



CANADA

# House of Commons Debates

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OFFICIAL REPORT  
(HANSARD)

**Thursday, April 30, 2009**

—

**Speaker: The Honourable Peter Milliken**

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# HOUSE OF COMMONS

Thursday, April 30, 2009

The House met at 10 a.m.

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*Prayers*

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## ROUTINE PROCEEDINGS

•(1005)

[*English*]

### CANADA POST CORPORATION

**Hon. Rob Merrifield (Minister of State (Transport), CPC):** Mr. Speaker, it is a privilege to table, in both official languages, under Standing Order 32(1), the report of the advisory panel on the strategic review of Canada Post Corporation. Canada Post is an important federal institution. It provides fundamental public service to Canadians.

I would like to thank, publicly, the panel that worked so hard on putting this report together. Dr. Robert Campbell and his committee did a tremendous job.

The government is carefully reviewing the panel's report, and is committed to ensuring that Canadians, rural and urban, continue to have a universal, effective and economically viable postal service.

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### GOVERNMENT RESPONSE TO PETITIONS

**Mr. Laurie Hawn (Parliamentary Secretary to the Minister of National Defence, CPC):** Mr. Speaker, pursuant to Standing Order 36(8), I have the honour to table, in both official languages, the government's response to four petitions.

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### INTERPARLIAMENTARY DELEGATIONS

**Mr. Richard Harris (Cariboo—Prince George, CPC):** Mr. Speaker, pursuant to Standing Order 34, I have the honour to present to the House, in both official languages, reports from the Canada-United Kingdom Parliamentary Association concerning the bilateral visit to Belfast, Northern Ireland, and Edinburgh, Scotland, March 14-21, 2009.

### ELECTORAL BOUNDARIES READJUSTMENT ACT

**Mr. Dennis Bevington (Western Arctic, NDP)** moved for leave to introduce Bill C-374, An Act to change the name of the electoral district of Western Arctic.

He said: Mr. Speaker, I hope soon that you will be able to call me by the new name of my riding, which is really the Northwest Territories. People ask me many times, where is the Western Arctic? The Western Arctic is a name that came before division, when we had two ridings within the Northwest Territories. Both Yukon and Nunavut are called by their proper names. We are proud of our territory, as well, and would like to be well represented in the House of Commons in a fashion that is appropriate.

When our athletes participate in sports across the country, they do not participate as the Western Arctic, they participate as the Northwest Territories.

I beg leave for unanimous consent from the House to rectify this rather longstanding error in the identification of my riding.

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

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### NORTHWEST TERRITORIES ACT

**Mr. Dennis Bevington (Western Arctic, NDP)** moved for leave to introduce Bill C-375, An Act to amend the Northwest Territories Act (legislative powers).

He said: Mr. Speaker, I rise to introduce this bill which would change the responsibilities for the development of new highways from the Government of Canada to the Government of the Northwest Territories under the Northwest Territories Act.

We have been calling for the development of highways. There is confusion over who actually initiates the development of these highways. With this amendment, it would allow the Northwest Territories government to proceed with real planning for the development of new highways, like the Mackenzie Valley Highway, that are really needed in the north. It would allow us to move forward with the preliminary work which would get it to the point where we could look at making this happen.

It would not take Ottawa off the hook for providing support to build this massive undertaking, but it would allow the people in the north to truly express what they see as important in their territory.

*Routine Proceedings*

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

\* \* \*

•(1010)

[*Translation*]

**CRIMINAL CODE**

**Ms. Christiane Gagnon (Québec, BQ)** moved for leave to introduce Bill C-376, An Act to amend the Criminal Code (addition to order of prohibition).

She said: Mr. Speaker, Bill C-376, An Act to amend the Criminal Code (addition to order of prohibition) amends the Criminal Code. If passed, it would authorize a court that sentences or discharges an offender who has committed an offence in respect of a person under the age of sixteen years to prohibit the offender from being in the presence of such a person. My Conservative colleagues can see that the safety of our children is a matter close to our hearts, despite what they delight in saying.

In 2006, in Longueuil, a man who had served a prison sentence as a pedophile was found in his home watching pornographic films with some young children about ten years of age. During his probation, he had not offended against the Criminal Code because this was not a provision in the Code.

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

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**FOOD AND DRUGS ACT**

**Ms. Christiane Gagnon (Québec, BQ)** moved for leave to introduce Bill C-377, An Act to amend the Food and Drugs Act (durable life date).

She said: Mr. Speaker, Bill C-377, An Act to amend the Food and Drugs Act (durable life date) would prohibit the sale of prepackaged or canned food that does not indicate a durable life date.

Thus, its objective is to provide consumers with the most information possible on a food product so that they may make informed and safe choices.

In a context where the Canadian Food Inspection Agency itself admits that unsafe food can find its way onto the market, it is crucial to base all federal regulations concerning food product labelling on comprehensive information that allows consumers to make healthy and safe food choices.

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

\* \* \*

[*English*]

**EMPLOYMENT INSURANCE ACT**

**Ms. Chris Charlton (Hamilton Mountain, NDP)** moved for leave to introduce Bill C-378, An Act to amend the Employment Insurance Act (increase of maximum number of weeks: combined weeks of benefits).

She said: Mr. Speaker, I am pleased to introduce legislation today that will make the employment insurance system fair for working mothers. I particularly want to thank the member for Nickel Belt for seconding this bill and for his profound commitment to this issue.

One of the many barriers that prevent women from accessing their EI entitlements is the anti-stacking provisions in the Employment Insurance Act. For example, these provisions prevent mothers who have secured maternity and parental benefits from accessing regular EI benefits in the event that they lose their jobs during these officially sanctioned leaves.

With layoff announcements coming almost daily, new mothers often find that their workplaces are closing during their maternity leave or they return to work but lose their jobs soon after. Shamefully, they find that they have no longer qualified for the employment insurance benefits they have paid for.

My bill will bring fairness to working mothers by eliminating the 50 week cap and changing the qualifying period so that individuals can access their maternity, parental, sickness and compassionate care benefits without worrying that if they lose their jobs in the interim, they will be left without EI.

I hope the government will pass this bill before May 10 because hard-working moms deserve more than flowers and chocolates this Mother's Day. They deserve fairness when it comes to EI.

I would be remiss if I did not thank Ben Rossitter from the Parkdale legal clinic for his advocacy on this issue, and Marie-Andrée Roy and Sam Dinicol for working on drafts and redrafts until we finally brought this bill to fruition.

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

•(1015)

**Mr. Dennis Bevington:** Mr. Speaker, as I indicated in my remarks about my bill for the name change, I would like to seek the unanimous consent of the House of Commons to pass this bill at second and third reading stages today.

**The Deputy Speaker:** Is there unanimous consent of the House?

**Some hon. members:** Agreed.

**Some hon. members:** No.

[*Translation*]

**The Deputy Speaker:** There is no consent.

*Government Orders*

[English]

**PETITIONS**

## INCOME TRUSTS

**Mr. Paul Szabo (Mississauga South, Lib.):** Mr. Speaker, given the substantial preoccupation by government members about the risk of increasing income taxes, I think it is appropriate to present this petition pursuant to Standing Order 36 and certified by the Clerk of Petitions on what else but the income trust broken promise. This petition was sent to me by Mr. Dave Jones of British Columbia who remembers the Prime Minister boasting about his apparent commitment to accountability when he said that the greatest fraud was a promise not kept.

The petitioners want to remind the Prime Minister that he promised never to tax income trusts, but he broke that promise. He imposed a 31.5% punitive income tax which wiped out over \$25 billion of the hard-earned retirement savings of over 2 million Canadians, most of them seniors.

The petitioners call upon the Conservative minority government, first, to admit that the decision to tax income trusts was based on flawed methodology and incorrect assumptions, as was demonstrated in the finance committee hearings; 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.

\* \* \*

**QUESTIONS PASSED AS ORDERS FOR RETURN**

**Mr. Laurie Hawn (Parliamentary Secretary to the Minister of National Defence, CPC):** Mr. Speaker, if Question No. 94 could be made an order for return, this return would be tabled immediately.

**The Deputy Speaker:** Is it the pleasure of the House that Question No. 94 be made an order for return?

**Some hon. members:** Agreed.

[Text]

Question No. 94—**Mr. Michael Savage:**

With regard to the employment insurance program, what are the monthly statistical breakdowns for waiting periods for processing employment claims for each processing centre for the months of December 2008, January 2009 and February 2009?

(Return tabled)

**Mr. Laurie Hawn:** Mr. Speaker, I ask that all remaining questions be allowed to stand.

**The Deputy Speaker:** Is it agreed?

**Some hon. members:** Agreed.

**GOVERNMENT ORDERS**

[English]

**CANADA CONSUMER PRODUCT SAFETY ACT**

The House resumed from April 29 consideration of the motion that Bill C-6, An Act respecting the safety of consumer products, be read the second time and referred to a committee.

**Mr. Glenn Thibeault (Sudbury, NDP):** Mr. Speaker, I am pleased to have the opportunity to speak to Bill C-6 today.

Canadians are in dire need of updated consumer safety legislation. The fact is that more and more consumer products are recalled each year. Many of these products are not made in Canada and, in most cases, those that are imported are imported from China. In fact, products imported from China have often been recalled.

A scan of the latest incidents in today's news reveals toxic drywall from China, high levels of lead found in jewellery imported from China and toaster ovens recalled due to risks of shocks and burns.

Consumers need to know that their government is taking every action to protect its citizens from potentially toxic and harmful products. The sad reality is that consumers are not adequately protected by the outdated Hazardous Products Act. The 40 year old act has not been effective in identifying or removing dangerous products, leaving Canadian dependent on product alerts and recalls by the U.S. product safety commission instead of Health Canada in the majority of cases.

Consumers should receive protection from their own government instead of relying on their neighbours to the south to take action.

Bill C-6 attempts to address some of those weaknesses in the following ways: empowering the government to order the recall of dangerous products; increasing government authority to require information and action from manufacturers and importers; requiring mandatory reporting by manufacturers and importers of incidents involving death or injury from a product's use or any awareness of potential harm from a product or actions taken elsewhere; and, of course, applying heavy fines to violators.

Despite these positive changes, improvements are needed if the bill is to be effective and supportable. Despite the number of changes and improvements to the outdated Hazardous Products Act, our party has some serious concerns with several measures included within the bill. A number of improvements are needed to ensure that the bill is effective and fulfils the spirit of its mandate. I will look at each of them now.

*Government Orders*

The first concern that New Democrats have with this proposed legislation is the effect or lack thereof on import safety. The fact is that a whopping 65% of consumer goods sold in Canada are imported. The bill, in its current form, lacks any comprehensive system to ensure that items are safe before entering Canada. The risk management approach may target high risk sources for higher surveillance but overall the system depends on reacting to safety problems identified through use after the fact.

A growing problem with the import market is the use of counterfeited approval labels that are also primarily associated with offshore products. This growing concern has not been dealt with.

The United Steelworkers has suggested implementing a stated ban on products containing toxic substances that would be enforced through a pre-entry testing system, financed through a service fee applied at the border. This is one option and another would be to look at the current labelling requirements.

The second concern I would like to address is that there is too much discretion in the hands of the minister. While inspectors have been empowered with greater authority, many of their actions are optional, even when they believe human health is at risk. Related to the issue of discretion is the weak nature of the language contained in the bill. In order to give the bill the teeth it needs to actually protect consumers, the language should and needs to be strengthened. It should be strengthened by changing instances where it stipulates that the minister "may take action" to "has a responsibility to act" or "must act".

Another particularly alarming omission from this new version of Bill C-6 from its former incarnation of Bill C-52 is the absence of a clause titled "disclosure to public" under the minister's responsibilities. In its current form, Bill C-6 does not require the government to inform consumers of safety issues that have been identified.

• (1020)

Upon questioning of government representatives when this issue came up, it was stated that companies would be less likely to report unbecoming behaviour if they knew it would lead to public scrutiny. What is more important, a business' bottom line or the safety of consumers?

That brings me to another issue with the bill in its current form, labelling.

The review of the 40-year-old act provides a perfect opportunity to beef up the standards for informing consumers and letting them know exactly what ingredients are contained in consumer products. However, if passed in its current form, the bill would allow for the continued sale of products that, by their nature, pose a risk to human safety.

Finally, the bill can look one way on paper but enforcement, as we have seen with the government, seems to be an entirely different story. Though the bill implies a more proactive, aggressive approach to product safety, it is not likely that any of these measures will be put into effect. These measures are completely out of character with the Conservative government's hands-off approach to industry and that what looks good on paper will likely never be put into practice.

In order to make the bill worthwhile there are several amendments that must be made at the committee level.

It is time to show industries that there are two choices: Make safe products and have them allowed in Canada or do not and prohibit them from entering the country. While the bill emphasizes big fines and tougher enforcement, when in history has the government been in favour in interfering in the affairs of business and industry?

Changes need to be made to the legislation to hold the government accountable and responsible for maintaining an adequate inspection capacity and staff to process, investigate and respond to the new reporting system. Without proper enforcement measures holding the government to task to act, there is no guarantee that any action will occur.

The NDP is rightly concerned that the Conservative ideology of non-interfering with business is affecting the safety of Canadian families and their children.

I will now address some of the issues raised by a number of stakeholder groups. The Canadian Cancer Society has a number of recommendations to amend the bill, the first being the removal of the exclusion provision for tobacco products in section 4. This amendment would remove the exclusion provision stating that essentially no part of the consumer product safety act can ever apply to tobacco products.

The second amendment would be adding tobacco products to schedule 1. The effect of this amendment would be that the consumer product safety act would not apply to tobacco products but that there would be flexibility so that in the future there could be a regulation providing that all or part of the act would apply to tobacco products. Tobacco products would thus be treated the same as all of the other products listed in schedule 1, such as explosives, pesticides, drugs, cosmetics and vehicles.

We agree with the Environmental Defence organization as it also has a number of amendments that it would like to see in Bill C-6. The general prohibition in the act should be expanded so that no consumer product can be imported or marketed if it is a danger to human health or safety, either through direct exposure or exposure via the environment. It also calls for a section to be added prohibiting substances on the list of toxic substances from consumer products except where the substance is not a hazard when used in a consumer product or the manufacturer or importer can demonstrate that no reasonable alternative exists. It also asks that a clause be included stating that nothing in the act limits powers to regulate substances in consumer products.

This legislation should include a duty for the government to act when it is made aware of a risk from a consumer product. There should also be a duty for the minister to inform the public when he or she is made aware of a risk in a consumer product.

*Government Orders*

•(1025)

The bill needs action and, therefore, in deciding whether a danger to health or safety exists, the legislation should require the government to consider the release of harmful substances from products during use or after disposal, including to house dust and indoor air.

The bill should create a hot list similar to that for cosmetics, including carcinogens, reproductive toxins and neurotoxins. These substances should be prohibited in products, with temporary exceptions granted only to the extent that the product is essential and only where alternatives do not exist. At a bare minimum, any product containing such chemicals should be required to carry a hazard label, as is required in parts of the U.S. and the European Union.

The legislation should also establish a list of product classes at highest risk of containing or releasing hazardous substances. There should be explicit guidance prioritizing the routine inspection of these product classes. Furthermore, this bill should require labelling of all ingredients, as is already the case with cosmetics.

Canadian consumers want reliable product safety information and a law that will get unsafe products off the shelves, if not keep them from being for sale in the first place. All parents and, as a father of two young daughters, we want safe products.

New Democrats will do everything to protect all Canadians across our great country.

•(1030)

**Hon. Larry Bagnell (Yukon, Lib.):** Mr. Speaker, I thank the member for his attention to safe products. I totally agree that Canadians are quite worried about that, especially in light of recent events. I certainly would not agree with moves to decrease inspectors' presence on the floor, such as with listeriosis or in proposals related to grain.

In the last iteration of this bill, which was Bill C-51, there were some concerns from natural food producers and retailers. I wonder if the member believes that those concerns have been taken care of or if those concerns have been moved forward into this bill.

**Mr. Glenn Thibeault:** Mr. Speaker, I do not believe food inspection will be part of Bill C-6. It is looking totally at product safety. However, I do agree with the hon. member that there needs to be a more thorough investigation into food inspection in our country. We have seen the unfortunate circumstances and deaths that occurred in our country last year. Therefore, in relation to that subject, I do agree with the member.

I do think Bill C-6 needs more teeth to ensure that all aspects of consumer products and consumer safety can be addressed in our country.

**Mr. Laurie Hawn (Parliamentary Secretary to the Minister of National Defence, CPC):** Mr. Speaker, I just want to follow up on the question from the member for Yukon.

I want it to be perfectly clear to the hon. member from the NDP that natural health products are not part of Bill C-6. Is that his understanding? That is the fact.

**Mr. Glenn Thibeault:** Mr. Speaker, I would look to the government to ensure that this is clarified, but I do not believe natural health products are addressed in Bill C-6, as it was in the previous government. I was not elected then but through my research I have been able to identify that. I do not believe that natural health products are necessarily in this bill.

**Mr. Paul Szabo (Mississauga South, Lib.):** Mr. Speaker, that is not quite right. When the Parliamentary Secretary to the Minister of Health spoke to this at the first debate period he indicated that the Minister of Health had written to the chair of the health committee to advise that he would be bringing forth an amendment to deal with the fact that there appears that this matter would cover natural health products to some extent and in some regard.

This is a very serious issue. Hon. members have received, I am sure, many letters from constituents who use natural health products and they want to be absolutely assured that every step is taken to ensure these products are excluded from this bill.

Why is the Minister of Health writing to the chair of the health committee before we have finished the second reading debate? Substantive changes cannot be made at committee. Once there is a vote at second reading, it is approved in principal. I am concerned that if there are some flaws in the bill, maybe it cannot be rectified very easily at committee unless the government decides to either withdraw it now and make some changes or bring forward some sort of a report stage motion, but it should make that commitment now.

**Mr. Glenn Thibeault:** Mr. Speaker, I want to thank the hon. member for his clarification on the amendment. It does bring forward some of the issues that I talked about in my speech.

The bill does not address all of the issues affecting consumer products and what is being put on the shelves for our citizens. The government needs to ensure when it brings forward legislation that it looks at all aspects.

We talked about food safety and natural health products. There are bills out there right now, but this one needs to have more teeth to ensure that consumers are protected when they purchase things off the shelves.

**Mr. Malcolm Allen (Welland, NDP):** Mr. Speaker, I wonder if my colleague could talk about the importation of what we have seen to be toxic substances, indeed toxicity in general with respect to the products that come to our shores. Canada imports a lot of things. I understand the food aspect is not in the bill and we are looking at that from a different perspective.

*Government Orders*

Should we be looking at this in a risk management sense as to the risks involved, how those risks could be mitigated, and the cost of those risks in an economic sense? Or should we be looking at this strictly in a health protection sense to make sure that kids, parents, grandparents, in fact all consumers know that when they buy products, those products are truly safe and there are regulations to enforce that?

● (1035)

**Mr. Glenn Thibeault:** Mr. Speaker, with respect to the member's first point, 65% of consumer goods sold in Canada are brought in from China. I rhymed off a list of the latest recalls of products from China, such as toxic drywall and imported jewellery.

We need to make sure that products are safe before they even enter our country. We need to protect Canadians before a product gets on the shelf. Rather than being reactive, we need legislation that is proactive. We should not let unsafe products into our country nor create products in our country or in North America that we know would hurt consumers.

I appreciate the work the hon. member has been doing on this file.

**Mr. Laurie Hawn:** Mr. Speaker, I have a short comment to make with respect to my hon. colleague's comments. Natural health products, NHPs, are not included in the bill, but there is still a fear out there from some folks for whatever reason. My understanding of the purpose of the amendment is to make it crystal clear that that is not the case.

**Mr. Glenn Thibeault:** Mr. Speaker, I am glad that everyone is helping to clarify the bill. We look forward to further debate on it.

[*Translation*]

**Ms. Christiane Gagnon (Québec, BQ):** Mr. Speaker, I am taking part in this morning's debate as the former health critic and to support my colleague from Verchères—Les Patriotes, who is now the Bloc Québécois' health critic. He is doing an excellent job with the portfolio. I would like to read the bill's summary so that everyone listening will understand what it is about.

This enactment modernizes the regulatory regime for consumer products in Canada. It creates prohibitions with respect to the manufacturing, importing, selling, advertising, packaging and labelling of consumer products, including those that are a danger to human health or safety. In addition, it establishes certain measures that will make it easier to identify whether a consumer product is a danger to human health or safety and, if so, to more effectively prevent or address the danger. It also creates application and enforcement mechanisms. This enactment also makes consequential amendments to the Hazardous Products Act.

I would like to start with a little bit of background to explain how this legislation came about. Manufacturers of dangerous products, such as cosmetics, cribs, tents and carpets, fall under federal jurisdiction. The federal government does not currently require manufacturers to test their products or prove that they are not a danger to consumer health and safety. In the summer of 2007, thousands of toys made in China were recalled by the manufacturers because they contained lead. The Bloc Québécois urged the minister to take immediate action by tightening up safety requirements for dangerous products and banning the production of dangerous products and the promotion or marketing of any product posing an unacceptable risk.

Bill C-52 was introduced when I was the health critic. It was never passed in the House of Commons because the Conservatives decided

to call an election. The bill was set aside. Now we are being offered a new bill, Bill C-6, whose purpose is to ensure that people have access to safe products. People wanted Ottawa to require manufacturers to inspect their own products and to prove that they were not endangering consumers' health and safety. Other countries do not have the same level of monitoring or the same product safety standards.

In December 2007, after four months of inaction, the government finally said it would introduce a bill, sometime in early 2008, to change its strategy for regulating product safety. The newspapers ran stories about all sorts of products arriving on our store shelves, whether it is foodstuffs or products for children. These products were dangerous to the health and safety of our young children. Many family members, including grandparents, were wondering if a certain product was harmful to young children's health.

The Conservatives' inaction in this federal jurisdiction has caused growing concern among many Quebec parents about health and safety issues when buying toys. Moreover, and this shows the government's inability and inaction, in the fall of 2007, it put a survival guide for parents online, so they could ensure their children's safety. This is yet another example of this government's inaction. It could have acted and solved the issue that was being reported in all the newspapers, and also on radio and television. The bill had already been introduced when I was my party's critic on health issues. Immediately after being re-elected, the government could have proposed a bill to move forward on this issue and to reassure the public.

● (1040)

So we waited and, at the end of November 2007, the government brought out a personal analysis kit for consumers, so consumers themselves could make sure that consumer products are harmless.

Producing a survival guide on products that are available in stores shows how this government is not assuming its responsibilities. Indeed, this meant that it was up to consumers to ensure that a product did not present any risk. What a lack of responsibility on the part of this government!

The government had shifted to consumers the responsibility of ensuring that consumer products were safe. This meant that every parent should have a testing kit to ensure his or her child's safety. That responsibility now lay with the parent. The government also wanted consumers to be product safety watchdogs. It was utterly ridiculous to see the government shirk its responsibilities like that.



The government was off-loading the problem onto the parents and asking parents themselves to ensure that products are safe. However, it did not put any constraints—and this shows how the government shirks its responsibility—on manufacturers of potentially dangerous products, such as toys, cosmetics, cradles, tents, carpets and drugs, among others.

We called on the Minister of Health at the time to set hazardous product safety requirements. It was his duty to prohibit the manufacture, promotion and marketing of any product that could present an unacceptable danger to health. The minister needed to decide how he could enforce Canadian standards so as not to endanger consumer health and safety.

That is what I said in 2007. Now it is 2009, and we are already several months into the year. In 2006, the Auditor General at the time had made the government aware of concerns about hazardous consumer products. Moreover, when the Conservatives came to power, we had been warned about this danger, and even the managers of the program had warned this government.

The Auditor General of Canada had sounded the alarm in November 2006 and had released a particularly interesting report. Chapter 8 of her report was entitled “Allocating Funds to Regulatory Programs—Health Canada.” That chapter clearly indicated that the product safety program managers could not carry out their duties for a number of reasons.

I could list all the deficiencies the Auditor General pointed to in her report. There were consumer products, cosmetics, consumer and clinical products that emit radiation, such as lasers and sun lamps, and new substances such as fabric dyes and fuel additives that were hazardous. Speaking of fabrics, a few weeks ago, some people who purchased chairs had a severe allergic reaction to the fabric, which affected their quality of life.

As well, serious problems came to light recently in connection with products that likely came from China. We know that China and South Africa were involved. Tubes of toothpaste, something we use every day, contained harmful substances. We are very concerned these days about cancers that are often caused by the quality of the environment or products of questionable quality. We also know that some substances could have an effect on cancers.

The government did not act. Now, the government has introduced this bill. The United States also addressed this issue in 2008 and is tightening its toy safety requirements.

Legislation has been passed to provide more resources to the American agency that monitors consumer product safety.

• (1045)

The United States Senate passed legislation to reform the Consumer Product Safety Commission. That was done last year, following a record number of recalls of potentially dangerous products. That legislation is called the Consumer Product Safety Improvement Act. It increases the commission's budget—the money must be provided—and enlarges its scope.

Out of 413 different products recalled last year in the United States, 231—or a little less than half—were toys. Europe also moved forward on this. It is interesting to see that the government is now

### *Government Orders*

introducing a bill. It will be supported by the Bloc Québécois at second reading, so that we can go over every article with a fine tooth comb in committee. A number of witnesses will perhaps suggest certain nuances, not about the objective we wish to achieve, but about how we will achieve it.

I return to the position suggested by the Bloc Québécois. The government has been aware of the situation since 2006. We are happy to see that they are now going ahead with Bill C-6. We hope the other two opposition parties will do their best to improve this bill in committee after hearing what the various witnesses have to say.

The government has definitely been influenced by what has been written in newspapers and by the various pieces of legislation passed in other countries. Earlier I mentioned the United States and Europe. We can draw inspiration from their bills and see how certain countries have invested the necessary money. In order to conduct all the appropriate checks concerning the safety of some of the products on our shelves, we must have the necessary resources. The root of the problem must be addressed.

It is unthinkable that foreign products would not be subject to all the constraints for the manufacture of certain goods that must be met by our own retailers. They have to comply with standards. We have to be strict with products that originate abroad, where the standards are not the same. We have had to recall certain toys and products. We demanded that they be removed from our shelves and no longer be sold.

It is also our hope that, when a government is advised that a product is dangerous, that it be very proactive and that it not wait for newspapers, television or radio to bring the situation to light. The government must be transparent and should, of its own accord, contact the newspapers to tell them that such and such a product poses a health risk, in order to warn citizens against purchasing the product.

Therefore, as I was saying, we support the bill in principle and we will vote to send it to committee. We are pleased to see that the government is bringing forward this legislation. We hope that there will not be another election in the meantime and that this government will be open to the proposals of the various opposition parties. It is in a minority position and it must take that into account. Bill C-6 will not be adopted if there are early elections, in the fall for example. That could happen, for example, if this government continues to ignore the Bloc Québécois' economic recovery plan, a plan that has support across Canada.

Bill C-6, like former Bill C-52, is part of an action plan to ensure the safety of food products. The 2008 budget allocated \$113 million over two years for its implementation. It remains to be seen what structure will be put in place and if the number of employees will be increased to ensure the safety of consumer products.

I will discuss a few technical aspects that this bill would implement. Clause 69 of Bill C-6 repeals Part I of the Act. At present, if a consumer good that is neither covered by regulations nor prohibited poses a risk to the safety of the population, it is up to the industry to impose a voluntary recall and manage the situation.

