shipley 6983

China

Ms. Murray 6984

Seniors Community Centre

Ms. Bourgeois 6984

Manufacturing Industry

Mr. Comartin 6984

World Elder Abuse Awareness Day

Mrs. Yelich 6984

Canada Post

Mr. Brison 6985

Bloc Québécois

Mr. Gourde 6985

Fernand Ouellette

Mr. Carrier 6985

Bloc Québécois

Mr. Harvey 6985

Gilles Patry

Mr. Bélanger 6985

Bloc Québécois

Mr. Petit 6986

Grandmothers to Grandmothers Campaign

Ms. Nash 6986

UN High Commissioner for Human Rights

Mr. Pearson 6986

Gasoline Prices

Mr. Laforest 6986

The Economy

Mr. McCallum (Markham—Unionville) 6987

Carbon Tax Proposal

Mr. Del Mastro 6987

ORAL QUESTIONS

Foreign Affairs

Mr. Dosanjh 6987
Mr. Harper 6987
Mr. Dosanjh 6987
Mr. Van Loan 6987
Mr. Dosanjh 6987
Mr. Van Loan 6988
Mrs. Jennings 6988
Mr. Van Loan 6988
Mrs. Jennings 6988
Mr. Van Loan 6988

Regional Economic Development

Mr. Duceppe 6988
Mr. Harper 6988
Mr. Duceppe 6988
Mr. Blackburn 6989
Ms. Gagnon 6989
Mr. Blackburn 6989
Mr. Roy 6989
Mr. Blackburn 6989

Afghanistan
Mr. Layton ... 6989
Mr. Harper ... 6989
Mr. Layton ... 6989
Mr. Harper ... 6989
Mr. Wilfert ... 6989
Mr. MacKay ... 6990
Mr. Wilfert ... 6990
Mr. MacKay ... 6990

Veterans
Mr. St. Denis ... 6990
Mr. Thompson (New Brunswick Southwest) ... 6990
Mr. St. Denis ... 6990
Mr. MacKay ... 6990

Public Safety
Mr. Ménard (Marc-Aurèle-Fortin) ... 6990
Mr. Van Loan ... 6990
Mr. Ménard (Marc-Aurèle-Fortin) ... 6991
Mr. Van Loan ... 6991

Court Challenges Program
Mr. Ménard (Hochelaga) ... 6991
Ms. Verner ... 6991
Mr. Ménard (Hochelaga) ... 6991
Ms. Verner ... 6991

Ethics
Mr. LeBlanc ... 6991
Mr. Moore (Port Moody—Westwood—Port Coquitlam) ... 6991
Mr. LeBlanc ... 6991
Mr. Moore (Port Moody—Westwood—Port Coquitlam) ... 6991

Election Financing
Ms. Brown (Oakville) ... 6992
Mr. Poilievre ... 6992
Ms. Brown (Oakville) ... 6992
Mr. Poilievre ... 6992

Not for Profit Industry
Mr. Van Kesteren ... 6992
Ms. Ablonczy ... 6992

Health
Ms. Wasylycia-Leis ... 6992
Mr. Fletcher ... 6992
Ms. Wasylycia-Leis ... 6992
Mr. Fletcher ... 6993

Government Appointments
Mr. Regan ... 6993
Mr. Nicholson ... 6993
Mr. Regan ... 6993
Mr. Harper ... 6993
Mr. Harper ... 6993

Canada-U.S. Relations
Mr. Bains ... 6993
Mr. Van Loan ... 6993
Mr. Bains ... 6993
Mr. Van Loan ... 6993

Film Festivals in Quebec
Mr. Paquette ... 6993
Ms. Verner ... 6994
Mr. Paquette ... 6994
Ms. Verner ... 6994

Firefighters
Mr. Proulx ... 6994
Mr. Baird ... 6994

The Environment
Mr. Wallace ... 6994
Mr. Baird ... 6994

Court Challenges Program
Mr. Godin ... 6994
Ms. Verner ... 6994
Mr. Godin ... 6994
Ms. Verner ... 6995

Canadian Heritage
Mr. Proulx ... 6995
Mr. Baird ... 6995

Human Resources
Mr. Rajotte ... 6995
Mr. Solberg ... 6995

Not for Profit Industry
Ms. Thibault (Rimouski-Neigette—Témiscouata—Les Basques) ... 6995
Mr. Blackburn ... 6995