*Government Orders*

•(1050)

The federal government's powers in this respect are very limited. The new bill, Bill C-6, is aimed at creating more stringent safety requirements for hazardous products. It creates prohibitions with respect to the manufacturing, importing, selling, advertising, packaging and labelling of consumer products, including those that are a danger to human health or safety. It also aims to increase the responsibility of manufacturers and importers and to require them to ensure that their products do not represent any danger to human health or safety.

Although the responsibility of manufacturers, importers and any person selling consumer products seems more strict than before, according to clauses 7 and 8, clause 6 refers to the regulations, stating, "No person shall manufacture, import, advertise or sell a consumer product that does not meet the requirements set out in the regulations."

Thus the tightening up of certain requirements for consumer products will be stipulated in the regulations, without the committee being able to know the direction they will take.

Very often we find bills filled with great principles, but here we have no debates about the regulations. That is the responsibility of the public servants, whom I respect a great deal. It will not be up to parliamentarians to draft the body of regulations, to monitor what goes into the regulations, and to find solutions to achieve the objective.

There are a number of definitions in the bill, and I quote:

"consumer product" means a product, including its components, parts or accessories, that may reasonably be expected to be obtained by an individual to be used for non-commercial purposes, including for domestic, recreational and sports purposes, and includes its packaging.

This is good, because the product may be safe, but its packaging may not be.

The bill also covers:

- (b) anything used in the manufacturing, importation, packaging, storing, advertising, selling, labelling, testing or transportation of a consumer product;
- (c) a document that is related to any of those activities or a consumer product.

The bill contains five measures with the intent of reversing the burden of proof with respect to the safety of consumer products. At present, as I said already, there is no constraint whatsoever imposed upon manufacturers or importers. They do not have to demonstrate that their products pose no danger or threat to consumer safety.

Bill C-6 proposes to reverse this burden of proof and to impose it on manufacturers in future. I think this is a step in the right direction. It also suggests that manufacturers and importers of consumer products will be required to test their products for safety on a regular basis and, significantly, to disclose the results of these tests.

That is important because a manufacturer or seller could claim that his product is just fine even if he were aware of problems with the materials in the product or its safety. It would be his responsibility to disclose test results. Currently, the burden of proof is the opposite. This bill would require companies to reveal any issues or illnesses caused by their products, regardless of where they were made. That

is good, because right now, the toxic effects of certain products remain undisclosed.

This is a far cry from the survival guide and the government's suggestion that parents should be responsible for product safety. Giving that responsibility to manufacturers and importers is a step in the right direction. It is a good idea, and the Bloc supports this initiative. Once again, this is good news. It remains to be seen how the government goes about giving inspectors greater authority. I introduced a bill today to make people feel safer by requiring a durable life date on food packaging.

•(1055)

These days, whenever people buy food and other products, they often wonder if what they have purchased is safe. Even some pharmaceutical products sold in pharmacies do not have a durable life date. After two years, such products could be dangerous, could contain bacteria or could be toxic to humans. Giving inspectors greater authority is therefore—

**The Deputy Speaker:** The hon. member's time has unfortunately expired.

The hon. member for Mississauga-South.

[*English*]

**Mr. Paul Szabo (Mississauga South, Lib.):** Mr. Speaker, I had an opportunity to work with the hon. member on the health committee in a number of areas.

My question has to do with the natural health products issue and former Bill C-51. In the last Parliament there were companion bills, Bill C-51 and Bill C-52. Bill C-6 is the replacement for Bill C-52, but there were companion bills in the last Parliament, and now the natural health products industry and the users of natural health products are expressing some concern.

It would appear there are some implications with regard to natural health products in the current bill or they will be coming forward. I am a little confused. The member may have some insight as to whether another bill will be coming along, which would make it a little difficult to fit into the regime set up under former Bill C-52. I would have thought there would be some clarity with regard to the applicability of Bill C-6 to Bill C-52 on the natural health products issue.

I wonder if the member has some concerns or if her constituents have expressed concerns about the regulatory framework being proposed with regard to health products.

[*Translation*]

**Ms. Christiane Gagnon:** Mr. Speaker, although I no longer sit on the Standing Committee on Health, this is certainly one of our concerns regarding natural products. As my Liberal Party colleague said, if there are negative consequences or a negative impact on monitoring the safety of certain natural products, that will be decided in committee. I am sure that my colleague from Verchères—Les Patriotes who now sits on that committee will call witnesses who will explain things.

*Government Orders*

In fact, this bill is being debated today at second reading so it can be sent to a committee where we will hear from witnesses who can explain the various facets and frustrations of the bill, which could then be improved. We can say, however, that many principles have been proposed today with which the Bloc Québécois agrees. We will have to see how it is done, however. There is also the question of the regulations, which I mentioned earlier, in which we will have no voice.

For the moment, therefore, I understand my colleague's sensitivity about natural products and I am sure that my colleague from Verchères—Les Patriotes will be very alert to the concerns raised.

• (1100)

[*English*]

**Mrs. Joy Smith (Kildonan—St. Paul, CPC):** Mr. Speaker, my colleague across the way made some very good points.

As my colleague knows, Canada's consumer product legislation is 40 years old and has fallen behind other jurisdictions. Bill C-6 will empower Canadians to make safer choices. It will provide the tools we need to act swiftly to help protect Canadians. It will also level the playing field for reputable companies.

I would ask my esteemed colleague across the way, what are some very important aspects that are of particular interest to her in terms of Bill C-6 that she thinks would be very beneficial if they were added?

[*Translation*]

**Ms. Christiane Gagnon:** Mr. Speaker, although I no longer sit on the Standing Committee on Health, I was always concerned about this. The member asking the question was the chair of our committee and she is well aware of how concerned I was about this entire issue. We developed an openness and an approach to achieve certain objectives to ensure the safety of the products on our shelves. For example, we want to give more powers to inspectors and make sure that the burden of proof is on the manufacturers or retailers so that they are responsible for the products they sell. This is an important principle that the Bloc Québécois was calling for.

I am very happy to see that we will be able to pursue these questions in detail in the clause by clause study of the bill in committee. If the bill is well put together overall, given that there are many aspects to this bill, I am sure that the witnesses will be able to explain things. I hope the government will accept the amendments. A bill is never perfect. That is why it is discussed in committee. We do hope this government will be open to amending certain clauses in the bill. I am sure that our former chair on the committee will be open to that.

[*English*]

**Mr. Paul Szabo (Mississauga South, Lib.):** Mr. Speaker, I would refer the hon. members to subclause 36(1) of the bill, entitled "Regulations". Much of my speech will relate to my concerns about this item. This subclause says that the cabinet, the government, can exempt, "with or without conditions, a consumer product or class of consumer products from the application of this Act", and it goes on.

Think about it. The government can, through cabinet decision, exempt or not exempt, with or without conditions, any product or class. That is a concern to me because it is so broad and so

fundamental. How would anyone understand the scope or intent of this bill unless they knew what was covered? To me, this is a serious flaw in the bill and I hope the committee is going to look at it.

However, let me put on the record some of my thoughts with regard to the bill overall. First, as we know, Bill C-6 is the latest effort with regard to a bill from the last Parliament: Bill C-52. Bill C-52 had a companion bill, Bill C-51, which had to do with natural health products. I know hon. members learned an awful lot about that from the lobby and their constituents, because there are millions of people who rely on the availability of natural health products. Their argument is not whether there are proven health benefits; the fact is that they want the choice, they are comfortable with it, and as long as those products are safe they should be available.

So I am rising to remind all the nice people who have written to me over the last months and in the last Parliament and asked me to help in doing something about this that I am going to stay involved in this bill. I will support it to go to committee. However, I do want to make it crystal clear to all Canadians that there will be no implications with regard to natural health products in regard to Bill C-6. I expect there is going to be another bill coming to deal with natural health products, to the extent that there were two companion bills in the last Parliament. I certainly do expect that to happen and we will have to be very vigilant at that time.

Bill C-6, respecting the safety of consumer products, is referred to as the Canada Consumer Product Safety Act. Thus, members will often be referring to it as the CCPSA. It is very similar to Bill C-52 from the last Parliament. Bill C-52 did pass at second reading and was referred to committee. However, it died on the order paper because of the dissolution of Parliament and the call of the 40th general election.

To remind members of what Bill C-6 is doing, it is repealing and replacing part I of the current Hazardous Products Act. It is creating a new system to regulate consumer products that pose or might reasonably be expected to pose a danger to human health and safety. I do not think anybody is going to argue about the necessity.

Specifically, the bill has a number of key impacts. First, it prohibits the sale, manufacture, import and advertising of certain listed products and provides for testing and evaluation of consumer products. Second, it makes it mandatory for manufacturers, importers and sellers of consumer products to report dangerous incidents associated with these products to the Minister of Health. It also obliges manufacturers, importers and sellers of consumer products to report product or labelling defects that result, might result, or are reasonably expected to result in death or serious adverse health impacts, including serious injury, and report that to the Minister of Health.

*Government Orders*

It requires the same group to report recalls of consumer products initiated by governments and government institutions in Canada or elsewhere to the Minister of Health. It provides for the inspection and seizure of consumer products for the purpose of verifying compliance or non-compliance with the bill's provisions.

•(1105)

It empowers the federal government to institute interim and permanent recalls of products that pose or might reasonably be expected to pose a danger to human health and safety, and it establishes both criminal and administrative penalties for those who violate the CCPSA or orders made under it.

Under the current act, the Hazardous Products Act, if a consumer product that is not regulated or prohibited poses a health or safety risk, it is up to the industry to voluntarily issue and manage a product recall. So it is a voluntary system of sorts. It is not as robust, obviously, as Bill C-6 is proposing to be. The federal government is limited to issuing only a public warning in that regard under the current legislation.

Obviously this is a very serious step, given the changes in the way that products move, the technology, and their production and distribution. This is basically a bill to modernize our approach to product safety.

To give members an idea in terms of these voluntary product recalls, in 2006, there were 32 product recalls; and in 2007, there were 90. The number went up to 165 recalls in 2008, and 27 recalls already in 2009.

So the number of product recalls by even the manufacturers or distributors of these has been going up. Clearly it is urgent that the bill be dealt with expeditiously. There are problems out there. There is a risk posed to Canadians, and I know all hon. members will want to work diligently to make sure that Bill C-6 gets urgent attention at the rest of its stages.

This bill and the former bill, Bill C-51, was described as having a three-pronged approach to food, health and consumer safety. I do not have any specific comments to make on the approach. I think the approach is sound.

That said, I do have some concerns with regard to the regulations. For a long time I have been a member of the Standing Joint Committee on Scrutiny of Regulations, between the House of Commons and the Senate. By way of background, the committee has a mandate to ensure that regulations made to statutes after they are passed by Parliament have been properly enabled in the legislation.

The reason we want to review that is that there is a history of where governments, and they refer to order in council but that is basically cabinet, where cabinet makes regulations that do much more than was contemplated in the bill or requested or required by the bill. It is referred to often as being backdoor legislation. It is where we do not see it.

In the bill that is before us, members will see in clause 36, the clause that I referred to concerning the regulations, 16 paragraphs listed that require regulations to be made.

When we have a bill to deal with, we know the areas in which regulations may be promulgated by the government, drafted, gazetted and issued. In our case, we operate under the presumption that the full intent of the bill is transparent in the bill itself and that nothing happening after that will change our understanding of what the bill really wanted to do.

•(1110)

We have to rely on that because at the end of second reading, we are going to have a vote to approve this bill in principle, which will pretty well lock in what the bill is intended to do. At committee, members may fix some errors and fine-tune the bill here and there, and perhaps do a few other things. We will be able to move report stage motions later, but at second reading, we are going to approve it in principle. The bill will go to committee and we will do some fine tuning and hear from the experts to see if there is a problem. As long as there is no major fundamental problem in the understanding of the bill or no errors have occurred, the bill is going to pass at committee. It is going to pass at report stage. It is going to pass at third reading. It is going to go to the other place where it will go through a very similar process. Then the bill is going to get royal assent, but it is not going to be proclaimed until the regulations are drafted, gazetted and promulgated. We will not even see the regulations until after the bill gets royal assent and we will not be able to do anything with it.

That is why the Standing Committee on Scrutiny of Regulations exists. There has to be a mechanism in which we can look at the regulations once they come out to ensure they are properly enabled in the legislation and that they are not doing things beyond what would reasonably be contemplated in the bill.

I started off my speech and read clause 36(1)(a), which basically says that the government, the cabinet, may make regulations exempting, with or without conditions, a consumer product or class of consumer products from the application of this act. It gives extraordinary power to the cabinet about what is in and what is not. It poses an extraordinary risk because now it is cabinet members, who may be lobbied not to put an item in there, who can say they are out.

I would much prefer, and I know there are precedents in other legislation, that it state that these are the things that are there and these are the things that are not there. We have seen it, for instance, in the reproductive technologies legislation. There was a royal commission on reproductive technologies I think 15 years ago. We passed a bill at all stages in 2004 I think it was. We were told at the time it was going to take about two years to draft the regulations and for them to be put in place, gazetted and promulgated.

*Government Orders*

I said earlier that it is extremely important, given the product recalls, that there be some velocity to this bill. I do not see that there is a sense of urgency. I do see there are 16 areas in which regulations have to be drafted. These will not be drafted probably until after the bill goes through all stages. Even then there is no obligation for any scrutiny before those regulations are done and issued. That concerns me because another important act, the reproductive technologies act, also had many regulations to be made. We were told it was going to take two years. On top of that, the health committee got the concession that all of those regulations must be passed by the health committee. It was important to ensure there was not any backdoor legislation being made, that the intent of the bill was not modified substantively through regulations which would not be caught by the scrutiny regulations committee until after there was a complaint or we did a review of them which may be too late.

I am very concerned about the velocity of the bill. I am concerned about the fact that there are so many regulations here. I am concerned that even the first one tells me there maybe is going to be too much discretion by order in council or by the cabinet, i.e. the government, unilaterally to say what is not included. It puts a lot of risk and onus there and I do not know whether or not that can be dealt with.

People have been asking me about the health products aspect and, because there is no companion bill, whether there is something in this bill. In fact, there is.

• (1115)

The Parliamentary Secretary to the Minister of Health responded to a question expressing that concern. I might as well read the response into the record. This was at the beginning of second reading. He said:

In the original writing of the bill and in the past version, Bill C-52, there was some confusion in the language and stakeholders from the natural health products community required some clarification of it. The minister has written—

I want to emphasize this. The parliamentary secretary said:

The minister has written to the chair of the health committee. We will be putting forward an amendment to clarify that exactly so that the stakeholders from the natural health products community know that this bill excludes natural health products and food and drugs under the Food and Drugs Act.

It basically says that the Minister of Health has written to the chair of the health committee to give notice that a little change is going to be made to say that natural health products are excluded from the bill. That is wonderful, but we have a regulation. The regulation says that the governor in council may exempt, and I stress the word “may”.

What kind of amendment is the parliamentary secretary referring to? Are we going to say that now the bill is going to include some sort of a clause providing a specific amendment for natural health products and then everything else is going to be subject to a cabinet decision about exemptions? Some classes are obvious on their face. It should be in the bill. If the case is that they are going to say that regulation 36(1)(a) is where we will give the exemption, but it is not specifically in the bill, we will never know. How long is this going to take? How long is it going to take before those regulations are drafted? How long is it going to take before they are gazetted and promulgated and they become part of the law and the provisions in the bill become law?

If the reproductive technologies legislation is any indication, it could be months or maybe years. We are already four years past the drafting stage of regulations on the reproductive technologies legislation.

This causes me concern. I have seen this time and time again from Health Canada. Health Canada has a track record of patterning these bills in the way it wants to handle them, in a way which allows it a lot of latitude to change things or to move forward with things, or in fact to delay things.

I can say right now that the fact that those 200 regulations on reproductive technologies have not been drafted and presented to the health committee yet, a bill which received royal assent back in 2004, means that all of those provisions, all of the work and all of the things that we were doing in the areas that require regulations are not in force right now. They are not the law. In other words, all of the things that we approved and we accepted in Parliament to be the law of Canada are not the law of Canada today, four or five years later, because the regulations have not been done. What does that mean? It reverts to the law and continues as it was.

In that particular case, it is the Canadian Institutes of Health Research that unilaterally decides what is going to happen on reproductive technologies, about sperm donations, about the buying and selling of gametes and the like. What is even worse is that the Canadian Institutes of Health Research is not even subject to parliamentary review. It is the largest organization of the Government of Canada that provides funding for research. It is the one that decides and it is not even subject to any review by the Parliament of Canada.

I know this because I put forward a report stage motion to put in the bill that created the CIHR that it be subject to a three year review so that parliamentarians knew what the CIHR was doing and could ask its officials questions about how they were doing it and make sure they did not have pet projects, which is the reason the CIHR was created in the first place. The body it was replacing was found to have some problems. There was too much bias within the system. It is going to happen again.

I hope I have raised some questions. I want to encourage members of the committee certainly not to just listen. I do not know why the health minister is writing to the chair of a committee before second reading is over. I am not sure why the government did not anticipate that the health product industry was going to have some problems with the legislation. We have some things to correct but I want those things to be corrected quickly. I want the bill to be dealt with quickly because the health and safety of Canadians is at stake.

• (1120)

**Mrs. Joy Smith (Kildonan—St. Paul, CPC):** Mr. Speaker, my hon. colleague showed a lot of insight in his comments and suggestions on Bill C-6. It is an extremely important and timely bill.

I thank the member for pointing out that natural products are exempt from this bill and are not part of what we are considering. However, as my colleague knows, there are very big considerations in terms of cribs, toys and other products that have to be addressed. I felt that his experience and concerns in this area contributed much to this morning's discussion.

*Government Orders*

With all the issues that were brought up, particularly regarding the regulations and some aspects which the member feels are missing from the bill, in a very short time could the member please inform the House what he thinks would be very prudent and necessary to add to the bill in the form of an amendment or in the form of an idea around his comments this morning?

• (1125)

**Mr. Paul Szabo:** Mr. Speaker, the bill should be reviewed to ensure that it includes all the clarity necessary in the body of the bill itself, rather than leaving it to the regulations.

There should be a requirement that the regulations come before the health committee. The committee should see the draft regulations to be absolutely sure. If the committee is overly cautious or concerned about the regulations, it should require that the government permit the committee to suggest changes to the draft regulations. On the reproductive technologies legislation, we could make comment but propose no changes. The current bill is important enough, and people and stakeholders are going to be engaged enough, that we should make sure that absolutely everybody is comfortable that the intent of the bill is being delivered.

Finally, I would ask the minister and the officials from Health Canada to provide to the committee a report on the status of the drafting of the regulations at this point. If they have not started yet, then they are not serious, because we had the same bill in the last Parliament. If they think they are not going to start doing their work until after the bill gets royal assent, that is unacceptable. If they are serious about it, they should show us the draft regulations now.

**Mr. Jim Maloway (Elmwood—Transcona, NDP):** Mr. Speaker, I fully agree with the member that we should see the regulations. We should tie the government down as much as possible, because Conservatives are not known for bringing in tough regulations when it comes to business. I would not trust them too far on this issue. That is why I would like to see strong measures put in the bill. Most of the regulations they would like to put in I would like to see in the bill from the very beginning.

There is one area we should probably look at, and I ask the member for his opinion. Perhaps in deciding whether a danger to health or safety exists, the legislation should require that the government consider the release of harmful substances from products during use or after disposal, including house dust and indoor air, the potential harm from chronic exposure to the substance, the potential for harm to vulnerable populations, the cumulative exposure to a substance Canadians receive from the products of concern and other environmental exposures, and the last one is the substitution principle and whether safe substitutes would exist for certain products.

I wonder if the member has any comments about these as possible additions to this bill.

**Mr. Paul Szabo:** Mr. Speaker, in fairness, my first-blush reaction would be that the member may have gone beyond the scope of the current bill and it would gut the bill.

Having said that, I want to reiterate one point. In that last Parliament, Bill C-51 dealt with natural health products. That bill was in the middle of second reading. It came out that the minister had written to the chair of the health committee indicating there were

going to be some changes proposed to address the concerns of the natural health products industry.

My argument at the time, which remains today, is that at committee substantive changes cannot be made to legislation that has received passage at second reading. If there is anything like that being contemplated right now, I would ask the chair of the health committee that if such a letter is written with regard to this or any other bill, that the chair send it back to the minister with instructions to withdraw the bill and reissue it, or indicate another manner in which to amend or correct the bill, because it cannot be done at committee.

**Hon. Larry Bagnell (Yukon, Lib.):** Mr. Speaker, I agree with the member that we have to get the bill through quickly to protect the safety of Canadians. Also, I have received a lot of feedback from the natural food products people, so I will be watching that very closely.

However, in regard to regulations I also have a constituent, Mr. Fekady, who constantly reminds me that we should not govern by regulations. Because they are outside Parliament, regulations should be more minor in nature. It seems to me that if there are powerful interests, a regulation that could exempt some major class of products from a bill is fairly major, that might want the scrutiny of Parliament. As the member knows, the scrutiny of regulations committee cannot deal with policy or change a bill.

The other issue I would like the member to comment on is the safety of Canadians and the disastrous results we have had from the government in relation to inspections, taking meat inspectors off the floor to do desk audits related to listeriosis-type of potential that people are very worried about, and putting forward a bill that would reduce the grain inspectors. People can get very sick from diseases in the grain that comes from wheat.

I wonder if the hon. member would like to comment on any of those items.

• (1130)

**Mr. Paul Szabo:** Mr. Speaker, my thanks to the hon. member for Yukon who is a tireless worker in the House on a broad range of issues.

The member has identified that there is some breadth and some detail. The two keys for members who are not on the committee, who are not going to get totally engaged, would be twofold. First, is to find out if regulations are required to a bill and if so, how many and if there are a whole bunch, start asking questions about why they are not in the bill, why do we need these, because there is a purpose for regulations.

If it says in the Income Tax Act that tools qualify for the tax credit, the regulation would list the tools, but it does not change the fact that tools get a credit. That is a simple example of a right.

*Government Orders*

The other area I would look at would be the definitions in the bill. If a definition includes a list of anything, the red light has to go on because if there is a list, something must be left out. I would refer members to the definition of what is a consumer product. I think we will find very little clarity in the bill and it may have to be looked at.

**Ms. Judy Wasylycia-Leis (Winnipeg North, NDP):** Mr. Speaker, this is a very important piece of legislation and I am happy we are having a thorough debate in the House. While I appreciate the urgency of the situation, I also believe, as my colleagues do, that we have to get it right this time around.

Addressing this debate in the middle of an outbreak of an influenza that is circling the globe gives us reason to pause and consider the impact of legislation like this in all of its ramifications. The swine influenza reminds us just how much we live in a global context and that an incident in one part of this world can never remain isolated and contained completely. Because of travel around this globe and the way in which people are able to move around so quickly, it is clear that what we do in one part of the country, one part of the world, can affect people all around the globe.

The swine influenza incident also reminds us just how interconnected everything is. Human health directly connected to animal health, directly connected to the health of our environment. We cannot separate them. We have to look at them as a package and understand just how much government is responsible for protecting health based on that kind of global situation in the way in which everything is so connected.

I have mentioned the swine influenza and although it is not specifically related to Bill C-6 I think the Government of Canada has learned the lessons that we all experienced following the SARS outbreak and has put in place a proactive, precautionary approach to containing and mitigating in the case of the swine influenza.

I have said so publicly and I want to say so again now. I commend the Minister of Health for being so forthright with Canadian people and for ensuring that all members of Parliament are in the loop. We have had regular briefings on a daily basis. Members of Parliament will have opportunity to be briefly regularly as well. The members of the Public Health Agency of Canada and the virology lab located in Winnipeg have given up some of their valuable time to ensure that we are aware of all the facts.

I just want to give credit where credit is due because it is so important for Canadians to know that we do work together on a non-partisan basis. There are times when we disagree, but when something as serious as the swine influenza starts to circle the globe and the numbers increase daily, we have to acknowledge when government is acting appropriately, and we have to reiterate the fact that all of us are concerned and vigilant. We will continue to monitor the situation and provide the necessary information to our constituents and Canadians everywhere.

The other issue, of course, that has grabbed our attention recently that has connections to this bill is the question of listeriosis and the contamination of our food. Although this bill does not deal with food, the principle we are applying, whether it is in terms of food, drugs, natural health products or consumer products, is the same. The principle is that in fact products should be allowed on the

markets, on the shelves in our stores, when they are proven to be safe.

That is a fundamental notion that is entrenched in the old legislation that we are now updating. The old legislation of the Hazardous Products Act and the old Food and Drugs Act are pieces of legislation that over the years have tried to embody the principle of do no harm, to say that it is the job of government and it is a responsibility that is enclosed within the Criminal Code because a dereliction of duty is seen as a criminal abrogation or a criminal offence.

● (1135)

It is that do no harm principle that requires government to ensure that all programs and measures are in place so that the products on the market, whether it is the food we eat, the drugs we have to take because of a particular illness or chronic disease, or the products that we buy for household use or for our enjoyment, are safe beyond a reasonable doubt.

It is true that the bill we are now dealing with updates legislation that is 40 years old. It is time to modernize that legislation. It is time to bring our current laws into the 21st century to ensure that we are prepared for today and for many decades to come.

By all accounts, this legislation would make some significant improvements. There are parts to the bill that are overdue and many Canadians have been clamouring for changes for many years. I commend the government for bringing forward some changes and some important legislative provisions that would help ensure the safety of Canadians.

I want to say very clearly that the bill is far from perfect and I am not even looking for perfect today. I am looking for a bill that would hold us in good stead for many years to come.

It has been acknowledged by Canadians and organizations involved in the area of environmental health and product safety that the bill takes important steps, but it is far from the kind of legislation we think is necessary for this day and age. I want to put that clearly on the record.

We are prepared to see the bill go to committee for further discussion, but we are not happy with the bill as it now exists. We have many concerns and we will be proposing some amendments that we hope the government will look at seriously.

We have been talking this morning about one area that pertains to natural health products. It has been pointed out that the minister has taken the unusual step of sending a letter to our committee indicating that there will be an amendment to Bill C-6 that would separate out natural health products from any aspect of this legislation. That is fine and good, and I know that the member for Mississauga South has raised some concerns about that whole process.

However, I think it is the government's way of trying to catch up to a rather messy situation that it still has not quite sorted through, and that is the whole melding and meshing of natural health products into both the legislation pertaining to consumer products and the legislation pertaining to food and drugs.

*Government Orders*

The furor that erupted after the introduction of Bill C-51 and Bill C-52 last year was a result of the fact that the government failed to consider the need to clearly differentiate natural health products from current drug legislation, and by implication, from other legislation that actually puts in place recalls, bans and prohibitions.

After many years of debate, it is clear that Canadians have accepted the fact that natural health products are a separate category from food and drugs, but there are some groups that would still prefer natural products to be part of food and to be faced with minimal regulation. Our view is that natural products have to be accessible to Canadians, but they have to be safe as well. We are not prepared to minimize safety requirements in order to speed up accessibility.

However, we believe that the previous Liberal government and the present Conservative government have failed to ensure a proper regulatory system for natural health products that would speed up the licensing of those products and would ensure that any concerns about false advertising or altered products or side effects with foods and drugs are taken into account.

We are anxious to see the government speed up the whole process around natural health products regulatory procedures to take away that concern from Canadians, so that they have faith and confidence that the government is not putting up any unnecessary roadblocks in terms of access to those products. There have been some signs that this is happening.

It is important that the bill be amended to exclude any reference to natural health products just as we anticipated that Bill C-51 would do as well.

• (1140)

Whenever the government brings forward new legislation that deals with food and drugs, we expect that it will have learned the lessons of the past sorry chapter of history, when Canadians had to rally in the thousands, when they had to send hundreds of thousands of signatures in petitions and call and fax members of Parliament on a regular basis. We hope the government has learned from this and will realize that, under no circumstances, should natural health products be lumped in with pharmaceuticals and put through the same kinds of requirements. There has to be a separate category with its own unique set of regulations.

This keeps coming up in debate because we are looking for the government to give us an agenda. How will it deal with natural health products? Will there be a report to Parliament about the licensing process and how it is changing? Will there be legislation that regulates this area so it is not lumped in with either consumer products or drugs? That would be in the best interest of Canadians.

As members know, we all continue to receive mail from people concerned about natural health products and accessibility to them with respect to Bill C-6. The sooner we can clear up this matter, the better. My view is we should have a system in place that deals with the backlog and ensures there is a separate regulatory framework, with provisions for safety and product authenticity built into that process.

It is important to focus on the major parts of the bill that ensure consumer products are safe beyond a reasonable doubt. At least that

is my assumption. This is why I am somewhat critical of the bill. I do not believe the precautionary principle is deeply rooted and entrenched in the bill.

My view is that while the bill has very strong recall provisions and all groups have acknowledged this, it begs this question. What happens before a product is recalled? How many people have to get sick? What steps are being taken by the government to ensure consumers are aware of any problems with a product and if there is a serious toxic substance in a product, that the product is taken completely off the market?

The bill may require recalls and prohibit some products being on the market, but there is nothing that requires the minister and the government to inform the public the minute there is a suspicion that a product could be hazardous to one's health. We leave products on the market until someone gets sick, then we act. Is that not backwards?

Should we not try to ensure that products on the market are safe beyond a reasonable doubt? Should we not therefore ensure that the proper analysis, inspection and enforcement of regulations are done to make that happen? Why do we wait for people to get sick or die before we act? I am afraid the bill reinforces that notion. Products are recalled after something horrible happens and that does not give Canadians confidence.

The other problem in terms of recall that is without teeth is the principle of a right to know is not entrenched in this bill. If the government is reluctant to prohibit, or ban or recall on a very stringent basis, then at least it must ensure that the principle of right to know is built into the bill, and I do not see it.

I do not see a requirement for labelling in every instance. I do not see the recommendations by the Cancer Society being taken into account. I do not see the private member's bill proposed by my colleague from Burnaby—New Westminster being included in this legislation. This would ensure, as a bare minimum, that Canadians would know a product may have ingredients that are toxic and dangerous to the health and well-being of humans.

We see examples of this every day. Look at bisphenol A. It is a substance that has been identified as being harmful to human hormones, reproductive capacity and the development of children. There is a clear link between bisphenol A and very serious health concerns. Yet the government has approached it on a hit and miss basis. Baby bottles were banned because it was believed they would be cleaned with scalding water, which would bring out the toxic substance that would cause problems to the health of humans.

• (1145)

However, we allow it in pop and fruit juice cans because the government says that people have to drink 900 cans of pop a year before they will be exposed. This does not take into account that some kids drink a lot of soft drinks. It also does not take into account that it is a cumulative effect. What about the fact that there is a little bisphenol A in this product or that product to which one is exposed? Eventually, it accumulates and causes a serious problem.



*Government Orders*

In that instance, should we not follow the do no harm principle? Should we not say that we know the links? Why not take the action? Why does the Minister of Health stand in the House and say that the government does not have all the evidence of a direct link between the amount in these pop cans and human health? Canadians want their government to be firm and tough when there is that kind of knowledge and understanding.

This is why so many groups, from the Cancer Society to the Environmental Defence League to the David Suzuki Foundation, have all recommended that the bill do a much better job in not just prohibiting a product because it, as a whole, is dangerous, but also because there are environmental toxins in the product that are on a list under CEPA as being dangerous and could possibly cause human health problems. Why not prohibit those kinds of dangerous toxins? Why not go the extra route of saying that if there is a possibility of danger to human health, we are going to take some actions?

The government does not have to worry so much about industry getting up in arms because industry adapts. When the government banned baby bottles made out of bisphenol A, the industry came up with another product that was safe. If the government would ban pop cans that use bisphenol A, the industry would come up with another option that would be safe. In fact, we would have a double whammy out of this. First, we would be taking extra precaution to ensure human health and safety. Second, we could be spurring a new made in Canada industry that would create jobs, that would be based on the green economy and that would help Canadians from the point of view of both their future health and the future of this planet.

Think about the government having the gumption, guts and courage to do something about the products we know are dangerous and could be prohibited from store shelves. The bill does not do that. However, I hope the government will listen to some very serious amendments as proposed by some of the organizations I have mentioned and that will be proposed by us at committee. I hope they will be taken seriously.

If the government cannot accept that notion, I would hope it would at least agree with the question about labelling and the need to ensure these toxic substances and potentially dangerous ingredients are clearly labelled on all such packages. Surely, we can start to use the skull and crossbones on a regular basis whenever there is scientific evidence of a particular ingredient causing harm to human health and well-being. Surely, we can do that much.

Before my time runs out, let me get to a couple of other issues. One of them is with respect to tobacco. We cannot accept a bill that includes the permanent exclusion for tobacco products. We do not believe tobacco products should be exempted from any of the provisions of the bill. We know there is other legislation dealing with tobacco, but there is nothing wrong with ensuring it is protected at all ends. It must be included in Bill C-6, and we will make that amendment.

Finally, we have come some distance, but we have a long way to go to make this ideal legislation. We do not simply want to get us up to 2009. I do not think the bill even gets us up to that level. We have made some distance from 1969, but we have not put in place the right kind of legislation or the laws that will ensure human health is put first beyond all profit and commercial interests. That is the

objective and role of government and that is the work of our health committee in the weeks and months ahead.

• (1150)

**Mrs. Joy Smith (Kildonan—St. Paul, CPC):** Mr. Speaker, my colleague from Winnipeg North is on the health committee. She does an extremely good job and contributes in a very meaningful way to the committee.

I want to thank the member for Winnipeg North for her compliments of the Minister of Health and how she is handling the swine flu concern. I commend the health committee on its insightful suggestions. It has been keeping up to speed on all the things going on underneath that aspect. I also have to commend the member for her interest and her insightful suggestions on Bill C-6.

I have to emphasize the fact that Bill C-6 has nothing to do with natural health products. The member did mention that, but a lot of her speech had to do with those products.

Her opinions are very valued and very insightful on committee. What would the member for Winnipeg North suggest would be one of the most helpful things to include in Bill C-6 in terms of the amendments to ensure that we get the bill out in a timely manner, which the member has acknowledged is important? What could we do to ensure the health and safety of Canadians around products? What could we put in place to ensure that the bill is very substantial?

**Ms. Judy Wasylycia-Leis:** Mr. Speaker, I appreciate the question from the chair of our health committee. We think the following amendments are pretty fundamental to the bill and some variation on them needs to be made for our support of the bill.

The first is to get rid of the exclusion of tobacco from the requirements of the bill. Let us not go down that path. Let us cover off tobacco everywhere we can because it is so harmful to health and well-being.

Second, let us ensure we have some way to prohibit categories of toxic substances in the bill. The member for Mississauga South, in answer to my colleague from Elmwood—Transcona, suggested this was not part of Bill C-6, or the general parameters of Bill C-6, and I disagree.

If we are to look at consumer safety, we have to look at not just total products, but categories of toxic substances and ensure that internationally recognized carcinogens, reproductive toxicants and neuro-developmental toxicants are prohibited in products on the shelves today. We should find a way to ensure the legislation triggers restrictions on substances assessed as toxic under CEPA, the Canadian Environmental Protection Act. We should require the minister to notify the public of any reported incidents and recall orders.

*Government Orders*

Members will notice that the difference between Bill C-52 and Bill C-6, at least in one instance, is the duty for the minister to disclose to the public has been removed. I find that quite disturbing. I hope it is put back in, with more teeth, so the minister is obligated to inform Canadians whenever a problem is identified and give them appropriate information.

I remember an incident in the House, when we asked about lead in lipsticks. It was already identified. What was interesting was the government admitted there was a problem, but when we went to the website, we could not find the names of the products, so consumers themselves could not even take charge of the issue and decide to purchase on a discretionary or a careful basis.

● (1155)

**Mr. Jim Maloway (Elmwood—Transcona, NDP):** Mr. Speaker, the member made an excellent presentation. I want to ask her a question regarding amendments and the question of the use of counterfeit approval labels, which are also primarily associated with offshore problem. That has not been dealt with in the bill.

We constantly see counterfeit labels in our country. People go into stores, buy very cheap products and find out later that the labels on those products are counterfeit. What would the member say about that issue?

**Ms. Judy Wasylycia-Leis:** Mr. Speaker, in addition to the groups that I mentioned that are working so hard on trying to improve this legislation, I should mention the United Steelworkers of Canada. It has been very vigilant in identifying dangerous products coming into this country. In fact, it has helped us over the last number of months and years to identify some 90 products that have come into this country that contained dangerous components, such as lead in toys.

Equally important is the question of labelling. Fraudulent labelling of products must be prohibited in this legislation and we will be taking every step possible to ensure that is part of this bill.

[*Translation*]

**Ms. Meili Faille (Vaudreuil-Soulanges, BQ):** Mr. Speaker, it is my pleasure to rise today on Bill C-6, previously known as Bill C-52, which was introduced in April 2008 and was read for the second time in May 2008. I hope it will get through all the stages this time and that the Bloc Québécois will have an opportunity in committee to make some comments or changes in order to clarify certain things in the preamble to the bill and get answers to some questions we have about the application of the law.

This bill is part of an action plan to ensure the safety of consumer products and foods. The government announced this action plan in 2007, and the 2008 budget mentioned it and earmarked \$113 million over two years to implement it. What we want to see now is the framework that will be established, that is to say, whether the number of employees will increase to ensure the safety of consumer products. I will explain why.

The current legislation goes back 40 years and the government wants to modernize the way in which consumer product safety is handled. The main piece of federal legislation on consumer product safety is currently the Hazardous Products Act, which was enacted in 1969. This bill is designed to repeal and replace Part I of that act.

Are the bill's provisions adequate? Will adequate budgets be provided to implement it? I wonder. The bill regulates products that pose a health or safety risk. At present, it is up to industry to voluntarily issue and manage a product recall. The federal government's authority in this regard is limited to issuing a public warning and, in the event that it is deemed necessary, subsequently taking steps to regulate or prohibit the product under the Hazardous Products Act. This information is taken from the legislative summary on Bill C-52 that the Library of Parliament has provided.

Bill C-6 seems to tighten the safety requirements for hazardous products. Clauses 7 and 8 spell out the precautions that must be taken, the responsibilities of manufacturers and importers, and their obligation to ensure that their products do not pose a danger to human health or safety. However, even though the responsibilities of manufacturers, importers and any person who sells consumer products appear to be thoroughly covered in clauses 7 and 8, the fact that there is a reference to clause 6 and to some regulatory requirements leads us to think that the provisions of the bill may not be adequate.

We have seen how regulations have been used in practice in the case of immigration and citizenship. When the government does not necessarily want to act quickly, the process can take a tremendous amount of time and put undue pressure on industry, which does not know what the rules will be and what safeguards will be expected of it. The way in which the bill is worded also confers a lot of discretionary power on the minister's office. These are my concerns about the bill. It also does not specify when the regulations will come into force.

Natural health products are not covered by this bill. Will we have the same problems as the natural health products industry since the creation of the Natural Health Products Directorate at Health Canada? I have some examples. Two companies in my riding are in a difficult situation. They manufacture products that were licensed by the directorate and have a natural product number.

● (1200)

When a product is licensed by Health Canada, there should not be barriers to its export. In this case, Health Canada did not act fast enough or efficiently and forgot that dairy-based natural health products first require inspection by the Canadian Food Inspection Agency.

Today, because Health Canada's Natural Health Products Directorate did not foresee that this document was required, these companies are having difficulty exporting their products.

In my opinion, in a difficult economic context, our structures should not hinder the initiatives of companies that are growing. Exports are jeopardized because of the inability to issue a health certificate for a dairy-based natural health product.

*Government Orders*

I am emphasizing this point because this bill on the safety of consumer goods could be more harmful than helpful if it is not implemented quickly, efficiently and with all the necessary resources.

I sincerely hope that this situation, which is so devastating for the economy of my region of Vaudreuil-Soulanges, will be resolved. Businesses should not lose a competitive advantage because provisions are missing or inadequate to support new federal regulations.

The bill contains five types of measures designed to strengthen the burden of proof with regard to safety: measures on consumer product safety; measures to give inspectors greater authority; a new power for the minister to recall products; more severe penalties; and product traceability.

Clauses 13 and 14 of the bill seem to indicate that the government is proposing to introduce a record-keeping system that is similar to a product traceability system. We still have questions about this bill and the direction it takes.

As I said, the preamble to the bill proposes a definition that approaches the precautionary principle. It reads as follows:

Whereas the Parliament of Canada recognizes that a lack of full scientific certainty is not to be used as a reason for postponing measures that prevent adverse effects on human health if those effects could be serious or irreversible;

We would like to be able to analyze this statement in more detail in committee and get a better understanding of the guidelines and conditions behind the bill, as well as what the government intends by this statement.

The preamble also refers to connections between consumer products and the environment. We would like to ask the government whether it plans to include environmental requirements in the regulations. Seeing as how the bill makes no mention of this and the regulations will not be submitted to the committee, we would like to know what the government plans to do in this regard.

Moreover, we believe that industry self-regulation poses a problem. I refer to an article by Stéphanie Bérubé in *La Presse* in April 2008, entitled "Is your food safe?" The article said that as of April 1, 2008, the Canadian Food Inspection Agency was inspecting barely 2% to 5% of foods and that this small percentage accounted for nearly 98% of the risks.

The Standing Committee on Public Accounts, on which I sit, receives reports from the Auditor General on other similar issues involving Health Canada. Products come into the country but are not inspected. As well, Health Canada lacks resources, has a heavy bureaucracy and uses some questionable mechanisms when it comes to product safety inspection and analysis.

•(1205)

In today's technological age, Health Canada does not always use electronic means, but often uses fax machines. So I am concerned about the implementation of all this, as well as the debates on regulation and the provisions of the act that give the minister's office considerable powers to exclude certain industries. Earlier my colleague mentioned an industry that is excluded from the legislation at this time. There are also plans to deal with natural products in

another bill. As I was saying, some businesses are already having problems because of the legislative framework in place. Those problems have been exacerbated by the economic crisis, Health Canada's operating problems and its inability to rapidly respond to the questions posed by people who export our products. The situation is terrible and the risk is increased as a result.

The people watching us need to know that the existing legislation is outdated. It no longer reflects how trade works or the importance of consumer product safety. This bill is simply an attempt to update the legislation respecting consumer product safety.

The issue of consumer product safety has already been analyzed and the Auditor General has made some recommendations. We saw a glimpse of this in 2006 and as I said earlier, the Auditor General raised certain concerns in 2008. In that regard, there is no doubt that the program managers cannot fulfill their mandate at this time. What will happen when they are given even more responsibilities? The government has the important responsibility of ensuring that budgets are adequate and that the necessary resources are available.

The Auditor General's November 2006 report revealed that the Government of Canada knew that consumers were exposed to risk because of lack of funding for the program. I therefore maintain that, even if the bill makes it through the committee stage, there must be sufficient resources. Health Canada's missteps raise serious doubts about the government's ability and interest when it comes to managing its own files.

Regarding what is done elsewhere, my colleague from Québec mentioned that in March 2008 the United States strengthened its legislation on toy safety. In the United States, according to the latest statistics I have here, out of 413 recalled products, 231 were toys. Thus, they have adopted provisions to regulate the toy industry. Other legislation will also follow.

The European Commission has proposed making toys safer by prohibiting carcinogens in toy manufacturing and strengthening oversight. I was in Europe recently, more specifically in France, and I met some French families.

•(1210)

Those French families informed me that if there had not been such a fuss made on April 1 about the safety of toys and such products as baby bottles, they would not have been aware of the dangers to their health that some products presented. They were therefore very happy that the French-language press talked a lot about it.

As well, I am pleased that this bill tackles the question of consumer product safety. However, listening to the debate in this House, the bill will have to be examined in depth in committee. We will have to be careful when it comes to regulations, and make sure we fund this program adequately.

*Government Orders*

As I said, this program has already had trouble meeting the requirements as we know them now, and it needs more funding. Once again, on the question of regulations, the industry must not be penalized because Health Canada has not provided a form needed for exports, for example. Appropriate oversight on this, therefore, is essential. Consumer groups are waiting for this legislation. The government had known this for a long time and the Auditor General has talked about it.

The government knew that the current legislation did not protect the public properly. It was not until the incident in the summer of 2007, the recall of toys that contained lead, that it indicated its intention to amend this legislation. That is unacceptable. The Bloc has done considerable work on this. The Bloc therefore called on the Minister on several occasions to tighten safety requirements to deal with dangerous products so the manufacturing, promotion and marketing of any product that might present an unacceptable risk and be harmful to health could be banned.

We are also calling on Ottawa to put the burden on manufacturers of inspecting their products and showing that they do not endanger consumers' health and safety. And we are asking that the approach taken by the government not put the industry in complete charge of the safety of consumer products and thus leave the public's health in their hands. This legislative approach reflects what the Bloc has asked for. We will have to wait for the regulations and the budget, however.

The Auditor General's concerns are well founded and the government must make a commitment to having enough inspectors to do the job properly. The bill puts the burden on retailers to make sure their products are safe. We will have to make sure there are enough inspectors to enforce the law and we will have to make sure the forms needed for putting products on the market are also reviewed and are adequate.

We therefore support the bill in principle and supporting referring it to committee.

• (1215)

[*English*]

**Mr. Paul Szabo (Mississauga South, Lib.):** Madam Speaker, I share some of the member's views and, given the recalls that have been escalating over the years under the Hazardous Products Act, we need to have this bill quickly.

The member may know that earlier in the debate I expressed some concern about the regulations and the breadth of the regulations required, which seem to be fairly expansive. I just checked in the legislative summary prepared by the Library of Parliament and it reads:

Bill C-6 gives the Governor in Council very wide powers to make regulations to carry out the purposes and provisions of the CCPSA. For example, the Governor in Council may make regulations exempting products, classes of products, persons, and classes of persons from the statute's provisions, add or delete consumer products found in the Schedules to the bill, specify the types of documents persons must provide to the Minister of Health....

We can see that even the concerns seem to be implicit in the Library of Parliament's assessment. These are much wider, broader than they were in the previous Bill C-52 in the last Parliament.

I wonder if the member could indicate whether or not at committee the Bloc will be requiring and asking Health Canada to tighten up this process to the extent that if there is any question on major categories or groupings, such as natural health products, that would be specifically put into the legislation and not have to wait for some regulations that may or may not come out.

[*Translation*]

**Ms. Meili Faille:** Madam Speaker, I would like to thank my colleague for his question.

As I mentioned in my speech, we in the Bloc Québécois have great reservations about the regulatory powers given to the Governor in Council. I have sat on other committees where I dealt with the Immigration Act and other legislation where the regulations were often inadequate. The committee does not see all the regulations and does not necessarily have the whole picture. It is clear that the bill itself should be more specific.

How will the minister determine that a product is dangerous? We need to know that. What limits will he impose in deciding to recall one product and not another? What will his priorities be?

I am afraid that with so many products recalled, the minister will be pressured by lobbies or other groups to exempt them from the act. I am very concerned about the natural health products issue because several companies in my riding are currently suffering the effects of the way Health Canada operates. These companies have been duly recognized by Health Canada for their certified products and they should not be put in a difficult situation that puts their international markets at risk.

• (1220)

[*English*]

**Mr. Bruce Hyer (Thunder Bay—Superior North, NDP):** Madam Speaker, like many on this side of the House, this bill is a good news-bad news story. Clearly we need good protection and consumer safety, as we have not had that for decades under previous governments, and this bill does seem to be a step in an assertive direction. However, I have many concerns that will need to be dealt with in committee before I can vote for it.

I would like to know if the Bloc member has any information or opinions on the bill's ability to more adequately protect us from pesticides.

Health Canada has done a woefully inadequate job of protecting us from pesticides in the past and we need improved protection from pesticides of many sorts. I wonder if the Bloc member has any opinions or knowledge about whether this bill has the potential to make things better in protecting Canadian citizens from pesticides.

[*Translation*]

**Ms. Meili Faille:** Madam Speaker, I do not have any information indicating that the regulations or the act could protect consumers better in this regard.

I would like to take advantage of this question to highlight all the work already done in Vaudreuil-Soulanges where groups brought a lot of pressure to bear. Groups from the city of Hudson put considerable pressure on the government to ban the use of pesticides. I think that everything having to do with solvents and solvent residues in goods ranging from cosmetics to children's toys poses a problem. The bill will have to be much more specific and not leave it to the regulations to resolve all the issues.

[*English*]

**Mr. Jim Maloway (Elmwood—Transcona, NDP):** Madam Speaker, I want point out that while the Liberals were in government for 12 years, they ignored this file and did nothing in this area. By 2005 and 2006, more than 40% of product recalls were as a direct result of U.S.-initiated action. We were allowing the U.S. to do our work for us. The government of the day was happy to cheer on corporate trade but not to actually do any policing of it.

Now we have a Conservative government in place that seems willing to act on the file. However, it is hard to trust a group of free enterprisers who fundamentally do not believe in government regulations and believe in the free market. It seems like a bit of a contradiction to think that somehow the Conservatives will close these loopholes in any meaningful way.

I wonder if the Bloc member could make a comment on that.

[*Translation*]

**Ms. Meili Faille:** Madam Speaker, there certainly seem to be problems now at Health Canada in regard to the policing of consumer products and whether it has the resources needed to enforce the act as it currently stands. The changes that are being made have been awaited for decades. I said in my speech that the act was passed in 1969. People have been waiting 40 years, therefore, for legislation like this. Consumers want legislation, but a bad bill is still a bad bill. I am not sure that the bill as currently worded will have the results that consumers expect unless it is amended in committee.

We certainly want more protection. However, the officers in the division that polices natural health products, who are currently doing their best every day to ensure that consumer products are safe, need adequate resources to do their work. The government indicated that it intended to spend \$113 million over two years. I hope it will use these funds well and we will finally have adequate legislation.

• (1225)

[*English*]

**The Acting Speaker (Ms. Denise Savoie):** Is the House ready for the question?

**An hon. member:** Question.

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

**Some hon. members:** Agreed.

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

**The Acting Speaker (Ms. Denise Savoie):** I declare the motion carried. Accordingly, the bill stands referred to the Standing Committee on Health.

### *Government Orders*

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

\* \* \*

### **HUMAN PATHOGENS AND TOXINS ACT**

**Hon. Chuck Strahl (for the Minister of Health)** moved that Bill C-11, An Act to promote safety and security with respect to human pathogens and toxins, be read the third time and passed.

**Mr. Colin Carrie (Parliamentary Secretary to the Minister of Health, CPC):** Madam Speaker, I want to start off by taking the opportunity to thank the opposition parties, especially the critics from the NDP, the Bloc and the Liberal Party, for all their hard work and co-operation in working on this very important piece of legislation.

I am pleased to be here today to update members on the progress of Bill C-11, An Act to promote safety and security with respect to human pathogens and toxins.

As we have heard at second reading, there is strong support for strengthening safety and security with regard to human pathogens and toxins in Canada.

We had an opportunity at the Standing Committee on Health to discuss the key elements of the bill, which would provide the new authorities required to safeguard Canadians from the risks that dangerous human pathogens and toxins pose.

The Standing Committee on Health heard from a wide variety of witnesses about the importance of Bill C-11. Following witness testimony, as well as appearances by government officials from the Public Health Agency of Canada, amendments were made to Bill C-11 that have strengthened the bill and addressed many of the concerns raised by witnesses.

I would like to give members a quick overview of the bill.

The intention of the bill is to try to balance biosafety and biosecurity requirements with the need to advance science and research. The intent of the bill is not to restrict research and development, but rather to introduce a risk-based approach to the management of human pathogens so that they are handled safely and accounted for across Canada.

Because of the risk posed by dangerous human pathogens and toxins, Bill C-11 relies primarily on the criminal law jurisdiction of Parliament. In this regard, Bill C-11 includes a range of prohibitions, penalties and security screening requirements designed to protect the health and safety of Canadians.

The program and regulatory framework to be developed under Bill C-11 will include requirements for licensing, inventories, biological safety officers, information gathering and transfers of human pathogens and toxins, among other matters. The legislation has been drafted with care to ensure that the bill fully respects the rights and freedoms of Canadians entrenched in the Charter of Rights and Freedoms and privacy rights protected via the Privacy Act.

*Government Orders*

There were certain amendments to the bill. In studying Bill C-11, several issues were raised from various witnesses concerned about the impact of the bill on their work. These issues included concerns about the oversight of risk group 2 laboratories, concerns about how the suite of regulations for Bill C-11 would be developed, concerns about the reporting requirements, as well as concerns about the schedules under the bill and how they would be amended over time.

We listened to these concerns, and I believe we have worked together at the health committee to develop a piece of legislation that addresses these concerns and more precisely reflects the original policy intent of Bill C-11.

Now I would like to speak about risk group 2.

With regard to the concerns that the committee heard about the oversight of risk group 2 human pathogens, several amendments were made to clarify that these relatively less harmful agents would be treated less stringently than the more dangerous risk groups 3 and 4 human pathogens, in the bill and in the program and regulatory framework. Four specific amendments were made for this purpose.

The first amendment clarifies in the preamble that human pathogens and toxins pose varying levels of risk to the health and safety of the public. This change reflects what was heard in committee, that not all human pathogens and toxins are the same from the perspective of risk, that some pose a greater threat than others.

The second amendment dealing with risk group 2 agents clarifies clause 33 explicitly so that security clearances will only be required for persons who have access to prescribed risk groups 3 or 4 agents or toxins as prescribed in regulations. It was never the program policy intent to security screen individuals who only have access to risk group 2 human pathogens, and this amendment clarifies this intention.

The third amendment regarding risk group 2 agents creates lesser general penalties for offences under the act or regulations related to risk group 2 human pathogens. This includes no provision for a prison sentence for a first offence involving only risk group 2 agents. This change to clause 53 reflects concerns voiced that persons carrying on activities with risk group 2 human pathogens should be treated more leniently than those carrying on activities with risk groups 3 or 4 human pathogens.

• (1230)

Finally, the fourth amendment, in clause 66, makes explicit that the regulatory regime will treat risk group 2 human pathogens in a way that is consistent with the fact that they are less dangerous than human pathogens in risk groups 3 and 4. Taken together, these changes signal that the level of risk associated with risk group 2 human pathogens is lower than risk groups 3 or 4, and they will therefore be treated less stringently in the overall legislative and regulatory framework.

Regarding reporting requirements, another important amendment that was made at the health committee clarifies that subclause 12(1) of the bill only applies to releases of human pathogens or toxins from a facility. This stems from concerns that were heard from stakeholders that minor spills contained within a licensed facility would have to be reported. This amendment recognizes that releases

from the facility itself pose greater risks to public health. Once again, we believe this will help to improve the clarity of the bill, specifically with regard to what will be required of licensees.

Another important amendment requires the formation of scientific advisory committees under clauses 9 and 10 to advise the minister regarding changes to the lists of human pathogens and toxins found in schedules 1 through 5. As part of the consultations on the program and regulatory framework, the Public Health Agency of Canada will consult with stakeholders concerning the makeup of these committees, which will be formed under the authority in section 14 of the Public Health Agency of Canada Act.