Aboriginal Affairs
Mr. Russell ... 6995
Mr. Strahl ... 6996

Afghanistan
The Speaker ... 6996

ROUTINE PROCEEDINGS

Government Response to Petitions
Mrs. Yelich ... 6996

Committees of the House
Finance
Mr. Merrifield ... 6996
Public Accounts
Mr. Murphy (Charlottetown) ... 6996
Human Resources, Social Development and the Status of Persons with Disabilities
Mr. Allison ... 6996
Government Operations and Estimates
Ms. Marleau ... 6996

Bills of Exchange Act
Ms. Davies ... 6996
Bill C-564. Introduction and first reading ... 6996
(Motions deemed adopted, bill read the first time and printed) ... 6996

Corporate Social Responsibility of Mining Corporations Outside Canada Act
Ms. McDonough ... 6996
Bill C-565. Introduction and first reading ... 6996

(Motions deemed adopted, bill read the first time and printed) 6997

Tobacco Act

Ms. Wasylycia-Leis 6997

Bill C-566. Introduction and first reading 6997

(Motions deemed adopted, bill read the first time and printed) 6997

Pension Benefits Standards Act, 1985

Mr. Martin (Winnipeg Centre) 6997

Bill C-567. Introduction and first reading 6997

(Motions deemed adopted, bill read the first time and printed) 6997

Petitions

Animal Cruelty Legislation

Mr. Proulx 6997

Justice

Mr. Mills 6997

Human Trafficking

Mr. Mills 6997

Citizenship and Immigration

Ms. Charlton 6998

Seniors

Ms. Charlton 6998

Film Industry

Ms. Charlton 6998

Canada Post Corporation

Mr. Cullen (Etobicoke North) 6998

Israel

Mr. Lunney 6998

Foreign Affairs

Mr. Lunney 6998

Automated Teller Machines

Mr. Mulcair 6999

Darfur

Mr. Boshcoff 6999

Unborn Victims of Crime

Mr. Epp 6999

Nahanni National Park

Ms. McDonough 6999

Volunteer Service Medal

Ms. McDonough 6999

Darfur

Ms. Sgro 6999

National Portrait Gallery

Mr. Dewar 6999

Darfur

Mr. Dewar 6999

Security and Prosperity Partnership

Mr. Dewar 6999

Income Trusts

Mr. Szabo 6999

Sponsorship Program

Mr. Goodyear 7000

Democratic Reform

Ms. Bell (Vancouver Island North) 7000

Darfur

Mr. Bagnell 7000

Questions Passed as Orders for Returns

Mrs. Yelich 7000

Request for Emergency Debate

West Coast Salmon Fishery

Ms. Bell (Vancouver Island North) 7000

The Speaker 7001

GOVERNMENT ORDERS

Canada Elections Act

Bill C-29. Third reading 7001

Mr. Bagnell 7001

Mr. Proulx 7001

Ms. Thibault (Rimouski-Neigette—Témiscouata—Les Basques) 7001

Ms. Sgro 7003

Mr. Petit 7004

Mr. Bagnell 7004

Division on Motion Deferred 7005

Tsawwassen First Nation Final Agreement Act

Bill -34. Report stage 7005

Speaker's Ruling

The Acting Speaker (Mr. Royal Galipeau) 7005

Motions in Amendment

Mr. Cummins 7005

Motions Nos. 1 to 9 inclusive 7005

Mr. Lemay 7006

Mr. Bagnell 7007

Mr. Cummins 7008

Mr. Lemay 7009

Mr. Cummins 7010

Ms. Crowder 7011

Mr. Cummins 7012

Mr. Russell 7013

Mr. Cummins 7014

Mr. Albrecht 7014

Mr. Cummins 7015

Mr. Cummins 7016

(Motion Nos. 1, 2 and 6 negatived) 7016

(Motion Nos. 3, 4 and 7 negatived) 7016

(Motion Nos. 5, 8 and 9 negatived) 7017

Ms. Verner (for the Minister of Indian Affairs and Northern Development, CPC) 7017

Motion for concurrence 7017

(Motion agreed to) 7017

Aeronautics Act

Bill C-7. Third reading 7017

Mr. Boshcoff 7017

Ms. McDonough 7019

Mr. Bagnell 7019

Mr. St. Amand 7020

Ms. McDonough 7020

Mr. Julian 7021

Mr. Julian 7022

ADJOURNMENT PROCEEDINGS

Federal Protected Areas

Ms. Thibault (Rimouski-Neigette—Témiscouata—Les Basques) 7023

Mr. Warawa 7024

Manufacturing Sector

Mr. Crête 7024

Mr. Menzies 7025

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