Concerning privacy amendments, during hearings on Bill C-11, the health committee received a letter from the Privacy Commissioner noting, amongst other things, the need for a more objective test of what constitutes relevant information collected by the minister under clause 38, as well as the need for situations in which recipients of information disclosed by the minister pursuant to subclause 39(2) may be compelled by law to disclose it further. These two amendments were made based on suggestions from the Privacy Commissioner.

The last of these important amendments requires the tabling of the regulations in both houses of Parliament. This amendment reflects what we heard from witnesses about the need for greater accountability and transparency in the making of regulations. In reviewing the wording of this particular amendment, the government noted some inconsistencies between the intention of what was stated in the health committee and what was written into the revised Bill C-11.

Specifically, it was agreed that the amendments would require tabling of the regulations in both houses of Parliament in order to provide an opportunity for review by a committee in each house. The wording of the bill after committee stage only required the referral of the proposed regulations to a committee in the House of Commons. There was no similar requirement regarding the referral of the regulations to an appropriate committee in the other place.

The government therefore clarified that the regulations would need to be tabled in both houses of Parliament and referred to a committee of each house. We believe this was the original intention of committee members in agreeing to this amendment, and we tabled an amendment at report stage from committee to clarify this intention.

There is a need to move forward. We believe this new legislation is needed now. It is required to safeguard the health and well-being of all Canadians, including those persons working in laboratories. It is also required to demonstrate to the Canadian public and to our international partners that the Government of Canada is taking the issue of security related to human pathogens and toxins very seriously. The proposed legislation represents a made-in-Canada approach that addresses both safety and security.

*Government Orders*

Clearly, the urgency in moving ahead with expanded federal oversight over human pathogens and toxins has been widely recognized. I believe the study of Bill C-11 in the health committee has resulted in a clear piece of legislation, and I look forward to moving it on to the Senate.

• (1235)

**Mr. Jim Maloway (Elmwood—Transcona, NDP):** Madam Speaker, I know the NDP critic takes this issue very seriously and I know she has worked very hard on the bill.

I wonder if the member could tell the House which of her amendments were accepted in the bill.

**Mr. Colin Carrie:** Madam Speaker, indeed, the member is correct. The NDP critic worked very hard and co-operated with the government and the entire committee to move this very important piece of legislation forward.

As I said in my opening statement, I want to thank all the critics and members of the committee, the NDP, Bloc and Liberals. By working together, we came up with an improved piece of legislation.

The amendments that the NDP member put forward were included. We listened to her suggestions because we felt it made a better piece of legislation and I want to publicly thank her for her input and good work.

**Mr. Paul Szabo (Mississauga South, Lib.):** Madam Speaker, I am glad to see the committee has done good work to get some clarifying changes.

I want to ask the member for a little extra information with regard to subclause 12(1), the addition of the words “from the facility” following the words “reason to believe that a human pathogen or toxin has been released inadvertently”.

The point is that “facility” is not a defined term in the bill. I do not know whether that has any import, but it would seem to me that if it is not a defined term, facility could in some cases turn out to be something other than what would normally be the case under a licence arrangement. I would ask the member for clarification as to whether just adding the words “from the facility” is substantive enough or whether there should be a definition added for what constitutes an authorized facility?

• (1240)

**Mr. Colin Carrie:** Madam Speaker, this very issue was brought up in committee. There was concern with some of the researchers who were working with these pathogens and toxins. As the member would know, even though researchers working in laboratories take the utmost precautions, spills can occasionally happen.

The intent of this legislation is not to force laboratories and workers to report what we would call usual spills in conducting their research but if there are inadvertent releases from the laboratory into the public domain. The idea of this legislation is to improve biosafety and biosecurity in Canada. There is still a very strong concern that these pathogens and toxins will not be released to the general public and will not cause a concern to our health and safety in Canada.

This was something put forward by the government and that all opposition parties were in agreement with. We were happy to clarify that wording because that definitely is the intent.

**Mrs. Joy Smith (Kildonan—St. Paul, CPC):** Madam Speaker, I too want to commend the parliamentary secretary for all the work he did on this bill, as well as the committee. It was very good. One thing that came up in committee was the risk 2 category that was of grave concern to the entire committee. I believe there were marked changes in the approach to the risk 2 category.

Would the parliamentary secretary please expand a bit on the risk 2 factor because the contribution that the committee made to that one aspect was very important?

**Mr. Colin Carrie:** Madam Speaker, I would like to thank the hon. member for her wise oversight as chair of the health committee. It was through her leadership that we were able to move forward with this legislation. She was very good at working collaboratively and developing consensus with the different witnesses as well as the members of committee. I thank her for that.

She brings up a very important point. It was acknowledged that the intent of the legislation was to treat risk group 2 human pathogens differently than groups 3 and 4, so it was very important to clarify exactly what was meant. There were three amendments included that recognized that facilities dealing only with risk group 2 human pathogens should be treated less stringently under the bill, the program and regulatory framework, as they are less risky than human pathogens in risk groups 3 or 4 or toxins.

There was also an amendment included which specified that there will be no requirement for security screening of persons with access to only risk group 2 human pathogens, as well as an amendment to lower the possible penalties for contraventions of the act or regulations involving only risk group 2 human pathogens.

The government also proposed two further amendments to respond to the concerns expressed by the Privacy Commissioner and moved those forward as well. I hope that answers the hon. member's question.

[*Translation*]

**Mr. Luc Malo (Verchères—Les Patriotes, BQ):** Madam Speaker, I have a question for the minister's parliamentary secretary.

He said that in our study of the bill in committee, we heard from various stakeholders directly affected by Bill C-11. He also seemed to be saying that the amendments he read met the demands and expectations of those very stakeholders, that is, the researchers who work daily with the micro-organisms targeted by this bill, specifically group 2 micro-organisms.

However, although the various researchers were aware of the amendments, how can he explain the fact that, on the last day of consultations with them, before clause by clause study began, the researchers still had reasonable, legitimate, well-founded fears lingering in their minds? How can he explain the fact that the government nonetheless decided to go ahead with the clause by clause study knowing that those particular stakeholders were dissatisfied with the final product?

*Government Orders*

•(1245)

[English]

**Mr. Colin Carrie:** Madam Speaker, the member is quite correct. There are stakeholders who feel that this legislation, like any piece of legislation, is not perfect. However, I think the member realizes that in any type of legislation there has to be a balanced approach. We have to decide and debate what we want in the legislation and whether we want to move forward with the regulations.

I was impressed with Health Canada when it said that it would consult with us and give strong consideration to this piece of legislation through the implementation phase. We also brought forward an amendment for an advisory committee.

The member may be totally correct in saying that not all stakeholders believe that this is perfect legislation, but it did pass committee and we did have a good debate.

Overall, we have come up with a good piece of legislation, a balanced piece of legislation. The Canadian public deserves legislation that would protect their biosafety and biosecurity. This government and all opposition parties are in line with that intent, that is for sure.

**Mr. James Lunney (Nanaimo—Alberni, CPC):** Madam Speaker, I want to compliment the parliamentary secretary on his management of the committee and for the way he steered the bill through committee. He had a lot of co-operation from opposition parties along with the chair who spoke just a moment ago.

Canada really has a stellar international reputation in managing pathogens as evidenced by the H1N1 worldwide crisis. Canada is receiving pathogenic material from Mexico and helping it to analyze the bug that has been causing problems down there.

I wonder if the parliamentary secretary would comment on whether the provisions in Bill C-11 would help to ensure that we maintain our leadership role and would help to secure Canada's position as a leader in managing human pathogens.

**Mr. Colin Carrie:** Madam Speaker, there are about 3,500 laboratories that import these agents into Canada and they are covered under the existing importation regulations. However, there are approximately 4,000 other laboratories in Canada that work with human pathogens and toxins, but they do not import them and they are not subject to the same federal regulation and oversight. These laboratories may be applying national laboratory safety guidelines on a voluntary basis, but the precise extent of this application is unknown.

That is why we have this legislation to ensure that Canada's reputation remains stellar worldwide.

**Ms. Kirsty Duncan (Etobicoke North, Lib.):** Madam Speaker, today I rise to speak to Bill C-11, the human pathogens and toxins act, adopted by the Standing Committee on Health on March 31 and presented to the House on April 2, 2009. The bill is important and significant because infectious disease remains among the leading causes of death worldwide and the greatest killer of children and young adults.

Today, new infectious diseases such as HIV-AIDS, SARS and now swine influenza A(H1N1) are emerging. Old infectious diseases

such as malaria, plague and tuberculosis are re-emerging, and intractable infectious diseases remain an ever-present threat. Research to combat infectious diseases has resulted in over 5,000 laboratory-associated infections and almost 200 deaths over the last 70 years. Most recently, in 2008, the Bush administration acknowledged that the Plum Island Animal Disease Center, the only U.S. facility allowed to research highly contagious foot-and-mouth disease, experienced several accidents with the virus.

Fortunately, Canada has not experienced a large intentional or unintentional release of a dangerous agent. However, we have had some close calls. In April 2005 a facility in Canada imported a live virus sample under a risk group 2 permit. However, laboratory analysis showed that the material was contaminated with a risk group 3 pathogen: namely, influenza A(H2N2). Once the contamination was confirmed, the Public Health Agency of Canada's importation office, in consultation with the World Health Organization, the U.S. Centers for Disease Control and the provincial health ministers contacted the supplier of the material and all facilities in Canada that had been issued a permit for the same panel and advised them of corrective action.

It was only because the material was imported that the federal government was able to track who had the affected materials. Should this situation happen today in Canada, with a domestically produced product, there would be no authority or ability to track materials and advise affected parties of corrective action. This could result in a biosafety and biosecurity risk as Canadians would likely have no immunity to the influenza A(H2N2) virus, possibly creating the conditions for the next influenza pandemic. This is why the legislation is so important.

Currently, PHAC has knowledge of laboratory-acquired infections, but has no national reporting mechanism to capture them. Our laboratories must have strict facility safeguards, microbiological practices and safety equipment to protect laboratory workers, the environment and the public from exposure to infectious microorganisms and toxins that are stored in the laboratories. We must ensure the safety of all Canadians.

Therefore, we must be diligent in creating a legislative base that balances biosafety without impeding scientific advancement. We must also provide assurances to the Canadian public and our international partners that Canada takes biosafety and biosecurity seriously.

Bill C-11 will only succeed in making Canadians more secure if the scientists it regulates are consulted thoroughly and if the bill is implemented in close partnership with them. Canadian economic and social prosperity depend on scientific study. We must be wary of a regulatory regime that would interrupt discovery, as happened in the United States following publication of similar legislation. Many laboratories simply stopped working with listed pathogens rather than face the costs and hassles of complying with the legislation.



*Government Orders*

I believe Bill C-11 strikes the necessary balance between mitigation of risk and scientific freedom, which must then be maintained in the regulations. This balance will require, in the words of one witness, “constant attention and rebalancing that can be done only through ongoing dialogue with the scientific community”.

Witnesses from PHAC assured the committee that consultations will help determine what the regulations regime will look like. Witnesses were optimistic that they could move forward together with partners and that they would continue to take action to address their concerns.

• (1250)

The committee recommended the creation of an external advisory group, perhaps consisting of representatives from private industry, provincial public health agencies, universities and others to ensure that the regulations and the subsequent implementation of the bill proceed with the input and the support of the scientists.

The proposed external advisory group could also be instrumental in categorizing pathogens, as there was discussion regarding, for example, whether or not certain risk group 2 pathogens should be removed from the schedule. Removing risk group 2 from the legislative framework would take away the ability to know who has those pathogens, which are the majority of pathogens in Canada, the ability to assess whether they are handled in an appropriate manner and the ability to measure laboratory-acquired infections and their impacts.

There was general agreement that risk group 2 should be handled in a safe manner, which is not necessarily happening now, but less stringently than risk group 3.

Witnesses from PHAC also addressed stakeholder concerns regarding financial expenditures. It was pointed out that these costs must be balanced against the cost of taking no action, mainly loss of credibility, dollars and human life, which are significant in this case.

Other stakeholder concerns included duplicate laboratory licensing regimes, security checks, licences and privacy issues. The potential for duplicate regulatory licensing and inspection regimes is significant, as is the possible impacts on workload and scheduling which could drastically affect the operation of clinical, public health and research laboratories.

Witnesses from PHAC agreed that opportunities for harmonizing licensing with existing regimes must be considered. Witnesses from PHAC also agreed to clarify the requirements for security clearances for different categories of workers.

Security checks were thought to be burdensome by stakeholders due to significant impacts on students and training, as well as the lab's ability to hire additional staff during an outbreak. Stakeholders would like PHAC to clarify who the inspectors will be, how they will be trained and how they will carry out their tasks.

Partners would also like PHAC to address the important issues regarding licensing. For example, to whom a licence should be awarded, the institution, the group or the individual? What conditions will be required for awarding licences? Will there be an appeals process? Will custodial staff have access to labs? Will they require security clearances?

The last concern I will address is that of privacy, as clause 38 of the bill identifies extremely broad powers for the minister to order an applicant to disclose personal information. It is the committee's understanding that conversations have taken place with the Privacy Commissioner to satisfy stakeholder unease.

I would like to draw attention to the fact that strengthening global surveillance is not enough to eliminate or eradicate infectious disease. We need close ties among public health, trade and transportation organizations. We also need better collaboration with those monitoring the biological weapons convention, because bioterrorism remains a very real threat.

In 2004, The National Academies committee issued a report entitled, “Biotechnology Research in an Age of Terrorism”. The report identified experiments of concern, such as rendering vaccines ineffective or turning non-pathogens, which are not found anywhere in the bill's schedules, into pathogens.

We need to ensure that granting agencies and medical journals are sensitive to these matters and have processes for addressing them. The same National Academies committee recommended creating, through legislation, an independent science and technology advisory group to the intelligence community. Does such a group exist in Canada to monitor and study the next generation of threats in a comprehensive, systematic way, as is being undertaken in the United States?

Finally, the bill is only part of the web of protection needed to make Canada more secure and prepared for bioterrorism. What is being done to promote a common culture of awareness, a shared sense of responsibility to prevent misuse within the scientific community?

We need more than legislation. We need a code of ethics, role modelling and teaching with a particular focus on the biosecurity agenda in Canada.

• (1255)

We have had multiple wake-up calls. Complacency cannot be an option when it comes to biosafety and biosecurity, which is why this legislation is important. The committee did work hard together to make necessary modifications to the bill.

**Mr. Jim Maloway (Elmwood—Transcona, NDP):** Madam Speaker, when we dealt with the bill dealing with the overhaul of the Charities Act, we were told that while the bill had been through two or three parliaments, several iterations and people had made presentations, that there were thousands of charities in Canada that were probably still unaware that the bill even existed.

*Government Orders*

We are dealing with the fact that the lab facilities would need to be licensed. I am sure we are dealing with a much smaller group than we were in the case of the charities, but does the member know how many labs we are talking about, what the procedures would be for licensing them and what sort of fees they would be paying?

**Ms. Kirsty Duncan:** Madam Speaker, we learned through our committee work that probably several thousand labs need this legislation. We currently do not know which labs, for example, hold pathogens below level four. It is important that the government knows this information because if there is a problem it needs to respond.

The legislation is important because it will protect laboratory workers and the communities.

•(1300)

**Mrs. Bonnie Crombie (Mississauga—Streetsville, Lib.):** Madam Speaker, as I know the member is a renowned expert in the field of pandemics, could she outline for us the threat of an influenza pandemic in Canada and the evolution that we have witnessed so far.

**Ms. Kirsty Duncan:** Madam Speaker, we are currently facing a very serious threat in Canada with influenza A(H1N1) that started in Mexico. It is a new virus. It has segments from avian, swine and human flu. We started with clusters in Mexico which then spread to the United States and Canada.

The pandemic alert level has been raised from a phase 3 to a phase 4 and now phase 5. This means that in Canada we are looking at rolling out our pandemic plan. Organizations throughout Canada that have developed a plan over the last several years will also be working on rolling out their plan.

Pandemics can be very serious. In the last century, we had 1918, 1957 and 1968. The latter two pandemics killed three million people. In stark contrast, the pandemic in 1918 killed 50 million people worldwide.

**Mr. Paul Szabo (Mississauga South, Lib.):** Madam Speaker, I thank the member for her input because she raised a very important point.

Under the bill there is a matter to do with releasing private information. I guess the issue arose in committee about violating the privacy rights of individuals. As the chair of the ethics committee that deals with the Privacy Act and the Access to Information Act, I have some concern about this from the standpoint that currently a person does not have access to the federal court to appeal a decision on a requirement to release personal information nor, if they have a complaint, can they have remedy to the courts at this time, and this is causing some concern.

I want to ask the member whether the Privacy Commissioner appeared before committee to provide some input as to the concerns she had in terms of potential violations under the Privacy Act and whether there should be an indication that the person would have the right to appeal to the federal court, which is not currently permitted under the Privacy Act.

**Ms. Kirsty Duncan:** Madam Speaker, these were certainly questions that were raised in committee. It is our understanding that we received a letter from the Privacy Commissioner and that

conversations are ongoing with the government to address those concerns.

**Mrs. Bonnie Crombie (Mississauga—Streetsville, Lib.):** Madam Speaker, I have a question for the member for Etobicoke North on bioterrorism. She mentioned that bioterrorism was a real potential threat in Canada and I wonder if she could elaborate as to the extent of that threat.

**Ms. Kirsty Duncan:** Madam Speaker, bioterrorism is a real threat. I will give a recent example. In October 2001, letters containing anthrax spores were mailed to American news media offices and to senators. The letters killed five people and infected twenty others. Broad public health measures were implemented to treat thousands who were potentially exposed and the decontamination of buildings and post offices took years. The total cost to the United States was more than \$1 billion.

We certainly need to be vigilant about bioterrorism. Diseases we would be concerned about, for example, are anthrax and plague, to name two.

•(1305)

[*Translation*]

**Mr. Luc Malo (Verchères—Les Patriotes, BQ):** Madam Speaker, I am rising to speak at third reading of Bill C-11, An Act to promote safety and security with respect to human pathogens and toxins.

At second reading, the Bloc Québécois voted in favour of the principle of this bill. It is obvious that public health and safety are everyone's concern. However, as was even admitted by the government, in announcing the introduction of Bill C-54, the ancestor of this Bill C-11, the Minister of Health's press release explained that the risk to Canadians from human pathogens and toxins used in laboratories is low.

There are also other laws, an anti-terrorism law and others, which could house some of the provisions of Bill C-11. It is, for example, obvious that a malicious intent in releasing toxic and dangerous products into the environment would be covered already by a number of laws. Offenders would be prosecuted under the Criminal Code. There was therefore no reason to stir everyone up and trample over all those who wanted to see changes to the legislation in favour of greater mutual respect. The provinces were muzzled and not properly listened to. Neither were the researchers and scientists.

Yet those very researchers and scientists are the ones who will have to live with the consequences of Bill C-11. I will quote, if I may, from what Peter Singer, director and professor of medicine at the University Health Network and University of Toronto, told us in committee in connection with this bill:

It lowers the background noise of what's happening in laboratories so the signal of aberrant activity can stand out better. But we also need the help of the thousands of scientists in those laboratories, very few of whom, if any, intend to misuse human pathogens, to make sure that 99.99% constitute a network of vigilance to bring that signal to the attention of authorities. Because biosecurity is achieved by winning the scientists' hearts and minds, not through legislative compulsion but by fostering a scientific culture of awareness and responsibility, it's extremely important to have them on side.

*Government Orders*

That is what the government did not try to do before moving forward. It did not try to get laboratory researchers on board. It did not try to win them over and obtain their unconditional support. When the government raises the spectre of bioterrorist attacks and mentions laboratory workers in the bill, they just might think that they are being branded as potential terrorists. Calling people names and insulting them is not a good way to win them over.

The government did not conduct a proper impact study to understand the consequences of Bill C-11. We asked public officials whether proper impact studies had been conducted, and from the comments we heard in the committee, we discovered that the government did hold information sessions, but did not take a more thorough look at researchers' criticisms and concerns.

●(1310)

There would have been time to do it. We tend to forget that, according to the government's timeline, this bill will not be implemented for another four or five years. Instead of acting blindly, without a solid, credible foundation, the government should have acted responsibly by conducting an impact study and holding proper consultations with all stakeholders, including researchers, the provinces, and private health labs. That would have been the right thing to do.

Mr. Raymond Tellier appeared before the committee, and he raised a very important point. He said that, after a similar law was passed in the United States, there was a brain drain. Before going ahead with this bill, it would have been very useful to know how it might affect people working as researchers and teachers, those who pass on their knowledge to future researchers and Ph.D.s. On that basis alone, it would have been nice to have had more information.

Just before proceeding to a clause-by-clause study in committee, we heard from witnesses who told us that they were still not happy. For example, we heard from Professor Greg Matlashewski of McGill University's department of microbiology and immunology. He said:

The bill will mean very little without real regulations within it, as far as I'm concerned. I think there's a real danger in passing this bill without having the regulations, because I've seen some of the amendments, and these amendments have not changed the bill substantially.

He was not satisfied with the amendments because, in his opinion, they were still not specific enough about the consequences to carrying out his job, which is very important and useful in developing new procedures and new medications and for advancing science.

Mr. Albert Descoteaux, a professor at the Institut Armand-Frappier, Institut national de la recherche scientifique, voiced his concerns about HIV:

Bill C-11 would destroy all the financial commitments from government in the fight against AIDS. Paradoxically, that remains a federal government priority. I would really like that considered when you decide your position on Bill C-11.

Unfortunately, not enough consideration was given to that point by our NDP, Liberal and Conservative colleagues. In fact, they decided to move forward and adopt this bill even before knowing its impact, especially on AIDS research.

Mr. Descoteaux continued:

If the goal of lawmakers is to promote public health and safety in the area of micro-organisms and to protect Canadians from potential bioterrorist attacks, Bill

C-11 is not the solution. I feel that the bill could well create havoc by establishing a repressive system that lumps all micro-organisms together, whereas the vast majority of them pose no problem at all for people's health and safety.

And what about his comments? They want to forget them, ignore them, and pretend that Dr. Descoteaux said nothing. It is deplorable that members of other political parties would act this way when, as I stated earlier, there was no reason to expedite this bill, as the government had said in a press release.

We also proposed an amendment, at report stage, asking that the provinces be consulted before the schedules were amended.

●(1315)

When they came to discuss the proposed amendments with us, public officials told us clearly that the provinces would not be consulted before the drafting of these amendments. The experts and researchers were from research labs and the federal government. This whole exercise completely ignored the skills that we have in the public service of Quebec and of the provinces.

The Bloc Québécois' amendment sought to consult Quebec and the provinces, before amending the schedules, that is before adding a pathogen or changing its classification. This was to ensure that the impact of any change would be known and adequately evaluated by the government.

The committee heard the concerns clearly expressed by members from all parties and from the various provinces. The Conservative member for Sarnia—Lambton told us about the fears of the Ontario legislature, while the member for Vancouver Quadra spoke eloquently and vigorously about the very legitimate concerns of the B.C. government, since she served as a minister in that provincial legislature.

However, we did not get any answer, despite the fact that Conservative and Liberal members raised the legitimate concerns of the Ontario and British Columbia legislatures, and despite the fact that the member for Vancouver Quadra spoke eloquently, asked many questions and demanded answers.

Indeed, despite all this, she and her Liberal Party colleagues decided to support the government in its will to rush Bill C-11 through. This is rather unusual. It is puzzling to see members from this House, who heard, understood and then conveyed the fears expressed by provincial legislatures, end up ignoring them and rejecting the legitimate expectations of the provinces.

We learned, in the presentations made to the committee by the members for Sarnia—Lambton and Vancouver Quadra, that they were already exercising—as regards safety, security and the monitoring of laboratories—a number of responsibilities related to constitutional requirements that come under Quebec and the provinces.

*Government Orders*

Talking about the constitutionality of the bill, the committee heard an expert who told us that, in her opinion, there was every reason to believe that some provisions in Bill C-11 were unconstitutional. It is a very serious matter when, after the committee heard an expert express concerns regarding this issue, the government decides to use its prerogative to legislate criminal law, ignores those recommendations and moves forward nevertheless.

I would now like to read a letter addressed to the Minister of Health, on April 6, 2009, by the Quebec health minister, Dr. Yves Bolduc.

• (1320)

Dear Mr. Minister,

I am writing to you today to express the Quebec government's serious concerns about Bill C-11, the Human Pathogens and Toxins Act, which is currently being examined by the House of Commons Standing Committee on Health. The Quebec government notes that the measures proposed in the bill would have serious repercussions on the organization of medical laboratory services and medical diagnostic services, which are provided by Quebec's health care system and which come under Quebec's jurisdiction.

Accordingly, the Government of Quebec is calling on the federal government to reconsider its approach to ensuring the biosafety and biosecurity of human pathogens and toxins, rather than pursuing the parliamentary work currently underway. It is important that that approach better reflect the respective roles of both levels of government in this matter.

Yours truly,

This letter went completely unheeded. The NDP, the Liberals and the Conservatives all ignored the remarks made by the Quebec Minister of Health, these very wise remarks calling for a review of all the provisions of the bill, rather than pursuing the committee's examination, in order to ensure that it respects the jurisdictions of both levels of government.

When the Standing Committee on Health was doing its clause-by-clause review of Bill C-11, I had proposed an amendment whereby the bill would not apply to any facility regulated, operated or funded by a province.

You can object, shout, ask questions and insist that your home province's fears be taken seriously, as the member for Vancouver Quadra did in committee, but you have to do more than just that.

I find it deplorable that this member did not do what should be done in such a situation and ask the government, as I am doing, to take a step back and consider all the facts when making a decision about a bill like Bill C-11.

Are we going to have to go through the same thing with Bill C-11 that we went through with the Assisted Human Reproduction Act? The Government of Quebec, with the support of other provincial legislatures, applied to the court to rule on the act's constitutionality.

The public should not have to pay for lawyers and judges to examine the constitutionality of legislation. I believe that, as parliamentarians, we have a duty to make sure, before we introduce or vote on a bill, that it complies fully with the Constitution.

• (1325)

The Quebec Court of Appeal ruled that the Assisted Human Reproduction Act is unconstitutional. Now, I am sad to see—

**The Acting Speaker (Ms. Denise Savoie):** The time allotted to the hon. member has expired. We will now proceed to questions and comments.

The hon. member for Elmwood—Transcona.

[*English*]

**Mr. Jim Maloway (Elmwood—Transcona, NDP):** Madam Speaker, I will give the member an opportunity to finish his sentence when he comments of this.

I agree with him to the extent that too much discretion has been left to the government in the act's regulations. We see this with governments in general. However, an hour ago we were discussing Bill C-6, and that was a criticism of it as well. The government is getting too much leeway and putting too much into regulations. I would prefer as few regulations as possible to any bill. We should pin legislation down. Regulation should be incorporated into bills and there should be as little reliance on regulations as possible. To that extent, I agree with the member.

In terms of consultation issues, consultation is very important but it is impossible to consult with everybody. A decision has to be made at some point, although a bill should be done right. There is no harm in delaying a bill for a period of time to allow people have their say and to proceed after as much consultation as possible.

I want to give the member the opportunity to respond to that and finish his thoughts.

[*Translation*]

**Mr. Luc Malo:** Madam Speaker, I find it very regrettable that our colleagues from the New Democratic Party, the Liberal Party and the Conservative Party would vote on legislation without first making sure that it is constitutionally sound.

The hon. member is right to say that there is too much reliance on regulations, but he also suggested that not everyone need be consulted. Without necessarily consulting with everybody, I would guess that those who will have to work with the legislation day in and day out should be consulted. Efforts must be made to ensure that they can do so properly as well as give courses in support of science. We in this place boast about Canada having the best researchers and promising students. It would be a shame to pull the rug out from under them, thus preventing them from doing their jobs. That is what the NDP is doing by refusing to hear these witnesses.

At the very end of the committee stage, there were still people telling us that it made no sense. Why was a decision not made to go through things thoroughly and check them over before putting them in the regulations? I have no idea when these regulations will appear, and the legislation will not be enforced for another four or five years. Why not make sure that these people have been heard and that they are satisfied? I think that this would show a minimum level of respect for these people who, day in and day out, work at ensuring that Quebec and Canada are at the leading edge of technology and that we benefit in our daily lives from the greatest advances in science and technology.

## ROUTINE PROCEEDINGS

[English]

### COMMITTEES OF THE HOUSE

#### VETERANS AFFAIRS

**Hon. Gordon O'Connor (Minister of State and Chief Government Whip, CPC):** Madam Speaker, I move:

That, in relation to its study of veterans services offered by the members of the Commonwealth and G8, 12 members of the Standing Committee on Veterans Affairs be authorized to travel to Ottawa, Ontario, on May 4, 2009, and that the necessary staff do accompany the committee.

**The Acting Speaker (Ms. Denise Savoie):** Does the hon. minister have the unanimous consent of the House to move this motion?

**Some hon. members:** Agreed.

**The Acting Speaker (Ms. Denise Savoie):** The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

(Motion agreed to)

## GOVERNMENT ORDERS

•(1330)

[Translation]

### HUMAN PATHOGENS AND TOXINS ACT

The House resumed consideration of the motion that Bill C-11, An Act to promote safety and security with respect to human pathogens and toxins, be read the third time and passed.

**Mr. Luc Desnoyers (Rivière-des-Mille-Îles, BQ):** Madam Speaker, I would like to congratulate my colleague from Verchères—Les Patriotes for presenting arguments on this matter with conviction, passion and clarity. The arguments regarding consultation show that researchers, scientists and the provinces are being flatly ignored. My colleague also read a letter from Mr. Bolduc in Quebec. Without an impact study having been done on this, how can the opposition parties support this bill so easily?

I would like my colleague to tell us about what the repercussions might be for education, for health services buildings, for health care and for the research and development industry.

**Mr. Luc Malo (Verchères—Les Patriotes, BQ):** Madam Speaker, I would like to thank my colleague for his question.

I will simply read what Professor Greg Matlashewski told us:

We have 350 undergraduate students in microbiology and immunology at McGill. We teach them how to use level 2 pathogens. The way this bill is written we couldn't teach them any longer.

Before we enact a bill, we have to be sure that these kinds of things cannot happen. We have to reassure our researchers. As I said just now, Professor Matlashewski came to see us right at the end of the process and he still had a number of concerns.

### Government Orders

My colleague was also right when he told us that the provinces will be completely excluded from any form of consultation, when those provinces have hospitals and universities doing these kinds of cutting-edge research and these institutions are under the constitutional jurisdiction of Quebec and the provinces.

In my opinion, while the government tells us about its openness, about how it respects the jurisdiction of Quebec and the provinces, this bill, the way it is written, clearly seems to us to be taking a different path. As I said, the government likes to say things, but when it comes time to do something and make sure that all of the stakeholders are properly heard and will be able to carry out their responsibilities as properly as possible, it stops listening and it does not do what elementary logic would dictate.

**Mr. Robert Vincent (Shefford, BQ):** Madam Speaker, we know that in committee the Bloc Québécois raised certain questions with officials on the possible repercussions of the bill. According to the responses from the government, there was no impact study concerning Bill C-11.

So, how can we discuss a bill when we do not even know where we are going in terms of the bill? No regulations have been linked with this bill; instead, that is to be done after its adoption.

Is it not unthinkable to establish regulations after adopting a bill? We have no idea what regulations will be attached to the bill.

I would like to know my colleague's opinion on that point.

**Mr. Luc Malo:** Madam Speaker, it is indeed somewhat incomprehensible, and my colleague is perfectly correct.

That is why we would have wished that the government, of its own accord, would withdraw this bill and do the proper homework. As I said at the start of my remarks, there was no urgency. The government itself mentioned that fact in its news release at the time the bill was introduced.

Therefore, why force the issue? We would be inclined to impugn the motives of the government simply because basic logic would insist that the real impact of the bill be identified and that the research carried out in all our laboratories can go forward. If, after promulgation of Bill C-11, there are additional costs to modify the laboratories, who will pay? The universities? The laboratories? The hospitals? We know very well there is no money. They have only the strict minimum to carry out the research that they have to do. How will they be able to continue? They will have to draw on their operating funds. They will be forced to reduce the number of teachers and the number of students who receive training in order to adapt their premises. This is an important question and we still do not have an answer.

The government is asking us today to vote on a bill without knowing its impact. That is not right and it makes no sense.

As parliamentarians, we assume certain responsibilities when we vote on a bill in this House. We cannot be expected to vote in good faith when we do not know the consequences. As I said previously, the consequences could be very serious. One witness told us there had been a brain drain from the United States precisely because of certain fears. They were afraid they could unintentionally cause damage that would be considered criminal.

*Government Orders*

• (1335)

**Ms. Judy Wasylycia-Leis (Winnipeg North, NDP):** Madam Speaker, I am pleased to address this House on Bill C-11. First, I want to thank Bloc Québécois members for their contribution to the debate on this legislation. They did a lot of work. We proposed many changes to this bill.

We too, like the Bloc, have many issues with this legislation. However, unlike the Bloc, the NDP has proposed some changes. In fact, Bloc members opposed the proposals that we made in committee.

Moreover, we proposed an amendment to this bill, dealing precisely with the issue raised by the Bloc Québécois member today. We proposed an amendment to eliminate human pathogens. That is exactly what we did, but the Bloc said no. That is the only thing that researchers and members of the scientific community asked for. That is precisely what we tried to do, but we did not succeed because of the Bloc's opposition. It is as simple as that.

I want to be absolutely clear. We have some problems with this bill and, like the Bloc, we listened to witnesses and, since they were opposed to this legislation, we proposed amendments to it. Two of our three amendments were accepted by the committee and by all the members of the parties sitting in this House. We accomplished a couple of important things, such as asking that regulations be presented to the House of Commons, for monitoring purposes.

That is something we always ask for regarding any legislation. It is absolutely critical to ask that government regulations be referred to the Standing Committee on Health and to the House of Commons. That is what we accomplished. This is not a Bloc proposal. It is an NDP proposal, and the Bloc supported these amendments. So, this is very important, and it is something that we achieved.

We also dealt with the Bloc's concerns through another amendment that I am going to read. This is precisely the proposal that the Bloc rejected. It reads as follows:

That Bill C-11, in Clause 7, be amended by adding after line 22 on page 5 the following:

(c) any activity involving a micro-organism, nucleic acid or protein that falls into Risk Group 2, if the person who conducts the activity provides the following elements to the Minister:

(i) the location of the places where the activity is conducted and the name of a contact person, and

(ii) a signed document certifying that the activity is conducted in accordance with the *Laboratory Biosafety Guidelines* of the Public Health Agency of Canada.

This is an amendment that all scientific researchers asked for, in order to eliminate human pathogens that fall into risk group 2, and we made that proposal. Bloc members voted against it and now we have a bill that includes all human pathogens that fall in risk group 2.

• (1340)

[English]

It has to be pretty clear about what we do in the House and how we accomplish change. The government's job is to bring forward a bill. Yes, it made many mistakes in this case because it claimed to have done all kinds of consultations and to have done a thorough analysis of this area and the government was prepared to tell us that the whole community supported it. The government did not tell us

the truth. It did not do the proper consultations because the minute Bill C-11 was tabled, we were inundated with concerns from scientists and researchers that research in this country would be denied. They were concerned that research would be cut off and would not be undertaken because people would be very concerned that they would fall under this criminal rubric and be subject to all kinds of criminal penalties because of their laboratory work with level 2 pathogens.

We accepted the arguments the researchers and scientists made, which was that there has to be a differentiation between the different levels of toxins and pathogens. Therefore, we proposed an amendment to do just that.

Many of the scientists we heard from said that the work that was done by the government's amendment was a step in the right direction and they also said that the proposition we had made was a good one. Yet the Bloc accepted neither.

Our job is not to do the job of government. Our job is to amend and change the bills it brings before us. We cannot simply say every time we do not like something that we are going to send it back and start all over again.

In this case we heard multiple times from those witnesses. Some of us called them and spoke to them individually apart from the discussions at committee. It was clear that this issue about including level 2 pathogens in this whole umbrella of punitive measures around safety in our laboratories was a major concern and had to be addressed.

Many of them said as we went through the process that they could live with the government's amendment. We did not think that was good enough and we proposed one step further. That was the one that was rejected by the Liberals because they were not part of the discussion at all, but most surprisingly it was rejected by the Bloc members. This actually would have addressed their concerns.

We did our best. We put the proposal on the table and we were turned down. We did our part to try to make this a better bill but it is certainly not our job to hold up everything ad infinitum because we did not get our way. We do our best to work within a minority Parliament. We work to make changes and that is exactly what we did. We accomplished two important changes. We did not get the third change. We will continue to find ways to address the concerns raised by scientists and researchers.

It is very important to note that the NDP's amendment to get all regulations before the House is a significant breakthrough. The Bloc members are quite right when they ask how we can vote for something when we do not know the regulations. We deal with that each and every day. Every time we have a piece of legislation we deal with it.

*Government Orders*

We did it with Bill C-9. That bill deals with the transportation of dangerous goods. It is a very similar situation to this bill dealing with laboratories handling dangerous toxins and pathogens. We tried through a motion to get the House to amend that bill to ensure that all regulations would go before the committee. Where were the Bloc members on that? Where were the Bloc members on each and every other bill where we were trying to get regulations under the purview of the House and we raised concerns about the discretion of the minister and the latitude he or she may have in terms of implementing a bill and for which we do not know the full consequences? It is a legitimate concern but the normal parliamentary way is to amend a bill so that the regulations go to committee.

Now, all regulations for this bill will come before committee as a result of the NDP amendment before the bill is finally approved. It may not be perfect. It may mean the Conservative government can still try to do some things for which it has no authority and where it is taking advantage of grey areas in the bill, but we have a major role to play in terms of overseeing the regulations before allowing the bill to go any further. I think it is important to note all of that.

● (1345)

I will talk a bit about the bill as a whole and put it in the context of the present swine influenza outbreak because the two are very much connected.

We are talking about the precautionary principle in whatever we do. One of the fundamental principles behind Bill C-11 is that Canadians, health workers and all who come into contact with pathogens and toxins are safe beyond a reasonable doubt. Our first premise in dealing with the bill was to ensure that this safety provision was a part of it, but not in any way that would try to prevent research in important areas. We did not get what we wanted on that bill, but we made a good try.

With respect to the do no harm principle in the current context of the swine influenza outbreak, it is important to note that, because we have such capable and competent individuals in our national laboratories, especially our level 5 laboratory in Winnipeg, the National Microbiology Laboratory, we can feel somewhat confident that scientists are doing their job, ensuring that Canadians are protected in the event of a pandemic and that work in labs for which they have oversight are operating according to the highest principles and standards.

In that context, I want to single out Dr. Frank Plummer. He was the individual to whom Mexicans sent their concerns and samples once this soon-to-be-identified swine influenza broke out in Mexico. Dr. Frank Plummer and his team identified this new strain, which became known as the swine influenza. This laboratory is overseeing much of the work in this area. In fact, it is working very stringently on the development of a vaccine, which could happen, as reports show today, much sooner than actually expected. There could be a vaccine developed within a couple of weeks for the swine influenza, thanks to the work of Dr. Frank Plummer and his whole team of scientists and their collaboration with the CDC in the United States, with public health agencies across the country and with public health officers in every province and territory.

I want to mention the work of Dr. Frank Plummer because he also helped us identify the issue around listeriosis. Through Dr. Frank

Plummer, the electronic surveillance system detected the listeriosis outbreak. We were able then to take measures to deal with this very serious pathogen and ensure further containment of it.

Dr. Frank Plummer is known to us all for his work, especially, in the area of HIV and AIDS. He is one of the internationally renowned scientists who have done leading and groundbreaking research in getting to the bottom of HIV and AIDS. He has been recognized for that work in many parts of the world. In fact, as members will know, he was recently appointed an Officer of the Order of Canada. Probably more important than anything, he was inducted into the Royal Society of Canada. He has received a grant from the Grand Challenges in Global Health, an initiative of the Bill and Melinda Gates Foundation, which continues studies on HIV resistance and work on the HIV vaccine. He was named Canada research chair of the Canadian Institutes of Health Research and has been elected to the American Society of Clinical Investigation and the Association of American Physicians, and I could go on.

We are talking about someone who is world renowned, who is providing groundbreaking research on new unidentified pathogens and toxins. He has been behind the developments around listeriosis. Now he has been identified as the key researcher with respect to the swine influenza. He will ensure that we have a vaccine for that latest epidemic in short order.

He is a person with whom we consulted regularly throughout the debate. He took the time to come to our committees, along with Dr. Butler-Jones, the head of the Public Health Agency of Canada. As a result of their efforts, particularly Dr. Frank Plummer's, we were able to get a better handle on the nature of level 2 pathogens versus level 3 and level 4 pathogens and, in fact, begin the process of trying to put in place a modified regime with respect to level 2 pathogens so research would not be stymied and scientists would not feel any encumbrances around their work.

● (1350)

That has been accomplished, in part, thanks to all the scientists who came before us. They were very vigilant in their work at our committee. In fact, I want to mention the efforts by a number of them with respect to this bill, as the Bloc also referred to, and indicate that they were instrumental in our understanding of this whole area.

I hope the government has learned some lessons from Bill C-11, that it must ensure thorough consultations before it proceeds with legislation. I am glad it listened to some of our amendments. I hope it will take seriously our concerns about the regulations and will act quickly and promptly to bring those regulations before the House.

*Statements by Members*

We have the unfortunate example of human reproductive technologies legislation that was passed by the House some five years ago. It still has not been finally approved, nor are the regulations forthcoming. Here is an area where changes are happening every day, by the minute. There are all kinds of concerns about the new groundbreaking innovations in fertility treatments as well as concerns with respect to identity of anonymous sperm donations. Back five or six years ago, our committee tried to address numerous concerns and provide good advice to the government. We are still waiting for those regulations.

We hope the government has learned something from this most recent chapter in its legislative pursuit around protecting Canadians and has learned the lessons from the witnesses we heard at our committee. We hope it will ensure that all legislation brought to the House in the future is done so only after thorough consultation with stakeholders has been provided and with all regard for and taking into account the concerns raised by those people most directly affected by this legislation.

The government has failed to do that in this case and we have ended up with less than perfect legislation.

We are prepared to support the bill in the final analysis. I know Bloc members will go into conniptions over that. We believe we have done our job in trying to improve the bill. We have spoken to the same scientists they mentioned in the debates. We believe we have addressed their concerns, to a large measure, through the amendments to the bill by the government and then by ourselves.

We know it is a less than perfect legislation. There will be concerns identified along the way. We will ensure, through the regulatory process, absolute vigilance and complete oversight to ensure the government is true to its word about bringing forward regulations that meet the specific concerns of the scientists, researchers and laboratory workers.

We will hold the government to account every step of the way to ensure the health and safety of Canadian researchers, laboratory workers and patients are always at the top of the equation and that nothing in the legislation gets in the way of good research and groundbreaking scientific endeavour.

We will continue to raise the need for more government assistance, not less as was the case with the government in the last budget. I think all scientists were shocked by the cutbacks to research. They are crying for the government to pay attention to the need for Canada to be involved in the continuation of groundbreaking research and investigative studies, which will enhance the health and well-being of all Canadians.

• (1355)

**The Acting Speaker (Ms. Denise Savoie):** I can see that members are coming into the House, but I would ask for a little order.

The hon. member for Kildonan—St. Paul.

**Mrs. Joy Smith (Kildonan—St. Paul, CPC):** Madam Speaker, I thank the member for Winnipeg North for her contribution to the health committee and to this bill. I have to agree with her that Dr. Butler-Jones did astounding work on the committee. I commend his work on the swine flu and the challenges that are there right now.

Scientists who came to meetings on Bill C-11 were very helpful in their scientific analysis of the bill.

What does the member for Winnipeg North think would be most important things we need to address very quickly to get Bill C-11 finished and through committee? I know the member has worked very hard on the committee, as all members have, and I value her input.

**The Acting Speaker (Ms. Denise Savoie):** Again, I would ask members for a little order.

The hon. member for Winnipeg North.

**Ms. Judy Wasylycia-Leis:** Madam Speaker, besides Dr. Butler-Jones, Frank Plummer and the staff of Health Canada, I also wanted to mention the good work of the other scientists who were so vigorous in their representations before us. They are Professor Greg Matlashewski, Dr. Peter Singer, Professor Marc Ouellette, Dr. Albert Descoteaux and Professor Elaine Gibson. All of them have provided valuable advice. They have asked us to ensure that the regulations are drafted as quickly as possible and that they be involved in the process for the development of those regulations. They have also asked that members of the House and the Senate see those regulatory proposals as soon as possible so we can finalize this project and get on with ensuring that all of our laboratories are operating to the highest standards without encumbering any kind of research or groundbreaking scientific endeavour.

**The Acting Speaker (Ms. Denise Savoie):** The hon. member will have seven minutes left after question period to pursue other questions.

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## STATEMENTS BY MEMBERS

[English]

### MANITOBA PREMIER'S VOLUNTEER SERVICE AWARD

**Ms. Candice Hoepfner (Portage—Lisgar, CPC):** Madam Speaker, last week, the Pilot Mound Millennium Recreation Complex volunteers received the 2009 Manitoba Premier's Volunteer Service Award. Theirs is an amazing story and a testimony to community spirit.

Ten years ago, the people of Pilot Mound purchased an old arena located 1,200 kilometres away. They dismantled it and brought it back to their town piece by piece.

Over the last several years, community members built a new sports complex from the old one. The new facility includes a hockey rink, curling rink, daycare, theatre and gym.

From start to finish, this was a volunteer effort. Everyone contributed in some way to the project, from the very young to the very old.

In the words of Chamber of Commerce president, Carolanne Bayne, "We didn't just build a building we have built community spirit".

I congratulate the volunteers on receiving the Volunteer Service Award and I commend the citizens of Pilot Mound for their determination to see this project through.



*Statements by Members***HALIFAX CHAMBER OF COMMERCE PERSON OF THE YEAR**

**Hon. Geoff Regan (Halifax West, Lib.):** Madam Speaker, I would like to congratulate Brookes and Fiona Diamond on being named the 2009 Halifax Chamber of Commerce Person of the Year Honorees.

The Diamond's are founders of Brookes Diamond Productions, one of Atlantic Canada's leading entertainment companies. They have managed the careers of some of Canada's most successful artists and produced hundreds of shows worldwide.

They are also the visionaries behind *DRUM!*, a spectacular musical production featuring musicians, dancers, drummers and singers from Nova Scotia's four principle cultures: aboriginal, black, Celtic and Acadian.

Brookes and Fiona deserve to be recognized for their tireless efforts to nurture and promote N.S. arts and culture.

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• (1400)

[Translation]

**17TH FUNDRAISING DRIVE FOR TROUBLED YOUTH**

**Mrs. Ève-Mary Thāi Thi Lac (Saint-Hyacinthe—Bagot, BQ):** Madam Speaker, the 17th edition of Opération Tirelires takes place today. This year's goal is to raise an impressive \$75,000 throughout Quebec. The 31 Auberges du coeur, including Auberge Le Baluchon in my riding, invite the public to give generously to support troubled and homeless youth.

The mission of the Auberges du coeur is to help young people achieve their full potential and contribute to the Quebec of tomorrow, which will have a huge need for their talents. We must do everything we can to help these young people lead meaningful lives again.

I would also like to pay tribute to all the staff members, volunteers and current and former residents of the Auberges du coeur for working so hard to achieve tangible goals that make a difference.

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[English]

**CANADA DAY FUNDING**

**Mr. David Christopherson (Hamilton Centre, NDP):** Madam Speaker, I am proud of our country and so are my constituents in Hamilton Centre, but that pride is diminished when the Conservative government does not even buy Canadian flag pins that are actually made in Canada.

We can and do make flag pins here but the government screwed up and bought pins made in China. Is the recession over? Suddenly we do not need to support Canadian manufacturing jobs anymore?

Canadians also believe in fairness. However, when it comes to Canada Day, the Conservatives chose to play cheap politics with our national pride.

From federal funding of \$3.8 million for July 1st celebrations, they gave \$3.2 million to Quebec in an apparent transparent attempt

to buy votes. That left a mere \$600,000 for the rest of Canada and only \$100,000 for Ontario, our most populous province.

This is not complicated. The government should buy Canadian flag pins from Canadian manufacturers and share the celebration funds equally. It must stop shipping our jobs overseas and stop playing politics with our Canada Day.

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[Translation]

**25TH AWARDS CEREMONY OF COALITION OF BUSINESSPEOPLE**

**Mr. Pierre Lemieux (Glengarry—Prescott—Russell, CPC):** Madam Speaker, I am proud to rise in this House to congratulate the entrepreneurs in my riding, especially the three who were honoured at the 25th awards ceremony of the Regroupement des gens d'affaires in our region.

Among the honorees were Daniel Renaud of Vars, who was named entrepreneur of the year; Alain and Yves Potvin of Potvin Construction in Rockland, who won the award for big business of the year; and Claude Chénier of Cumberland, who was named manager of the year for his work at Heritage College.

I also want to congratulate Stéphane Lalonde of Chamberland Crossing in Rockland, Eric Leblanc of Prescott-Electric Motors in Hawkesbury, Hélène Lauzon of the Jean Coutu Pharmacy in Alexandria and Barney Bangs of Tulmar Safety Systems in Hawkesbury, who were among the finalists.

These entrepreneurs continue to work hard despite the tough economic times, and they provide invaluable services for my riding.

I congratulate them on their success and encourage them to keep up the excellent work.

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[English]

**MOUNT PEARL 2008 CITIZEN OF THE YEAR AWARD**

**Ms. Siobhan Coady (St. John's South—Mount Pearl, Lib.):** Mr. Speaker, it is my great honour to rise today to congratulate the winner of and nominees for the Mount Pearl 2008 Citizen of the Year Award.

On April 19, 2009, at a ceremony I was fortunate enough to attend, the city recognized: Rosalind Pratt, the award winner, as well as nominees James Bulger, Shirley Ducey, Gary Martin and Gordon Seabright.

Their collective work encompasses numerous organizations in our community, including Mount Pearl soccer and hockey, the special Olympics provincial games, various youth activities, the Scouts and Girl Guides of Canada, the annual frosty festival and the Mount Pearl citizens crime prevention committee, to name a few.

I am proud to count these individuals among my constituents. Their volunteerism and that of many others in our community makes Mount Pearl such a wonderful place to live.

*Statements by Members***PROUD TO BE CANADIAN CAMPAIGN**

**Mr. Guy Lauzon (Stormont—Dundas—South Glengarry, CPC):** Madam Speaker, as a proud member of Parliament for Stormont—Dundas—South Glengarry, I have always believed that my constituents are the most patriotic in all of Canada. We plan to show that again by winning in the annual Proud to be Canadian campaign this year.

Like in years past, I challenge my colleagues to have their constituents display a Canadian flag in their front windows on July 1. The riding with the most flags on display on Canada Day will be deemed the most patriotic riding in all of Canada.

My riding has had the honour of holding this title for the past couple of years and we are working hard to ensure that the same happens in 2009. Eighteen members have already taken up our challenge and it keeps growing by the day.

Today, I am challenging all my colleagues to hold similar contests in their ridings. Let us get our beautiful flag on display in households from coast to coast to coast and to show our true and patriot love for our country this Canada Day.

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● (1405)

[Translation]

**REPLACEMENT WORKERS**

**Ms. Meili Faille (Vaudreuil-Soulanges, BQ):** Madam Speaker, the defeat of the motion I tabled forbidding the use of replacement workers by companies that fall under the Canada Labour Code proves that the Liberal Party turns its back shamefully on working people.

All Liberals might have been expected to support this motion, especially after their leader stated last January alongside Michel Arsenault, the president of the FTQ, that he was “against scabs”. But the Liberals could not be consistent on this issue.

If their leader really had workers’ interests at heart, he would have shown some leadership and convinced his troops to unanimously support the motion.

Both the Liberals and Conservatives will use any pretext at all to avoid serving the interests of Quebeckers.

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[English]

**BURMA**

**Mr. Deepak Obhrai (Calgary East, CPC):** Madam Speaker, today we remember the victims of Cyclone Nargis, which struck Burma on May 2, 2008.

Canada was one of the first countries to respond to Cyclone Nargis and contributed more than \$25 million to relief efforts. It is estimated that over 150,000 people were killed and a further 2.4 million were affected.

The Government of Burma initially imposed significant restrictions on access to international humanitarian actors. This only

improved after sustained high level pressure from international actors.

The Burmese junta continues to rule in a repressive and uncaring fashion. There are estimated to be over 2,100 political prisoners in detention and, since August 2008, there have been over 300 political prisoners sentenced.

Canada calls upon the Burmese regime to immediately release all political prisoners, including Aung San Suu Kyi, and to respect the human rights and fundamental freedoms of all the people of Burma.

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[Translation]

**MADAWASKA RADIO PROGRAM**

**Mr. Jean-Claude D'Amours (Madawaska—Restigouche, Lib.):** Mr. Speaker, it is a great pleasure for me to pay tribute to the 800th edition of *Votre Soirée Western*, a radio program hosted by Claude Bossé and broadcast on CJEM in the Madawaska region.

Over the years it has become an institution, with thousands of Western music fans tuning in every Saturday night.

La Soirée Western has become very popular in the 20 years since it first hit the airwaves and is the occasion for many an enjoyable evening spent with friends listening to its selection of Western music.

Mr. Bossé has made a tremendous effort over the years to provide ever more varied programming for every taste. Fans of Western culture really enjoy this broadcast and the number of listeners is constantly growing.

The people of Madawaska-Restigouche join me in congratulating Claude and thanking him for the entertainment he provides every Saturday night. I hope he makes it to his 1,000th broadcast.

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[English]

**CADET INSTRUCTOR CADRE**

**Mr. Laurie Hawn (Edmonton Centre, CPC):** Madam Speaker, I rise today to recognize the Canadian Forces Cadet Instructor Cadre and its celebration of 100 years of service.

In its early days, the Cadet Instructor Cadre was mostly made up of male public school teachers who led their students through drill exercises and physical training at a number of schools across Canada. Since then, this group has grown into one of the most diverse branches of the Canada Forces and its officers represent the full spectrum of Canadian society.

Today, approximately 7,500 cadet instructors lead over 58,000 of Canada's youth in more than 1,100 communities across Canada. They are our friends, our family and our neighbours.

Cadet instructors are part-time members of the Canadian Forces who give their time and energy as they spend their weekends, evenings and summers with our youth.

*Statements by Members*

The Cadet Instructor Cadre has much to be proud of. On behalf of all Canadians, I would like to thank this exceptional group for their hard work and dedication.

I encourage all hon. members to participate and support their local units and join me in recognizing the Cadet Instructor Cadre as it celebrates 100 years of service. Here is to the next 100.

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● (1410)

**AUTOMOTIVE INDUSTRY**

**Mr. Brian Masse (Windsor West, NDP):** Mr. Speaker, many Canadian workers and communities stopped what they were doing today to huddle around the TV to watch President Obama decide their fate. Extraordinary measures were taken to prevent the collapse of the Chrysler Corporation because hedge fund vultures refused to participate in a solution.

Meanwhile, in Canada we once again wait to see a plan. The NDP called for a green car strategy five years ago to produce low emission, fuel efficient vehicles and put Canada on the cutting edge of the new automotive revolution.

Obama's call for these same measures and commitment to provide leadership and a plan is what is missing here in Canada. Canada needs to restart the Canadian auto partnership council, provide low interest loans to Canadians for new vehicle and lease purchases and provide an incentive plan, as the United States, Germany, Britain and others have taken, to kickstart consumers and help communities and workers who are on the brink.

I challenge the government to wake up, put its partisanship aside, stop blaming workers and start working on solutions to ensure our men and women have jobs and our communities are strengthened.

\* \* \*

[*Translation*]

**LEADER OF THE LIBERAL PARTY**

**Mr. Jacques Gourde (Lotbinière—Chutes-de-la-Chaudière, CPC):** Mr. Speaker, the Liberal leader has kept his distance from the press recently. He did not want to repeat the statement he made a few weeks ago, when he said, "We will have to raise taxes."

Now that part of his fiscal agenda has been brought to light, his new advisors, who have barely left the sponsorship scandal behind them, will be able to put the following questions to him, because we still have heard no answers for the Canadian people.

Which taxes will he raise? How much does he expect the citizens of this country to fork out? Is there another page to his Liberal fiscal agenda that he would like to share with Canadian taxpayers?

Our citizens are not stupid. Taxes and scandalous arrangements between friends of the Liberal Party, that is typically Liberal. The citizens of this country have had it with this Liberal leader's fiscal hypocrisy.

**INTERNATIONAL WORKERS' DAY**

**Mr. Luc Desnoyers (Rivière-des-Mille-Îles, BQ):** Mr. Speaker, tomorrow, May 1, is International Workers' Day, celebrating those who, through their hard work and social commitment, built Quebec.

The economic crisis is causing severe hardship, the worst we have seen since the 1930s. In Quebec, hundreds of thousands of people have lost their jobs, and the manufacturing and export industries are taking a nose dive.

In order to find a way out, we must target what caused the crisis. It began on Wall Street, in an environment in which deregulation and a lack of government intervention became common practices. As a result, millions of workers are now the victims of this flawed economic approach. In order to recover, we must rethink the economy and start putting people first.

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[*English*]

**CADET INSTRUCTOR CADRE**

**Mr. Scott Andrews (Avalon, Lib.):** Mr. Speaker, tomorrow, Canadians will celebrate the 100th anniversary of the Cadet Instructor Cadre. Currently, these reserve force officers supervise, administer and train over 58,000 Royal Canadian Sea, Army and Air Cadets in over 1,100 communities across Canada. Over the past 100 years, tens of thousands of Canadians have benefited from their leadership and direction.

In Newfoundland and Labrador, our cadet training program is led by 575 men and women, and in my riding of Avalon we have an exciting and challenging cadet program operating in over 18 communities.

Much of the work that is done by these officers is done on a volunteer basis and, through them, the lives of many young people in our communities are enriched with the transformative nature of participation.

Let us all be proud of the service of the Cadet Instructor Cadre. I call on all members of the House to join Canadians in celebrating this 100th anniversary and congratulate the remarkable group of 7,000 men and women of the Canadian Forces reserve officers.

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**TAXATION**

**Mr. Blake Richards (Wild Rose, CPC):** Mr. Speaker, our Conservative government has been working hard to help Canadians during these tough economic times. Through our economic action plan, we are delivering for Canadians. We are reducing taxes for Canadian families, creating jobs and helping Canadians who are hardest hit by this global recession.

### Oral Questions

The Liberals, however, have a different agenda: higher taxes for Canadians. From increasing the GST, to ensuring the end of the universal child care benefit, to imposing a job-killing carbon tax, it is clear that the Liberal Party is out of touch with Canadians.

The Liberal Party recently reaffirmed its economic clumsiness when its leader announced, "We will have to raise taxes".

Canadians have waited long enough for the details of this tax hike policy. Perhaps this weekend the Liberal leader can finally come clean with Canadians and tell them which taxes he will raise, by much he will raise them, and who will be forced to pay for these higher taxes.

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## ORAL QUESTIONS

• (1415)

[Translation]

### AUTOMOTIVE INDUSTRY

**Hon. Ralph Goodale (Wascana, Lib.):** Mr. Speaker, Chrysler will be restructured under chapter 11 of the U.S. bankruptcy law. However, President Obama's statement this morning did not indicate whether Chrysler would also be placed under the protection of Canadian courts.

Will Chrysler Canada employees be protected by Canadian courts?

[English]

**Mr. Mike Lake (Parliamentary Secretary to the Minister of Industry, CPC):** Mr. Speaker, throughout this difficult time in the auto sector, our government's goal is to ensure Canada maintains a 20% production share of a sustainable and viable North American sector.

In December we set some very stringent conditions that Chrysler Canada would have to meet in order to receive any additional support. Chrysler Canada's management, unions and financial institutions have made big sacrifices in order to meet these conditions.

While this is a very difficult situation for everybody, it is the best way forward for the industry and the best way forward for Chrysler, and for the businesses and workers who depend on it.

**Hon. Ralph Goodale (Wascana, Lib.):** Mr. Speaker, I would be grateful for an answer to the question, which is whether or not this process is also under Canadian law and Canadian bankruptcy rules or is it only the American law that applies?

It is important for the House to get accurate information. What is the Canadian taxpayer money being put into Chrysler for? It appears to be equity capital, at risk and unsecured. What exactly will Canadians get for it in terms of jobs, plants, product mandates and new technology? What are the guarantees for Canada?

**Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC):** Mr. Speaker, the Prime Minister and the Minister of Industry have provided great leadership on this file, doing their part to preserve Canada's share of the production of Chrysler manufacturing and auto assembly.

The member opposite did say that he did not get an answer to a question. Here is the answer that Canadians want to know. They heard the Liberal leader say on April 14, "We will have to raise taxes". I would like this member to stand in this place and tell us what taxes the Liberal Party will raise, when will it raise them and which middle-class Canadians will be targeted for special punishment from this new Liberal tax grab?

**Hon. Ralph Goodale (Wascana, Lib.):** Mr. Speaker, the minister may impress 100-and-some members across the way, but they will not be there very long.

It appears that there will be a newly-structured Chrysler Corporation that will own and operate Chrysler Canada as a branch plant subsidiary. Canada will be a minority shareholder in the holding company. For our \$3 billion, we will get one director out of nine. That is not much stroke to defend and promote the business in Canada.

Fiat and the U.S. government will run this show. Is there or will there be a shareholders agreement in place to safeguard the Canadian operation?

**Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC):** Mr. Speaker, the one remarkable thing that has happened over the last four or five months is that the Prime Minister has put aside partisan politics and is working in partnership with the Premier of Ontario, Dalton McGuinty. The announcement being made at this hour is between the Prime Minister and the Premier of Ontario, and I do not think he would appreciate the characterizations made by the Liberal Party opposite.

What would be terrible for the auto sector would be for the Liberal Party to try to raise taxes on new cars. It voted against the GST tax reduction and now we have to ask, is that one of the first things it will do: bring in a new tax on Canadian-built automobiles?

**Mr. Francis Valeriote (Guelph, Lib.):** Mr. Speaker, on Tuesday the finance minister refused to assure Canadians that the promised credit facility for the auto sector was on schedule.

The facility was announced five months ago. By the minister's admission, the whole thing remains at discussion stage, nowhere near operational. Industry analysts say the BDC is not equipped to deploy the facility. The industry is desperate for credit so people can buy and lease cars.

Yes or no, will the auto credit facility be open for business on May 1? Why all these delays when the minister has known for months that only credit will stimulate sales and leasing?

• (1420)

**Hon. Jim Flaherty (Minister of Finance, CPC):** Mr. Speaker, the member opposite has trouble with dates, obviously. The budget was in January, not five months ago.

The Canadian automotive dealers had this to say today:

Ottawa must tread carefully as it wades into this area for the first time...there's no mechanism in place in Canada at this stage—

**Hon. Ralph Goodale:** You were late. You said you were late.

**Hon. Jim Flaherty:** Relax, Ralph, I will get to you.

—to accommodate this...so they've basically got to start from a clean piece of paper with [BDC]—

*Oral Questions*

**The Speaker:** Order. I know the Minister of Finance and the opposition House leader are on very friendly terms, but the hon. minister also knows that it is out of order to refer to other hon. members by name. I would request that he refrain from that kind of thing.

[*Translation*]

The hon. member for Notre-Dame-de-Grâce—Lachine.

**Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.):** Mr. Speaker, the promise was made by the Minister of Finance last December. Anyone who can count knows that was five months ago.

It is inconceivable that this government continues to delay creating the secured credit facility for the automotive sector.

The minister does not seem to understand that dealers need credit to sell vehicles and that consumers need credit to purchase or lease vehicles.

Will the secured credit facility be in place on May 1 as promised by the minister?

[*English*]

**Hon. Jim Flaherty (Minister of Finance, CPC):** Mr. Speaker, here is what the Liberals know about cars. Here is what their finance critic said. He was asked by the *Windsor Star* if he owned a Canadian-built car. He said, "I drive a North American-made car". He was asked to be specific. He said, "I drive a General Motors car". He was asked to be more specific. He said, "I drive a Chevrolet".

An hour later, he told the reporter, "I said the wrong thing without thinking. The fact of the matter is I do not own a North American car".

It is no wonder that the Liberals will not let the finance critic ask any questions. He does not understand the auto system. In fact, he does not even know what car he drives. He can come to Oshawa—

\* \* \*

[*Translation*]

**GOODS AND SERVICES TAX**

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, yesterday the House of Commons voted unanimously in favour of a Bloc Québécois motion calling for Quebec to be compensated in the amount of \$2.6 billion for harmonizing its sales tax with the GST while continuing to be responsible for collecting and administering those taxes.

And yet immediately after the vote, the Minister of Finance went out and told the media that say he supported the principle of harmonization, but not the \$2.6 billion compensation.

Voting for one thing and saying the opposite 10 minutes later is called hypocrisy. Will the minister admit that his attitude is totally contrary to the principles—

**The Speaker:** The hon. parliamentary secretary.

**Mr. Jacques Gourde (Parliamentary Secretary to the Minister of Public Works and Government Services and to the Minister of National Revenue, CPC):** Mr. Speaker, our government and the Minister of Finance are going to work with Quebec's Minister of

Finance on this issue. They will certainly not be working with the leader of the Bloc Québécois on this issue.

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, we have just heard a brainwave.

That being said, how can the Minister of Finance say he is negotiating with Quebec in good faith when a unanimous motion was passed here in the House of Commons, not somewhere else? We are entitled to ask them questions about their attitude. There was also a unanimous motion by the National Assembly.

How can they say they are acting in good faith when 10 minutes after voting he turns to the journalists and says he does not agree with what he just voted for? How can that be called anything other than hypocrisy?

**Hon. Jim Flaherty (Minister of Finance, CPC):** Mr. Speaker, the Government of Quebec has said that it wants to have discussions about harmonization. Since our first budget in 2006, we have supported the challenge of harmonization with the provinces, including Quebec. So, yesterday, we began discussions and negotiations with the Government of Quebec concerning harmonization.

\* \* \*

**EMPLOYMENT INSURANCE**

**Mr. Yves Lessard (Chambly—Borduas, BQ):** Mr. Speaker, yesterday the House of Commons completed second reading of our bill to abolish the waiting period for employment insurance, a measure that the Bloc Québécois has been proposing for months; a measure that has the unanimous support of the Quebec National Assembly; a measure that is also being urged by all of the labour movement.

Given that consensus, what is the Conservative government waiting for to abolish the waiting period now, a simple measure that would help all those receiving EI benefits?

● (1425)

**Hon. Jean-Pierre Blackburn (Minister of National Revenue and Minister of State (Agriculture), CPC):** Mr. Speaker, in difficult economic times, it is important to act on a number of fronts to help people keep their jobs as well as to stimulate economic activity.

That is what we did in our action plan, for instance, the planned infrastructure investments of \$33 billion, including \$1,350 in tax credits to encourage people to renovate their homes and thereby help out the forestry and manufacturing sectors. We also added five weeks to employment insurance to provide people with more available funds.

**Mr. Yves Lessard (Chambly—Borduas, BQ):** Mr. Speaker, it is regrettable to see the Minister of Human Resources and Skills Development contradicting her own department's figures on the proportion of unemployed people who have access to employment insurance. It is appalling to see her digging in her heels out of ideological principle against abolishing the waiting period, when this is a measure that would help all recipients right at the start.

Is the minister aware that she has no reason whatsoever to refuse to abolish the waiting period, and that she must do so right away?

*Oral Questions*

**Hon. Jean-Pierre Blackburn (Minister of National Revenue and Minister of State (Agriculture), CPC):** Mr. Speaker, once again, at the time we implemented our economic action plan, we consulted Canadians and the people in the regions in order to learn what we could do to help them out. People prefer five extra weeks of employment insurance benefits at the end to two weeks at the start.

It is far more useful, at a time when we are coping with economic difficulties, to have five weeks more at the end, at a time when people may take longer to find new jobs.

\* \* \*

**CANADA PENSION PLAN**

**Hon. Jack Layton (Toronto—Danforth, NDP):** Mr. Speaker, caution is the watchword when managing people's money and pensions. The Canada Pension Plan Investment Board lost \$20 billion in 2009, but that did not stop its five top executives from awarding themselves a generous \$11 million in bonuses.

Does the Minister of Finance think that Canadians are getting value for their money?

[*English*]

**Hon. Jim Flaherty (Minister of Finance, CPC):** There is no doubt, Mr. Speaker, that the markets have been depressed in the past year.

The fact of the matter is that the Canada pension plan is one of the most successful pension plans in the world. The reason it has been so successful for Canadians over a long period of time, despite the crowing and complaining of the member for Wascana while I am trying to answer a serious question about the pension plan and he insists on interrupting, is that we are not going to let politicians like the member for Wascana interfere with the operation of the Canada pension plan.

**Hon. Jack Layton (Toronto—Danforth, NDP):** Mr. Speaker, these people are managing the retirement savings of Canadians, and Canadians are expecting that their pensions are going to be there when they retire.

Why are the Conservatives allowing the CPP executives to get \$11 million in bonuses when they just lost \$20 billion of Canadian savings? It makes no sense.

Where is the fiscal prudence? Where is the accountability? Why are these people getting away with it?

**Hon. Jim Flaherty (Minister of Finance, CPC):** Is the member opposite so unaware of what is going on in the economy and in the markets, Mr. Speaker, that he is not aware of the very substantial market losses during the course of the past year? Is he not aware that the performance of the Canada pension plan is relatively good? Is he in favour of politicians interfering with the management and the investment policies of the Canada pension plan? We are opposed to that.

**Hon. Jack Layton (Toronto—Danforth, NDP):** Mr. Speaker, I will tell you what Canadians do not accept. They do not accept that a group of people who go out and lose \$20 billion of the savings of Canadians get rewarded with millions of dollars in their pockets.

The CEO of the CPP Investment Board, David F. Denison, made \$475,000 as a base salary last year. To reward him for losing \$20 billion, he received an extra \$3.6 million, a 750% bonus.

Try to justify that to anybody. Is the government kidding me? How can this be allowed to happen?

• (1430)

**Hon. Jim Flaherty (Minister of Finance, CPC):** Mr. Speaker, what the member opposite is asking the provincial governments, the territorial governments and the Government of Canada to do is to interfere in the day-to-day operations of the Canada pension plan and the Canada Pension Plan Investment Board.

I gather some of the Liberals, like the member from Ottawa, want the same thing to happen.

We do not believe in that. Pensions are too important for Canadians. The Canada pension plan has been successful over the years—

**Mr. David McGuinty:** Get the bonuses back.

**Hon. Jim Flaherty:** Your brother probably supports it. Be careful what you say.

They have been supportive over the years. This is a well-run pension plan and we support it.

\* \* \*

**HEALTH**

**Hon. Wayne Easter (Malpeque, Lib.):** Mr. Speaker, it is now 225 days since the Prime Minister announced a so-called investigation into the listeriosis crisis.

It is 225 days of the minister responsible sloughing off his responsibility, never being interviewed. His agency admitted yesterday to the tampering of documents. In fact, the past president of the Canada Safety Council wrote:

This investigation raises serious questions about objectivity, political cronyism, stonewalling, secrecy and a sign of things to come...a cover-up.

Why is there a Conservative cover-up?

**Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC):** Mr. Speaker, what we have is 225 days of the member for Malpeque being mischievous with the facts, playing loose with the realities of what is really going on, that the independent investigation is just that. It is independent.

I will be interviewed by the investigation at some point along the way. I am not sure what day. That is up to Ms. Weatherill. I am looking forward to it.

**Hon. Wayne Easter (Malpeque, Lib.):** Mr. Speaker, the fact is the minister could wave to her, from his office to hers.

Yesterday, senior CFIA staff claimed the changes were based on the recollections of the inspector. Was it a revelation in the middle of the night? How does an investigation into the worst food crisis result in an investigator recalling improvements to Maple Leaf operations five months after the critical findings? Or are these amendments really what they look like, the tampering with key evidence and a Conservative cover-up?

**Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC):** Mr. Speaker, I can be assured that the member for Malpeque would not make that statement outside this chamber, because he would certainly be blowing in the wind at that point.

He talked about my waving to Ms. Weatherill from my office. If he would like to offer his office as a replacement, I am sure she would appreciate it, because he is certainly not very effective in using it now.

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#### SOCIAL PROGRAMS

**Mr. Michael Savage (Dartmouth—Cole Harbour, Lib.):** Mr. Speaker, the enabling accessibility fund was designed to assist persons with disabilities. If any program should be beyond the partisan cronyism of the government, it should be this one.

Yesterday the minister was unable to tell the House why 94% of all funding went to Conservative ridings, including the only two approved major projects in the country. It is beneath contempt for the government to play politics with this program for people who need this assistance so urgently.

Now that she has had 24 hours to reflect on this, can the minister explain why 94% of the funding ended up in Conservative ridings?

**Mr. Ed Komarnicki (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC):** Mr. Speaker, this funding is for Canadians with disabilities. It was included in budget 2007. The Liberal Party voted against the funding for Canadians in the budget and for those with disabilities. I think they are trying to deflect from the leader saying he is going to raise taxes on all Canadians, including those with disabilities.

**Mr. Michael Savage (Dartmouth—Cole Harbour, Lib.):** Mr. Speaker, there is no answer on that side, and people with disabilities deserve better than that.

They cannot defend the crass partisanship of how this program has been managed: by their own figures, 94% to Conservative ridings. It is inexcusable. It is easy to see why members of the human resources committee, including the parliamentary secretary, scrambled to avoid an investigation of this program. They know the truth.

The program with such nobly stated goals actually stinks of political interference. It is an abdication of responsibility. How can the government justify such partisan funding?

**Mr. Ed Komarnicki (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC):** Mr. Speaker, nothing could be further from the truth. There are strict guidelines and criteria to qualify. It is a program that helps Canadians with disabilities. It is a program that

#### Oral Questions

the member and his party voted against when they had the opportunity to support something worthwhile.

\* \* \*

• (1435)

[Translation]

#### FINANCE

**Mr. Jean-Yves Laforest (Saint-Maurice—Champlain, BQ):** Mr. Speaker, when the Minister of Finance brought down his budget in January, his forecast was for 90,000 job losses in 2009. The fact of the matter is that, three months later, more than 270,000 jobs have been lost. The Bank of Canada and the Parliamentary Budget Officer both predict a more severe contraction of the Canadian economy. The Conservatives' plan was poorly targeted and inadequate. That is why the Bloc Québécois voted against it. The Minister of Finance said he might do something about it in the fall.

Now that reality is catching up to him, does he plan to move immediately on the measures put forward by the Bloc Québécois this morning?

[English]

**Hon. Jim Flaherty (Minister of Finance, CPC):** Mr. Speaker, that is right. The Bloc Québécois voted against Canada's economic action plan.

If they were successful, if they had their way, there would be no \$20 billion in tax cuts and no stimulus package for any part of this country, including Quebec, because they voted against the economic action plan. There would be no support for Canadians with respect to EI, elongating EI, and helping industries like the forestry industry and the auto industry, for people to retrain.

That is what the Bloc voted against.

\* \* \*

[Translation]

#### FORESTRY INDUSTRY

**Mr. Robert Bouchard (Chicoutimi—Le Fjord, BQ):** Mr. Speaker, three wardens in the Saguenay—Lac-Saint-Jean region, the Minister of State responsible for the Economic Development Agency of Canada for the Regions of Quebec's region, have expressed their concerns and insist that the matter is urgent. We need measures to help the forestry and manufacturing sectors. Job losses are mounting and the government is not doing anything about it.

If the government is looking for ideas, perhaps it should consider the Bloc's proposals to help the forestry industry, such as loan guarantees and refundable tax credits to stimulate investment in equipment.

**Hon. Denis Lebel (Minister of State (Economic Development Agency of Canada for the Regions of Quebec), CPC):** Mr. Speaker, I would like to thank the member for his question.

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We are taking action. We set up the Canada-Quebec task team, whose work will focus on six key areas, to come up with ideas to help the men and women who have been affected by changes in the forestry industry. There will be results.

We are not just talking about it; we are taking action.

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### THE ENVIRONMENT

**Ms. Paule Brunelle (Trois-Rivières, BQ):** Mr. Speaker, instead of setting the economy against the environment, many countries are taking advantage of the economic crisis to invest in green measures. The need to reduce our dependence on oil provides a golden opportunity to develop renewable energies and work on energy efficiency and sustainable development.

Will the government adopt the proposal in the assistance plan the Bloc outlined today, and will it invest \$3.6 billion to reduce our dependence on oil?

[English]

**Hon. Lisa Raitt (Minister of Natural Resources, CPC):** Mr. Speaker, this government has acted very quickly with respect to the need to have clean energy in this country. In fact, we have set a very aggressive standard of having 90% non-emitting sources of electricity by 2020 and we are working very hard toward that.

Indeed, we have put a significant amount of money into having clean sources of energy and developing our renewables. That is what action is all about and we continue to do it.

[Translation]

**Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ):** Mr. Speaker, the Bloc has released phase II of its assistance plan, which proposes measures to stimulate strategic spending and reduce our dependence on oil. But to reduce that dependence we must also set absolute greenhouse gas emission reduction targets. Even the president of TMX Group says that the Montreal Climate Exchange is getting off to a slow start because of federal greenhouse gas policies.

Will the government finally wake up and realize that we must have absolute greenhouse gas emission reduction targets if we do not want to miss the boat on sustainable development?

**Hon. Jim Prentice (Minister of the Environment, CPC):** Mr. Speaker, in the past 10 days, I have met with every environment minister in the G8, and my visits to the United States and Italy were extremely productive. I was able to discuss our plan for Canada with my counterparts. We also discussed our continental and international approach to fighting climate change.

The Bloc should stand up and applaud us because all Quebecers and all Canadians will benefit.

\* \* \*

●(1440)

[English]

### HEALTH

**Ms. Kirsty Duncan (Etobicoke North, Lib.):** Mr. Speaker, health officials missed the opportunity to act in Mexico, where there

are 2,500 suspected cases of flu. CDC and WHO officials say that the flu may turn out to be more similar in both Mexico and the United States; that is, more mild cases may be uncovered in Mexico and more severe ones found in the U.S.

What is the minister doing to ensure that no opportunity to intervene appropriately is missed here in Canada?

**Hon. Leona Aglukkaq (Minister of Health, CPC):** Mr. Speaker, Canada is well positioned to deal with this issue. We have a national plan for disease outbreaks and we are following it.

All the cases in Canada to date have been mild. We have issued travel health warnings regarding non-essential travel to Mexico. I have spoken with my provincial and territorial counterparts across Canada and have provided them updates. We have engaged Foreign Affairs, Public Safety and Citizenship and Immigration. I am also having regular discussions with our international partners, including the World Health Organization and health officials in the United States and Mexico.

As the hon. member knows, I have been updating my opposition critics and continue to update Canadians regularly.

**Ms. Kirsty Duncan (Etobicoke North, Lib.):** Mr. Speaker, the swine flu outbreak is very dynamic, fluid, and is rapidly evolving. The increased threat level signifies that we have taken a step closer to a pandemic.

Should a pandemic occur, how will it be decided who has been exposed and requires treatment? How will antivirals be distributed?

**Hon. Leona Aglukkaq (Minister of Health, CPC):** Mr. Speaker, our Conservative government's highest priority is the health and safety of Canadians.

That is why in budget 2006 we invested \$1 billion to increase Canada's preparedness to respond to public health threats, including an influenza pandemic.

The Public Health Agency of Canada, working with the provinces and territories, has developed a comprehensive pandemic influenza plan. The plan includes domestic vaccine capacity as well as stockpiling of antivirals.

I can assure all hon. members that we are continuing to review and update this plan in order to protect Canadians.

\* \* \*

[Translation]

### TRANSPORTATION

**Mr. Massimo Pacetti (Saint-Léonard—Saint-Michel, Lib.):** Mr. Speaker, the Aéroport Montréal Saint-Hubert Longueuil will soon have a new terminal, no thanks to the Conservatives, but rather thanks to private investors. The airport's runway needs to be rebuilt, and the Conservatives are dragging their feet on allocating the funds needed.

When will the Conservatives finally deliver the building Canada funds for the Aéroport Montréal Saint-Hubert Longueuil?



[English]

**Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC):** Mr. Speaker, it is a great thing when the private sector makes investments in Canada.

The Minister of Finance and I were at an airport in Toronto. All \$45 million is being paid privately. This is creating a lot of jobs.

Under the building Canada fund and under the airports capital assistance program, we have the opportunity to provide a limited amount of money in support. We would certainly be prepared to give the Saint-Hubert airport due and fair consideration.

**Mr. Massimo Pacetti (Saint-Léonard—Saint-Michel, Lib.):** Mr. Speaker, that is not good enough. The problem with that answer is that it seems easier to find the money to redo the tarmac at the airport in the revenue minister's riding.

Unlike the revenue minister's pet project, jobs are at stake in Saint-Hubert. Pratt & Whitney conducts its engine testing there.

Meanwhile, in the U.S., Plattsburg airport is getting generous government funding to modernize and is openly courting Pratt & Whitney to move there.

Do the Conservatives want to see well-paid aerospace jobs moving down south?

**Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC):** Absolutely not, Mr. Speaker. That is why this government, through the Minister of Industry and many others, is making substantial investments, particularly in Canada's dynamic aeronautics industry. It is an important cornerstone of the Canadian economy. It is very important obviously in the province of Quebec.

I would certainly be pleased to look at any proposal with respect to Saint-Hubert and respond to the member opposite.

Obviously, we want to ensure that infrastructure dollars are spent right across the country so they can create more jobs, more hope and more opportunity.

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#### THE ENVIRONMENT

**Mr. Devinder Shory (Calgary Northeast, CPC):** Mr. Speaker, the Minister of the Environment has just returned from a series of successful meetings with the G8 in Italy and in Washington for the Major Economies Forum on Energy and Climate.

Could the minister please explain to the House how this government is succeeding in developing a real climate change plan, unlike the former Liberal government that recklessly signed Kyoto and allowed our emissions to grow by 35%, damaging Canada's reputation as a responsible environmental steward?

● (1445)

**Hon. Jim Prentice (Minister of the Environment, CPC):** Mr. Speaker, in the past 10 days I have met with every environment minister from all of the world's major 17 economies. I have also had the opportunity to meet all of the senior environmental officials in the Obama administration. We are constructively engaged in every forum and in every way.

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Then we have the Liberals who support a carbon tax, who support NDP tiddlywinks bills, and now, according to the member for Esquimalt—Juan de Fuca, support pumping raw sewage into the Strait of Juan de Fuca. These are the sum total of the Liberal policies: tiddlywinks, carbon taxes, and incremental—

**The Speaker:** The hon. member for Nickel Belt.

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#### ABITIBIBOWATER

**Mr. Claude Gravelle (Nickel Belt, NDP):** Mr. Speaker, AbitibiBowater's bankruptcy sent shock waves through northern Ontario towns like Iroquois Falls, putting entire communities on the brink.

However, it now seems as though Abitibi is taking its financial woes out on its former employees. Abitibi started by cutting workers' severance, then it cut early retirement packages and now it is cutting seniors off from their hard-earned pensions. Enough is enough.

When will the government finally stand up for workers and pensioners in Iroquois Falls and across the north?

**Hon. Lisa Raitt (Minister of Natural Resources, CPC):** Mr. Speaker, the reality is that this government has been standing up for these kinds of workers and communities for a long time.

In 2008 we introduced a \$1 billion community development trust and in the budget this year, we developed a further \$1 billion community adjustment fund in order to help communities deal with the serious downturn that we are experiencing now.

**Mr. Jack Harris (St. John's East, NDP):** Mr. Speaker, we are talking about employee benefits. The workers of Grand Falls-Windsor have gone through a lot already, first with the shutdown of the Abitibi mill and then termination of severance and early retirement packages. Now they are watching their parents and grandparents being kicked off their pensions. This is the lowest of the low. Kicking seniors, some in their late 70s and 80s, off pensions is despicable.

Why will the government not stop sitting on its hands, help the hard-working people of my province and stop letting AbitibiBowater get away with this?

**Hon. Jim Flaherty (Minister of Finance, CPC):** Mr. Speaker, it is a provincially regulated pension plan with respect to AbitibiBowater. I suggest the member opposite take it up with the provincial government in Newfoundland and Labrador.

*Oral Questions*

[Translation]

**AGRI-FOOD INDUSTRY**

**Mr. André Bellavance (Richmond—Arthabaska, BQ):** Mr. Speaker, the member for Jonquière—Alma has forcefully defended the new regulations concerning the “Product of Canada” label at the expense of his own region and its agri-food industry. For instance, the chocolate made by the Trappist monks in Mistassini, produced in Roberval—Lac-Saint-Jean, can no longer be considered to be a product of Canada, because the cocoa beans and sugar it contains are imported.

Does the minister realize that his decision hurts the agri-food industry and that his stubbornness will cause irreparable harm to many producers, including those in his own riding? He should stop telling us he might make changes. He should either make them or let the real minister do it.

**Hon. Jean-Pierre Blackburn (Minister of National Revenue and Minister of State (Agriculture), CPC):** Mr. Speaker, we believe it is important for consumers to have something to go on when buying products at the grocery store. For that purpose, we have adopted the 98% standard for products of Canada. Companies that do not meet that standard can put on their product that it was processed in Canada, using blueberries from Saguenay—Lac-Saint-Jean for example, or some other words to that effect.

**Ms. Christiane Gagnon (Québec, BQ):** Mr. Speaker, Biscuits Leclerc de Québec is another example of the unrealistic 98% threshold for using the “Product of Canada” label. According to the company’s vice-president of marketing, that standard is outrageous. It would cost over \$300,000 to change the packaging on products that are entirely from Quebec except for the sugar and cocoa beans. The company president has written to the minister responsible for the Quebec City region and the Minister of State (Agriculture), who have not deigned to acknowledge receipt of his letter.

Is the Minister finally going to use common sense and do the only logical thing he can do, cancel this measure immediately?

**Hon. Jean-Pierre Blackburn (Minister of National Revenue and Minister of State (Agriculture), CPC):** Mr. Speaker, I would again point out that it is important for consumers to have something to go on. Consumers themselves want that. As well, we have consulted the industry and the stakeholders. They agreed that we should go ahead with this legislation. That does not mean that we do not hear comments from time to time. We are listening. In fact, I had an opportunity again, recently, to meet with some of them. We want a clear focus and we want consumers to have something to go on. We are working to achieve this.

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• (1450)

**OFFICIAL LANGUAGES**

**Ms. Raymonde Folco (Laval—Les Îles, Lib.):** Mr. Speaker, with just 288 days left to go until the Olympic Games begin, the French language is all but invisible there. An official languages committee was set up to save face. The government seems to have forgotten that French is one of two official languages both in Canada and at the Olympic Games.

Can the Minister for La Francophonie explain why, despite its commitment to promoting the Francophonie, the Canadian government is doing nothing about the lack of French at an event that will focus the attention of the entire world on Canada?

**Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC):** Mr. Speaker, that is just not true. Let me be clear. Every Olympic Games site, including the Richmond Oval, will have bilingual signage. The 1988 winter Olympic Games in Calgary were a big improvement over the 1976 Olympic Games in Montreal, and the 2010 winter Olympic and Paralympic Games in Vancouver will be a big improvement over the winter Olympic Games in Calgary.

Every single site, along with translation services, the cultural Olympiad, broadcasting, volunteers, the Internet site, the torch relay and the opening and closing ceremonies, will be bilingual.

**Ms. Raymonde Folco (Laval—Les Îles, Lib.):** Mr. Speaker, why set up an advisory panel on official languages if everything is fine in Vancouver? In February, the Conservative government cut aid to the poorest countries in the Francophonie, and now it is ignoring problems with the Olympic Games organizing committee.

The minister has done nothing to address these issues, and she is still not doing anything. Can she provide assurances to francophones that Canada is prepared to guarantee satisfactory service in their language at the Olympic Games?

[English]

**Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC):** Mr. Speaker, I know the Liberals are having their convention in Vancouver. Maybe the member could go and meet with the people at VANOC and recognize that everything she just said is entirely false.

The opening ceremonies and every single Olympics site will respect the official languages. There are signs all over the city of Vancouver and all the host cities in both official languages. The Cultural Olympiad, the opening and closing ceremonies, the torch relay, the 2010 Olympics and Paralympic Games will be entirely respectful of Canada's official languages.

We are getting the job done. We are exceeding the standards set by the IOC. We are respecting Canada's official languages. We are getting the job done.

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**INFRASTRUCTURE**

**Mr. Bruce Hyer (Thunder Bay—Superior North, NDP):** Mr. Speaker, this week Toronto Transit Commission awarded the largest municipal project in the country, \$1.2 billion, to Bombardier in Thunder Bay. This contract will immediately create vital jobs in Thunder Bay, jobs that will help stimulate our economy now.

It is good news for Thunder Bay workers, for Toronto Transit riders and for the fight against climate change. Yet the Minister of Transport, Infrastructure and Communities has said he may not provide the federal share.

*Oral Questions*

Will the transport minister commit today the federal share for this project to get it started immediately?

**Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC):** Mr. Speaker, it is always very interesting to hear the New Democrats talk about the need to make investments.

This is an interesting project. Just last month the leader of the NDP stood up in the House and said that we should have a buy Canadian policy. I understand 80% of this project would not be made in Canada. It is quite interesting.

I have said to the member and to the City of Toronto that if they could bring forward a proposal of investments that could be made in the next two years, we would certainly be open to receiving it, but we do not want to stimulate the economy some time in 2019. Canadians need jobs today, and our goal is to make that happen.

**Mrs. Carol Hughes (Algoma—Manitoulin—Kapusksing, NDP):** Mr. Speaker, that is exactly right; Canadians do need jobs today.

In northern Ontario, local roads boards tell us that they cannot meet the government's May 1 deadline for the building Canada fund. They say that they are volunteers and do not have engineering departments or staff to meet these deadlines and they are beginning to wonder if this deadline was not done on purpose so they cannot take part in these programs.

Will the minister do the right thing for northern Ontario and extend the deadline for applications, or will the Conservatives leave northern Ontario out in the cold again?

**Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC):** Mr. Speaker, the first deadline is May 1. I think we have been clear that we will certainly be prepared to receive applications after that date.

The good news is that as of noon today in the province of Ontario, working with my premier, Dalton McGuinty, we have received 1,350 project proposals from more than 234 municipalities.

Municipalities are responding to the challenge. They are putting their money where their mouth is. They are moving quickly to get the job done. The hon. member can count on Dalton McGuinty and me to be there to support our municipalities.

\* \* \*

● (1455)

**TAXATION**

**Mr. Daryl Kramp (Prince Edward—Hastings, CPC):** Mr. Speaker, in November 2004 the Liberal leader called himself “a tax and spend Pearsonian Trudeau Liberal”. During the 2006 Liberal leadership race, he said, “We've also got to have popular, practical, believable policies that may involve some form of carbon tax”. Last December he said, “I'm not going to take a GST hike off the table”. This month he said, “We will have to raise taxes”.

Does the government agree with the Liberal leader when he says, “We will have to raise taxes”?

**Mr. Pierre Poilievre (Parliamentary Secretary to the Prime Minister and to the Minister of Intergovernmental Affairs, CPC):** Mr. Speaker, last night on CBC the Liberal leader announced

that he is a tax and spend Trudeau-Pearson Liberal who loves country music. That is the first of its kind of species.

No one is accusing the Liberal leader of wanting to raise taxes. We are just reading his own words, “We will have to raise taxes”. He has a right to take that position, but also a responsibility to answer the questions: which taxes, how much will they go up, and who will have to pay?

\* \* \*

**EMPLOYMENT INSURANCE**

**Hon. Gerry Byrne (Humber—St. Barbe—Baie Verte, Lib.):** Mr. Speaker, I gave the Minister of Human Resources Development advance notice of my question.

After the parents of Trooper Kyle Ricketts was denied income benefits if they went to the side of their critically injured son, injured in Afghanistan serving with the Royal Canadian Dragoons, the minister's spokesperson announced that the Ricketts case had been resolved and they would get their benefits. She also said she would ensure there were legislative changes to prevent this from ever happening again.

The minister failed on the first count. Benefits were not only denied to this soldier's parents, but they will have to pay the money back. Her promise to the parents of a critically injured soldier was a deception. Was her promise to change the EI act a deception as well?

**Mr. Ed Komarnicki (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC):** Mr. Speaker, we commend Trooper Ricketts for his bravery and we sympathize with his situation. Service Canada officials have made every attempt to contact the Ricketts family to clarify this situation.

I will not get into the specifics of this case, but if the member really cares about the issue, he would come and see me or the minister directly about the issue. He would not be trying to play on the backs of the family and the soldiers to try to score cheap political points.

\* \* \*

[Translation]

**TRANSPORTATION**

**Mrs. Carole Lavallée (Saint-Bruno—Saint-Hubert, BQ):** Mr. Speaker, yesterday morning Aérocentre YHU Longueuil announced a \$20 million investment over three years to develop a new airport terminal at the Aéroport Montréal Saint-Hubert Longueuil (AMSL). In 2007, AMSL applied to the federal government for a grant to renovate and lengthen the Saint-Hubert runway in order to accommodate larger aircraft.

The matter has been studied at length for two years. It was even a Conservative election promise.

The minister just stated that he was prepared to consider the matter. What is he waiting for to make an announcement?

*Business of the House*

[English]

**Hon. John Baird (Minister of Transport, Infrastructure and Communities, CPC):** Mr. Speaker, I have been minister for five months, probably for the same reason she took five months to ask me the question.

\* \* \*

**VETERANS AFFAIRS**

**Mr. Peter Stoffer (Sackville—Eastern Shore, NDP):** Mr. Speaker, Robert Shankland of Winnipeg was a World War I hero, who received the Victoria Cross and other medals for his great service to his country. Now 93 years later, those medals are going to go on an auction block for cash. These medals should be in a place of honour and not on an auction table.

Would the government now do the right thing to do two things: make sure those medals do not leave the country, and more importantly, bring in legislation which prevents the sale of all medals given to all our heroes. That is not currency they have hanging from their chest, those medals are wonderful decorations for the great service they did. Will the minister—

**The Speaker:** The hon. Minister of Veterans Affairs.

**Hon. Greg Thompson (Minister of Veterans Affairs, CPC):** Mr. Speaker, I agree that Robert Shankland was a Canadian hero and served his country well, there is no question about that.

We do have a number of measures in place to ensure that medals of historical significance do not leave the country. But, at the end of the day, as other governments have grappled with this as well in terms of the selling of these medals, it is really a balancing of interests between the Canadian public and the rights of owners. We are cognizant of that and we will do our best.

\* \* \*

● (1500)

**AGRICULTURE AND AGRI-FOOD**

**Mr. Randy Hoback (Prince Albert, CPC):** Mr. Speaker, our farmers are facing real, tough issues. The U.S. has enacted discriminatory labelling rules, the EU and South Korea are breaking WTO rules by not allowing our beef into their markets, and input prices are all over the place. Yet, what is the National Farmers Union protesting today? Yes, the rights of criminals and convicts. We saw it working with the U.S. protectionists earlier this year and now it is prisoners.

Could the Minister of Agriculture tell the House what he thinks the priorities of farmers are?

**Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC):** Mr. Speaker, this is an exciting new direction for the membership drive for the NFU. Of course it does require a captive audience since it really does not represent any farmers. While it is busy lobbying for criminals and bad guys, we are out there building a new set of rules and regulations for farmers that will benefit them domestically and in the international marketplace. We are opening new markets for our farmers. We are getting the job done.

**The Speaker:** It being Thursday, I believe the hon. member for Wascana has a question.

**BUSINESS OF THE HOUSE**

**Hon. Ralph Goodale (Wascana, Lib.):** Mr. Speaker, I wonder if the government House leader could inform the House what his business plan is for the coming week.

I would also draw to his attention that as of today, I have notified his office, together with the other party leader's offices in the House, about the opposition's selection of two departments to be invited to the committee of the whole to defend their estimates in the House during the month of May. This is all pursuant to Standing Order 81 (4)(a). Those two departments are the Department of Agriculture and Agri-Food and the Department of Fisheries and Oceans.

I wonder if the government House leader could give some indication when he would intend to schedule the two sessions of the committee of the whole for the estimates of these two departments to be examined here.

**Hon. Jay Hill (Leader of the Government in the House of Commons, CPC):** Mr. Speaker, I am very pleased that today we have already completed the second reading stage of Bill C-6, consumer product safety. We expect to conclude debate on the third reading stage of Bill C-11, human pathogens and toxins. At least, it is the hope of the government to see that bill move along.

Following Bill C-11, it is our intention to call Bill C-3, arctic waters, which is at report stage and third reading. It would be nice to see that bill move along as well and get over to the other place.

As we all know, the House is not sitting tomorrow to accommodate the Liberal Party convention. This will certainly give government members the opportunity to be back in their constituencies doing lots of hard work.

Next week, we will continue with Bill C-3, arctic waters; the second reading stage of Bill S-2, the customs act; and Bill C-4, not for profit, which was reported back from committee on April 23.

Adding to the list are two bills that are at second reading: Bill C-28, the Cree-Naskapi bill, and Bill C-26, auto theft.

I would just respond to the opposition House leader, who referred to the two departments that will be called before the chamber for committee of the whole: Fisheries and Oceans and Agriculture and Agri-Food. Of course, we will be scheduling those debates in good time and within the Standing Orders.

*Routine Proceedings***ROUTINE PROCEEDINGS***[English]***RESIGNATION OF MEMBER**

**Mr. Bill Casey (Cumberland—Colchester—Musquodoboit Valley, Ind.):** Mr. Speaker, I rise today to announce that this is my last day. I understand that I have served as a member of Parliament for 6,149 days. I just sent my letter of resignation to the Clerk and she sent me a letter back thanking me for it.

I want to say a few words and thank some people. I owe so much to this place and I want to take a few moments to acknowledge that.

Mr. Speaker, you and I were first elected in 1988 and we became embroiled in the free trade debate right away. A lot has happened in the chamber since that time. We have been involved in so many debates and had many great days. Some days were not quite so great, but they were all wonderful, interesting and rewarding. I am very glad to have had every single one of them.

I want to say how proud I have been to be a member of Parliament in this place. I have been proud to represent the constituents of Cumberland—Colchester—Musquodoboit Valley and I want to thank them all very much for supporting me for so long, 6,149 days.

I want to thank all those who worked to help me get elected. It was a job to get me elected but somehow they managed. I appreciate the campaign teams that worked so hard.

I have been here through three speakers and eight leaders, nine counting myself. I have served under five prime ministers. Every one of them has been interesting and has taken a different approach to politics. It has been a learning experience for me and every single one of them has taught me something. I have learned a lot about myself since the time I came into the chamber. I cannot say how grateful I am for those lessons.

In fact, I have been here so long I realized today I have my own traditions. One tradition is that every time I walk down the halls, I look at the ceiling and arches, and think what a wonderful building and place this is. If people have never looked at the ceiling, they should. They should go to the Hall of Honour and try to figure out how the artisans could have ever put it together. It is absolutely a work of art.

There is not a day in my life here that I do not look at that ceiling. I am sure people wonder what I am doing, but I marvel at it. I know, Mr. Speaker, you are an expert cabinet maker and can put boards together, but I cannot. I do not know how the Hall of Honour was ever put together.

Another tradition is that every day when I leave the House, I walk down the driveway, and I cannot help it, I stop, turn around, look up at the Centre Block and ask, how could I be so lucky to work in this incredible building with incredible people?

I have yet another tradition that maybe some members do not share. Sir Charles Tupper's portrait is over the door through which we all come and go. Every day of my life here, I stop and say, "Hi, Sir Charles". Sir Charles is my predecessor. He was prime minister in 1896. I was very young at the time but I feel like I know him because his portrait is there. When I was in caucus, his picture was

on the wall. I always check to see how he is doing. He lived right across the street from my house. His house is still there, as well as the house I grew up in. I always felt a close attachment to Sir Charles Tupper. It is one of my traditions.

Every day that I am here I tell myself how lucky I am to work here. However, it is not just luck. An awful lot of people help all of us stay here. An awful lot of people help us do our jobs.

The one that helps me the most is my wife, Rosemary. Many members know her and know she is a wonderful woman. She has supported me and helped me through thick and thin. She stood behind me through everything. I want to tell her how much I appreciate her being with me through this. I hope she is watching.

I also want to thank her mother, Geraldine MacSween. She lives in Antigonish and her apple pies will solve any problem.

I want to thank my three children, Michael, Holly and Allison. They are all young adults out there helping people or running their businesses. I am very proud of them. They have made it through this but they pay a price when we, the members of Parliament, are away from home so often. We pay a price and they pay a price. It is a big challenge for them, and our children and spouses deserve a lot of credit.

● (1505)

I am absolutely sure that this business is more challenging for spouses than it is for the members. We see the good things. All they see are the bad things. A lot of good things happen here and I am so proud of that process.

I have to thank my staff, which keeps me out of trouble and in line. They do my work for me and help me get my job done. Sandra, Marie, Lorne, Bonnie and Sandi are wonderful staff, the best staff on the Hill. I want to thank my former employees, especially Nancy Baker, who kept me out of trouble for 10 years. I will always remember her for that.

I want to thank you, Mr. Speaker. You have been a wonderful Speaker. You are always there for us. You do not always give me the decision I want, but you always give me a decision. It is always fair and just and I agree with every one.

I want to thank the Clerk and the Table Officers who have been so good to me. They have always helped me with my questions, questions I should know the answers to and I do not, but they always help me anyway.

We owe a great debt of gratitude to the people who help us do our jobs, the people who clean our offices and serve our food here in the lobbies, the pages and especially the security guards who know us all by name. They make us feel at home and they make us feel like a really big part of this. I thank all of them.

*Routine Proceedings*

I want to thank all the members of Parliament from all parties who have been friends with me, supported me and helped me. Last year when I had a serious health issue, I received cards, messages and phone calls from every corner of the House, and I appreciated that so much. The first card I received in the hospital was from you, Mr. Speaker, and that impressed everybody. I appreciated that so much. The second card was from the Clerk and the Table Officers. I thank all of you for that.

I received cards from every leader in the House, even the Conservative leader. Some members may not be aware of this, but we differ sometimes on certain things. However, he took the time to write me a note, and I very much appreciated that. I am sorry he is not here to hear that, but I appreciated the fact that he took the time to do write.

I want to take a minute now to tell the House a story about a member of Parliament who saved my life, and I am not exaggerating.

We all remember our colleague, Chuck Cadman. Chuck Cadman died of malignant melanoma. He did not have it diagnosed early enough to treat it. About a year after that, his wife hosted a clinic on the Hill. She had volunteer dermatologists come in and examine members of Parliament or anybody on the Hill who was interested in having a skin cancer screening.

I wanted to go, but could not because I had a conflict with my foreign affairs committee. However, for the first time in 16 years, the foreign affairs committee ended early, so I went. I did not think I had anything wrong with me. I just went. I was there for about five minutes and the dermatologist, Dr. Jim Walker, said, "You have malignant melanoma". I had the same thing Chuck Cadman had. I had no idea. I had no symptoms. I was in the hospital the next day.

I only had that early detection because of the efforts of Chuck Cadman's wife, and I owe her so much. She is now the member for Surrey North, so I thank her for her efforts.

I tell this story because I received a tremendous benefit out of that. I would not be here today if she had not done that. I tell this story so maybe some day a member will say, "Maybe I'm not too busy to get that check-up. Maybe I won't put the committee before the screening. Maybe I'll go get a check-up". I urge everyone to do that. The only reason I am here today is because she had that clinic.

I want to say, again, how very proud I am to be a parliamentarian and I am proud of this system. People do not give this system nearly the credit it deserves. It does work. It works better than it looks. I want to give one example of how it works, one of dozens and dozens of examples.

• (1510)

About a month ago, I raised two questions in question period concerning my riding and the rising sea levels because of climate change. The questions were answered, but after I received the answers, the Minister of the Environment invited me to meet with his deputy minister. He went through all the documentation that supported the issue and immediately put the steps in place to address the situation. That process is in place now. That is just one example and there are many more.

What people saw was the 35 second question and 35 second answer. They did not see the meeting with the minister and the deputy minister. They did not see the plan. They did not see the decision. Therefore, when something happens in the House, there is always a reaction, more than people see.

If I can leave members with one piece of advice, I urge them to try to find a way to let people know that positive things happen in the House. Yes, we have the opposition and the government, but we are not enemies. We are political opponents and we are all here for the same reason. Every member of Parliament has a purpose in being here. Every member of Parliament has a vote. We should try to improve the image of this place because it is better than people think.

I will now pass on to my final closing. Although it is really sad to be leaving today, I am very lucky to have a new job, which I start tomorrow. My new job is as the representative of my province of Nova Scotia in Ottawa. I get to represent the province and promote its strengths and its attributes. It will not be hard because Nova Scotia is the best place to live. It is the best place to start a business. It is the best place to go to school. It is the best place to go on vacation. Therefore, the job will be easy for me because Nova Scotia is clearly the best of everything.

I invite every member of Parliament to come to Nova Scotia to see all that we offer. If members cannot come to Nova Scotia, come on over to my new office at 350 Albert Street, have a little glass of Jost wine from Malagash, Nova Scotia and have a taste of Nova Scotia.

• (1515)

**Hon. Peter MacKay (Minister of National Defence and Minister for the Atlantic Gateway, CPC):** Mr. Speaker, I want to take a moment to thank the member for Cumberland—Colchester—Musquodoboit Valley for his many years of service in this place, to Canada and certainly to his constituents.

I first came to know him not through Parliament, but through my father who had also served with the hon. member during his time in Ottawa. What he has presented here today is indicative of someone who not only holds his province, his country and his role as a parliamentarian dear, but he has demonstrated a tremendous high road human approach to what it means to be a parliamentarian.

His recognition of his family, his wife, Rosemary, his children, his recognition of other members of the House and his very heart-warming story about a health issue that he experienced and the miraculous connection he had with a prior member of the House, Chuck Cadman, demonstrates the line that connects us all.

I have other connections with the hon. member, too. We have neighbouring ridings. I know the hon. member shares a great passion for cars and has a large collection of vintage automobiles. There were a number of projects we worked very diligently on, including the Joggins Fossil museum, the female prison in his riding and the Pugwash Peace Exchange with which he is still affiliated.

I expect he will do well in his new role representing our province of Nova Scotia because of his long connection with the people and the places during the many years he has served Canada and served constituents.

*Routine Proceedings*

I thank him for his many years of service as a parliamentarian and for his tremendous representation of the province of Nova Scotia. I was in Nova Scotia today. I am pleased to tell him it was 28° and sunny, as we made some announcements with Premier Rodney MacDonald. I know he will represent the province of Nova Scotia with the same vigour, the same enthusiasm and the same passion he has brought to this place over his many years as a parliamentarian.

I also thank him for having allowed Nancy Baker to come and work with me and continue some of the great work she did while in his office. I wish him the very best, in his health and his continued passion for being on the sea. I know he will continue to work in Ottawa, but his passion will also include spending time on his boat in Nova Scotia, back on the coast, and, first and foremost, with his family.

The very glowing tribute he paid to his wife and to his children is what really grounds us all. First and foremost, we owe a great deal of gratitude to our families that support us through what can be a very rigorous and rough place at times.

I thank the hon. member for Cumberland—Colchester—Musquodoboit Valley. It has been a pleasure to call him a colleague and a friend. I look forward to still working with him in the days ahead on behalf of Nova Scotians and all Canadians.

• (1520)

**Hon. Geoff Regan (Halifax West, Lib.):** Mr. Speaker, I want to join with my hon. colleague, the Minister of National Defence, and other members of this House in offering my best wishes to the member for Cumberland—Colchester—Musquodoboit Valley.

The member referred to the letter received back from the clerk thanking him for his letter of resignation. I am sure she was only being polite. I am sure it was not an expression of pleasure. I see she is acknowledging that that is the case. I know all of us are disappointed to see him go, although we are glad he will be staying nearby in his new role.

The member mentioned that Sir Charles Tupper, a predecessor, was here in 1896 and that he was very young at the time. After that, I hesitate to ask him what year it was that he graduated from StFX. However, I know that he has certainly upheld the motto of St. Francis Xavier, which is *Quaecumque Sunt Vera*, “Whatever things are true”. I congratulate him for that.

He was first elected in 1988 and has been elected a total of six times, which is a remarkable achievement.

As my hon. colleague mentioned, he is a former used car salesman. Speaking of cars and highways, there was a time when he was known as “Highway Bill”. Forgive me for using his first name in the House. Some of us can recall that the name had to do with an issue in Nova Scotia surrounding a toll highway in his riding, on which he had a lot to say. It was a topic on which he was very effective and I think that assisted in some of his elections, but that went along with the good work he did in many other areas.

I can recall, when I was on that side of the House as a minister, that he had a way sometimes of coming over after question period or after a vote to raise an issue and have a chat with the minister. The next day, sometimes we would see an article in the paper saying that

he had a meeting with the minister, and it was true. The point I really want to make is that it was a clever and effective way of raising the issue, not only directly with the minister, but also getting it in the media and putting pressure on the minister to get something done on that issue for his riding. For that he is to be commended. It was, as I say, very effective.

He showed his true character, as we can all recall, when he was the only Conservative to stand up for Nova Scotia and vote against the offshore accord betrayal even though he ended being kicked out of the Conservative caucus.

I remember during his health issues last year that when he was here I would ask him why he was here. He would say that his party required him to be here, and, of course, he was his own party. He was an independent.

In a recent poll in his riding, when the *Truro Daily News* asked readers if he deserved his job as the new representative of Nova Scotia in Ottawa, 56% said that he deserved it and only 7% had a different view. I can only think that they must have wanted him to stay on in his present job because he has done a great job.

His commitment to his constituents and to his province are an example to everyone. He has always conducted himself, not only in this House but elsewhere, with dignity, humility and honour. He has been a respected role model. I cannot recall the member going over the top, raising his voice or being nasty. Unfortunately, in this House, as we all know, sometimes that happens. Sometimes we get carried away, Mr. Speaker, despite your exhortations, but I do not recall any occasion when the member has done that and for that we should all salute him. He has been a role model for us. He will be missed.

I know we all wish him very good health. I know he will be busy in his new job but I hope he will find some time, along with spending time with his family, to visit a certain establishment in my riding run by his son and daughter-in-law, Finbar's Pub in Bedford in the Sunnyside Mall. Hopefully, we will run into one another for a bite there sometime. I do wish him every good wish to him and his wife, Rosemary. I look forward to seeing much more of him.

[*Translation*]

**Mrs. Claude DeBellefeuille (Beauharnois—Salaberry, BQ):** Mr. Speaker, on behalf of the Bloc Québécois, I would like to congratulate the member for Cumberland—Colchester—Musquodoboit Valley for his work as a member of Parliament for almost 17 years. We know it is a demanding job, one that takes its toll on the individual and his private life. To his credit, he gave of himself to those who voted for him and he shared his knowledge and his talents with all members in this House.

*Points of Order*

I do not know the member very well because I was only elected three and a half years ago, but I know that he is a very determined and principled man. I watched as he made choices, perhaps even difficult ones for him. But his principles, values, devotion to and love for Nova Scotia shone through and withstood the test. I applaud him for his determination and the love he bears his province.

Once again, on behalf of the Bloc Québécois caucus, I wish him good luck in his new endeavours and hope he will enjoy life and delight in having more time with his wife.

• (1525)

[*English*]

**Mr. Peter Stoffer (Sackville—Eastern Shore, NDP):** Mr. Speaker, it is with sadness and gratefulness that I am able to stand in the House today on behalf of the federal New Democratic Party to offer our best wishes to our hon. colleague, the great member for Cumberland—Colchester—Musquodoboit Valley, and his family. May he have a long career, not just in representing his province but in whatever he chooses.

The hon. member and I share a distinction. In 2004, our ridings were redistributed. At that time, I had the pleasure of representing Sackville—Musquodoboit Valley—Eastern Shore. In 2004, it changed and the first thing the hon. member did was change the name of his riding from Cumberland—Colchester to Cumberland—Colchester—Musquodoboit Valley.

I could not believe it. In the 2000 election, there were a lot of orange signs along the Musquodoboit Valley. In 2004, there were a lot of blue signs along the Musquodoboit Valley. It showed the tremendous respect that the people, not just in the Musquodoboit Valley but in his entire riding, had for who was known at that time as “Highway Bill”.

I want to congratulate and personally thank the Premier of the Province of Nova Scotia, Mr. Rodney MacDonald, for his great choice in choosing who I thought was a fabulous candidate to represent the entire province and all politicians in the House and Senate in bringing forward the concerns and issues that face our beautiful province from day to day. However, he did make one little mistake in his presentation. He told us to come to his office for a taste of Nova Scotia. I should inform the House that he forgot to mention that the world's greatest lobster also come from the province of Nova Scotia.

That is without question, even though my colleagues from New Brunswick, P.E.I., the Gaspé and Newfoundland and Labrador may offer a slight difference of opinion. In a committee hearing in Yarmouth, Nova Scotia two weeks ago, it was said on the record that the world's finest lobsters come from the province of Nova Scotia and, if I may be more specific, from the eastern shore. However, that is something that I am sure the hon. member will be able to promote in his years of doing a great job as a sort of ambassador of Nova Scotia in this regard.

He gave a very poignant story of what it means to look at our responsibilities as members of Parliament and then to look after our own health needs. Many of us were so proud of the hon. member, Chuck Cadman's wife, for what she did in honour of her great husband, who, in many ways, also showed the same example of

courage, determination, forthright honour and dignity. In many ways, the member for Cumberland—Colchester—Musquodoboit Valley is almost like a twin brother to the late Chuck Cadman because they were both of the same ilk. They were very dignified gentlemen who handled adversity, no matter what came their way, in a very respectful manner.

We will have many times in the future to say hello to our good friend, to his great riding association and to all the people he has met over the years. He has taught me a few things. He being six foot three and I being five foot seven, I can say that I always liked to look up to my hon. colleague.

On behalf of our leader, all the New Democrats from coast to coast to coast and, I am sure, on behalf of all my colleagues in the House of Commons, I thank my hon. colleague for his service to his country. I thank his wife and family for lending him to us so that he could do the great job of all parliamentarians. May he have a blessed future and may God bless him and his family. We thank him very much for his service to his country.

• (1530)

[*Translation*]

**The Speaker:** On behalf of all members of Parliament, I would like to add my best wishes to the hon. member for Cumberland—Colchester—Musquodoboit Valley on his retirement from Parliament.

[*English*]

I know he will be greatly missed by hon. colleagues, as has been made manifest by the statements made today following his announcement.

As a member who was elected when he was, in 1988, and who has had the privilege of serving with him in this House all the time he has been here, I want to express, on behalf of the class of '88, if I may, our appreciation for his kind words today and for his many years of participation in the activities of the House which all of us have enjoyed.

I am delighted that he is not moving away too far, that we will be able to visit him nearby in his office from time to time. I suspect that he might come up here as a former parliamentarian from time to time. In that sense at least, our association will continue into future, and I am delighted at that.

I join with all the others in passing on my congratulations to the hon. member and our best wishes for a long and enjoyable retirement from the House but additional work on behalf of his province here in Ottawa. All the very best.

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**POINTS OF ORDER**

UNPARLIAMENTARY LANGUAGE

**Mrs. Cathy McLeod (Kamloops—Thompson—Cariboo, CPC):** Mr. Speaker, after the very important words we just heard from the retiring member for Cumberland—Colchester—Musquodoboit Valley, it reminds us how important respect is in this House and how important it is to be vigilant about respect in this House.



Yesterday, the member for Newton—North Delta stood after question period and said, in response to comments I made,

The member should not tell lies. She should tell the truth.

There are countless rulings on the use of the word “lie” and accusing a member of lying, as well as rulings addressing the suggestion of a member telling the truth.

Mr. Speaker, while you stood and pointed out that the member's words were unparliamentary, the usual practices were not followed. On page 527 of the *House of Commons Procedure and Practice* it states:

...the Member will be requested to withdraw the unparliamentary word or phrase.  
The Member must rise in his or her place to retract the words unequivocally.

The member was not asked to do that. I would request that the member for Newton—North Delta withdraw the unparliamentary remarks he made about me yesterday and apologize to the House.

**The Speaker:** Obviously we will not be able to deal with that at the moment. We will see what transpires in due course in respect to the point of order raised by the hon. member.

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## GOVERNMENT ORDERS

[Translation]

### HUMAN PATHOGENS AND TOXINS ACT

The House resumed consideration of the motion that Bill C-11, An Act to promote safety and security with respect to human pathogens and toxins, be read the third time and passed.

**Hon. Joseph Volpe (Eglinton—Lawrence, Lib.):** Mr. Speaker, like many MPs and members from the public, I listened to the various speeches on Bill C-11, An Act to promote safety and security with respect to human pathogens and toxins.

● (1535)

[English]

I found that some of the interventions being made by my colleagues addressed not only the substance of the bill itself, but one very important and perhaps insufficiently appreciated issue. That is the matter of the Privacy Act and the issue of the Privacy Commissioner offering her views for the benefit of the committee that studied the bill.

I had the good fortune to be associated with one of my colleagues who had a lot of the information immediately at hand. It seems to me that in a situation such as this one, where we are dealing with an extremely important bill and one that is to be viewed in the context of a potential pandemic that is afflicting the world, and I refer to the swine flu, we would take all measures necessary to ensure that we would be adequately prepared, but also that we would follow the appropriate procedures so that individuals will be protected from incursions on their privacy as we go forward.

I listened as my colleague from Winnipeg North waxed very aggressive, I might even dare say eloquent, on the importance of having this particular bill dealt with expeditiously in the House. Like every member in this place, she is of course entitled to an opinion, valid or less, according to the view. But it struck me as I was

### Government Orders

listening to her that she was making an argument for ensuring that the bill would be receiving immediate and quick attention and approval in the House, even though there were members from that committee, and I guess I can say it because they have been standing up all day on this, the members from the Bloc Québécois, who disagreed with some of the substance, but equally important, on the procedures followed, in order to ensure that the bill would reflect all the needs of Canadians everywhere.

I think she kind of regretted that the Bloc Québécois members were employing a tactic that had in fact been used by her own party on other bills, specifically on safety management systems, a bill that suggested that we would impose a particular ethic, a culture of checks, balances and due diligence on the people who are providing a service.

In this instance, perhaps we would say that this is even more serious. As the safety management systems involve the aviation industry and those who provide carriers and other vehicles for air transportation, whether it be passenger or cargo, of course it involves the potential for putting human life at risk. This is no less so, and perhaps some would argue, much more so.

I found it really interesting that the arguments to rush forward on the bill ignored a letter sent by a member of the government side, who is in fact the chair of the committee dealing with the bill, the Standing Committee on Health, to the Privacy Commissioner asking for her input on the bill.

Note that I said the Privacy Commissioner sent a letter inviting reaction. She did not say that she was invited to appear before the committee to offer her opinion on address issues that might be raised by members of the various parties, including the government party, to address those issues that related not only to the substance that was being discussed but to the procedures that lead to the consideration of the substance and the consequences of that process.

The chair wrote a letter, and in a letter dated March 11, 2009, received a response. The response said:

We would be pleased to appear before you to discuss the comments we make in this letter...

The Privacy Commissioner did not get a response to appear.

The Privacy Commissioner is responsible for two federal privacy laws: the Personal Information Protection and Electronic Documents Act, otherwise known as PIPEDA; and of course the Privacy Act itself. The issue here is that it applies to government institutions, agencies and crown corporations, as well as the lab in Winnipeg.

This is not designed to in any way diminish or take away from any of the great work that is being done in that lab or in fact in other places that are concerned with people's health.

That letter is available to everybody in that committee, because it was distributed to everybody in the committee. I do not think there is any need for me to table it. It is already a public document, and certainly everybody who wishes can get it from the committee and from the Hansard.

*Government Orders*

Let me just quote this one little item. The Privacy Commissioner says, "Our suggestions for improvements", which according to some of the interveners were not even considered, because they were not accepted as amendments even though they were proposed by other members, "are aimed at ensuring the appropriate balance of privacy rights and regulatory powers as well as transparency, notice and accountability to those officials subject to the legislation and to the public". It is as simple as that.

I do not serve on that committee. It is not for every member of this place to serve on every committee, but when we come into this House and get the benefit of the deliberations of the various members who do serve on these committees, we need to take that into consideration. If there is a vacuum, if there is a lapse, if there is something missing in the consideration or something left out, that is why we have report stage and third reading considerations.

So in this third reading consideration, I, like some of the other members, would like the House to reflect on what was left out of the deliberations or at least put over to one side.

The Privacy Commissioner, remember, is responding to a written request by the chair of that committee and said, "We had hoped to see a privacy impact assessment (PIA) to understand how any privacy risks in this Bill had been mitigated", and as of March 11, she adds, "we have not yet received one".

If one is going to consider legislation that deals with toxins, human pathogens and their impact on the public health of all Canadian citizens no matter where they are, certainly one needs to consider as well how that information is gathered, the impact on the individuals from whom that information is derived, and what are some of the other considerations that flow from it.

The Privacy Commissioner, an officer of this House, established to help members of Parliament in their deliberations in the public interest, then goes on to say, "Our Office should be seeking PIAs", or privacy impact assessments, "well before the decisions have been implemented so we can provide feedback early in the process".

It seems reasonable. Yet she says, "Without having met with the officials," and I might add from a personal perspective, without apparently being provided the opportunity to meet with officials, "who developed this Bill and without having received a PIA, it is challenging for us to understand the full privacy implications of Bill C-11, such as the scope of the application of this proposed legislation to patient information".

• (1540)

If the Privacy Commissioner, with all the resources at the disposal of that office in order to provide members of Parliament with that advice, is unable and unwilling, perhaps, to provide speculative observations, why should a member of Parliament rush to make a decision in the absence of such information? In fact, the Privacy Commissioner goes further and says, "We would appreciate participating in a consultation process", but that has not happened.

She addresses clause 38, which gives the minister certain powers in order to derive the information required, obviously through his or her officials, and she observes that subclause 38(1) could be improved. Again, without having had the benefit of the consultation

and without having had access to public health officials, she says this is a concern, so please address it.

Some of the members from the Bloc party today gave us an indication that it had not been addressed, or when it was, it was put over to one side, regrettably, because the Privacy Commissioner says, "We would suggest that reasonableness should inform the Minister's opinion and that the personal information should be 'directly relevant'", and not refer specifically to personal information. In fact, she says that information should be made anonymous in order to accomplish a stated goal.

The Privacy Commissioner went even further than that. She took the trouble to provide additional input and observations on clause 41, which offers to an inspector the kinds of powers that we think reside only with the minister. However, even if it is in the effort to amass information that may be used for the public good, we do not know because we do not have the cause and effect consequential action of some of those decisions.

For example, she says:

the inspector's powers to collect documents, materials and information, may well extend to the examination and collection of personal information and personal health information of individuals and patients.

That might serve a purpose, but she says:

We are concerned about the protection of patient information and transparency around this process to the public.

We have left out an individual who has the expertise and the resources to define for members of Parliament the shortfalls of the legislation, the potential pitfalls, and at the same time, of course, to suggest whether they are going in the right direction.

She goes further to say that clause 67 of the bill presents a problem with respect to interim orders for the minister. She says, "this mechanism is of concern as it could diminish controls over personal information". In other words, once that information is out, it is out in the public domain and individuals from whom it has been derived no longer have the safety and security afforded to them under the Privacy Act and under PIPEDA.

She says the externally produced documents that flow from this "could result in a reduced level of control over extremely personal information".

She did all of this on March 11, underscoring, underlining and emphasizing that she and her office would be prepared to be engaged in the public consultation process, in the consultation process being conducted by the Standing Committee on Health, and offered those services.

She said in that letter, thank you for calling us; here are our first thoughts, but let us sit down and discuss this, because we have not had a chance to speak with public health officials or with officials mandated to address this issue.

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The chair wrote again and received a response on March 30. That is exactly one month ago today. In that letter, the assistant privacy commissioner said she wanted to follow up on the chair's letter concerning Bill C-11, the Human Pathogens and Toxins Act. In order to avoid confusion, she further said, "Regarding the confusion as to prior consultation", because obviously she herself was very clear, "there seems to have been a preliminary exchange of emails between the Public Health Agency of Canada, PHAC, officials and some of my officials in May 2008".

• (1545)

There was an exchange of emails. She went on to say, "Even though I have offered you my expertise and my resources now". Subsequent to May 2008, guess what:

Overall, however, we did not have many details and did not receive materials, other than what was then Bill C-54, at that time.

In other words, "You have not availed yourselves of the opportunity to engage us deliberately in consultations as a committee or as a department". The letter says, "get us engaged". Did the committee get them engaged? We know the committee deliberated on the bill, entertained some amendments, rejected some, unhappily according to the Bloc members, happily according to the government members, expediently happily for the NDP members and we ask why.

The assistant privacy commissioner took the trouble to say, "We also learned that the main objective would be to collect information about people who work in laboratories to ensure that they meet security requirements," which is all good, "and that the security screening will be consistent with the processes that are already in place".

These are assurances that they are given verbally or that they read are to be provided. She went on to say something that I think should cause every member in this place some concern:

We recognize that the intent of the legislation is to deal with the personal information of laboratory workers; however, we still have concerns that there is nothing in the Bill to restrict the collection of ancillary personal information, such as patient information.

Another ancillary collection would be the personal information about laboratory workers' family members, should they come into contact with a regulated pathogen or toxin. A member of a patient's family has no privacy protection under this act. She went on to say, "As well, we are aware of the potential for function creep," a term that was made popular in the House by what was then an opposition party that talked about taxation creep, "and would therefore prefer to limit". I want to repeat that part. She said:

We would therefore prefer to limit the collection of personal information. We look forward to these issues being addressed in the privacy risk assessment work to come.

I am sure those who are following the debate today, as I was following it from the lobby and from my seat in this place, are asking themselves, has that privacy risk assessment been done? She repeated for emphasis, "We believe that clause 67...may diminish controls over personal information," and that a reasonable grounds test would be helpful in this situation. Did it take place?

She went on to say that the agency, in her view, "currently has sufficient information to engage in a high-level privacy risk assessment in anticipation of the more formal privacy impact

assessment process". So what has been holding everything up? Her closing words, in a little bit of frustration, were that she looked forward to meeting with public health officials in order to address these issues.

I can only add that addressing those issues would enhance the views of members of Parliament about how to deal with this legislation at this stage of its progress through Parliament, and I hope we get it.

• (1550)

**Mr. Bruce Stanton (Simcoe North, CPC):** Mr. Speaker, I listened to the comments and suggestions from the member for Eglinton—Lawrence in his intervention this afternoon.

He will know, certainly as a member who has been around this place for a considerable time, that committees have the ability to make determinations as to which witnesses they will hear. Members from both sides of the committee make those determinations.

I apologize, Mr. Speaker, I am late coming to the proceedings here this afternoon, but I was given to understand that two of the amendments at least were put forward to address concerns by the Privacy Commissioner. Those were amendments that the committee supported. The report of the committee was supported by the committee in its entirety.

I would say to the member that given the committee has made these determinations, these full considerations, clearly the committee must have known or at least been satisfied that the concerns of the Privacy Commissioner were addressed.

**Hon. Joseph Volpe:** Mr. Speaker, I thank my hon. colleague for reflecting on the quality of time that I have spent in this place. That quality of time has given me an opportunity to witness how many committees operate. All colleagues on these committees, whether they deliberate on legislation or whether they try to do something else, always try to do their best.

I suppose the issue is whether the committee actually brought in officers of the House. In my time in this place, we did not always have these officers of Parliament at our disposal. That is why those offices were created. There are several of them that serve parliamentarians. The best way to serve them is the way we serve each other, sometimes in an adversarial fashion, by being present as we challenge some of their perceptions and some of their expertise and then make decisions.

From my perspective, I wanted to understand what happened in that committee, given the way that the debate has developed in the House today. Most members, I think, and I am one of them, say that if the committee has dealt with the issue, then we can make the appropriate decision when it comes before the House. We borrow from the expertise the committee has developed during the consultation process.

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The two letters from which I read from the Office of the Privacy Commissioner, suggest that that consultation was not as ample as the members of the House might have wanted. I could be wrong, because members of Parliament may already have made up their minds and this would already, in their view, have been given its due weight, but if that is the case, I do not understand why there is contrasting opinion from members of that same committee from different parties. The parties that have objected to this thing not being given immediate attention are ones who have, to their merit, objected in the past that the full complexity of the dynamics have not been considered to their satisfaction.

If members of this place are satisfied that the complexities—

• (1555)

**The Acting Speaker (Mr. Barry Devolin):** Questions and comments. Resuming debate, the hon. member for Shefford.

[*Translation*]

**Mr. Robert Vincent (Shefford, BQ):** Mr. Speaker, I am pleased to address Bill C-11, which seeks to promote safety and security with respect to human pathogens and toxins.

I want to begin by pointing out that there are four categories of risk, namely risk groups 1 to 4. Risk groups 3 and 4 are already covered by the legislation. I am going to provide some explanations on these groups.

Schedule 3 — Risk Group 3: human pathogens

means a category of human pathogens that pose a high risk to the health of individuals and a low risk to public health...

Schedule 4 — Risk Group 4:

means a category of human pathogens that pose a high risk to the health of individuals and a high risk to public health...

Only those major labs working with human pathogens must comply with the *Laboratory Biosafety Guidelines*. Labs dealing with risk groups 3 and 4, which pose a high risk to the health of individuals and either a low or a high risk to public health, are already covered by these guidelines.

What are these guidelines? They are a specialized document produced by the Office of Laboratory Security of the Public Health Agency of Canada. That document was written for those individuals who are responsible for designing or operating labs in which anthropopathogens are handled for diagnosis, research or development purposes. Labs or individuals who do not use these pathogens in Canada are not subjected to these guidelines.

We can understand the government's concerns regarding risk groups 3 and 4, and the precautions put forward. However, are labs 3 and 4 not already complying with the safety measures set in the guidelines and proposed in this legislation?

Bill C-11 would apply to risk groups 1 and 2, which pose a moderate risk to the health of individuals and a low risk to public health, and for which effective treatment is available. The idea behind this change is to better protect public health.

We can see where we are headed. The idea is to monitor risk groups 1 and 2. What do groups 1 and 2 include? Group 1 includes toxins, while group 2 deals with human pathogens. However, these groups only pose a moderate risk to the health of individuals. As I mentioned earlier, they pose a low risk to public health and they

would rarely cause serious disease in a human being. Even if this were the case, such disease could easily be prevented or treated, and the risk of that disease spreading is low.

In addition, Bill C-11—and this is where the dynamic of this bill the other parties cannot understand lies—would impose the obligation to have a licence—meaning that all laboratories will have to have one—for the following “controlled activities” related to a human pathogen or toxin; possessing, handling, using, producing, storing, permitting any person access, transferring, importing or exporting, releasing or otherwise abandoning or disposing.

This bill requires any person carrying out activities involving a human pathogen or toxin to take all reasonable precautions to protect public health and safety.

The federal government justifies this bill by its jurisdiction over criminal law. Speaking of criminal law, we must understand that the Conservatives are champions as far as introducing such laws is concerned, and that from that point on there is no point in any other parties getting involved in a system which is, I will state it clearly, exaggerated. Here again we see the Conservative desire to control everything.

In short, the purpose of Bill C-11 is to make the *Laboratory Biosafety Guidelines* mandatory.

• (1600)

The second intention is to make it mandatory for licences to be obtained for the activities it covers in order to trace existing agents, determine where they are and with whom.

The third intention is to put in place a system of offences and fines. In the backgrounder to Bill C-54, introduced by the government during the last Parliament, and the ancestor of C-11, it was stated:

The risk to Canadians posed by the presence of human pathogens and toxins in labs is low.

Why was it low then, and different now? Why is the government trying to control everyone and everything everywhere in Canada? I do not get it. The text continues:

Safety guidelines exist and the laboratory community is committed to the safe handling and management of human pathogens and toxins as a part of their regular work. Nevertheless, we must be sure the appropriate legislation, protocols and practices are in place to protect Canadians from this risk.

Since the guidelines were introduced over 15 years ago, there have been no incidents in Canada, regardless of whether labs have been following those guidelines.

Nevertheless, the researchers have certain reservations, not about the safety of their research, but rather about government control over everyday research. Not only does the government want to control journalists and information, but it also wants to control laboratories and people. Has the government conducted studies to determine the impact this new legislation would have on university courses, on how our hospitals operate and on the research industry in Quebec and Canada? No.

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The government is asking for *carte blanche* concerning regulations that will not be examined by Parliament. The bill establishes a legislative framework that imposes certain requirements on research done on pathogens and toxins, as well as criminal sanctions and fines for non-compliance.

We must ask ourselves certain questions about these regulations. How is it that a bill, now in third reading, has no regulations? No one knows what will happen with this bill. They are bringing something to a vote before the House, something that will happen at a later date, but we do not yet know what these regulations will be based on. It makes no sense.

According to the universities we consulted—unlike other parties in this House, we conducted a consultation—Bill C-11 will demand huge investments in universities that have laboratories.

These investments will not be used to update laboratories for group 3 and 4 pathogens; these will be new provisions concerning group 1 and 2. Those are the only categories that are not problematic. Also according to the universities, billions of dollars will have to be invested across the country, at the universities' expense. Did the government assess the kind of impact this will have on university teaching and research, on health care institutions and on private laboratories? Once again, the answer is no.

It is important to point out that all laboratories, including universities, hospitals and other government institutions, can be forced to pay fines. This government has a tendency to impose fines and prison sentences. It constantly focuses on those two points. Does the government really want to impose fines on universities and hospitals, when they are already desperately short of funding? It makes no sense.

The bill also establishes penalties and fines for anyone who shows wanton or reckless disregard concerning pathogens and toxins.

• (1605)

Clause 55 reads as follows:

Every person who contravenes section 6 and who shows wanton or reckless disregard for the health or safety of other persons and, as a result, creates a risk to the health or safety of the public is guilty of an indictable offence and liable to imprisonment for a term of not more than five years.

We are talking about students, not researchers who wear protective clothing. We are talking about people in a university or hospital. We are talking about viruses, which are not very big. This is the smallest category in existence that the government is going to try to control. It wants to control people, control information, control those who have these groups of pathogens. This is terrible. But there is more. And it is even worse.

Clause 56 reads as follows:

Every person who contravenes subsection 7(1) or 18(7) is guilty of an offence and liable

(a) on conviction on indictment, for a first offence, to a fine of not more than \$500,000 or to imprisonment for a term of not more than six months, or to both, and, for a subsequent offence, to a fine of not more than \$1,000,000 or to imprisonment for a term of not more than two years, or to both;

Think about the student who, as a joke, touches something and is fined half a million dollars. It makes no sense.

The Bloc Québécois wonders why it is necessary to introduce new measures and new penalties when they could be part of existing laws. These laws already exist, and the government is trying to add more. It is piling on more laws. Once again, it is hard to follow these parties here in the House. They pay no attention to the bills we discuss here, and they are ready to vote on anything. Are the measures in this bill on breach of duty, wanton or reckless breach of duty and intentional release not already included in the Criminal Code and the Canadian Environmental Protection Act? Yes, they are. Are the measures to prohibit intentional misuse of pathogens not already included in the Anti-Terrorism Act?

We already have plenty of laws. The government is trying to create more fines. It is talking about imprisoning these people. I cannot see how we can think about these things and decide what falls into groups 1 and 2. Everything the party in power is proposing is already covered by existing legislation. I cannot understand why we need to go any further than what we have now. Even worse, the government does not know where it wants to go with this bill because it has not consulted anyone.

When we asked departmental officials about the consequences, it was clear that the government had not studied the impact of Bill C-11. When we asked them about how it would affect universities and hospitals, they candidly told us that they did not know because there had been no impact study. They had no idea what might happen because there had been no study. However, it seemed that everyone was quite happy to have new laws, new fines and new prison sentences. That is the only thing we were able to find out. The only answer we got was that the government planned to take experts' and researchers' concerns into consideration while drafting regulations so as to minimize potential negative impacts. That is not saying much. They will consult experts, but will they take their comments into consideration? They might, or they might not. They might decide to accept the recommendations they like because the bill was passed anyway. We have no idea how the regulations will deal with risk groups 1 and 2. We still have no idea.

• (1610)

I do not understand why, in 2009, the government has introduced a bill without regulations in the House of Commons, where laws are made, nor why we should vote for a bill without knowing the regulations that are to be part of it. Moreover, the government says that even if it consults experts, it will make its own decisions about what to do anyway. Regulations will not be submitted to the House of Commons.

How can we vote on regulations if we never see them? How are we supposed to propose amendments if the regulations are not defined? It makes no sense.

I do not know where we are going with this. Nor do I know how this is in Quebecers' and Canadians' best interest. We cannot protect them from risk group 1 and 2 pathogens because, in Bill C-54, this government said that these two categories were not a problem.

Why study risk groups 1 and 2 if they were not a problem? I still have not heard an answer to that question.

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The Bloc Québécois would have preferred that the government had acted responsibly instead of blindly charging ahead with the implementation of Bill C-11. That would have meant conducting an impact study and consulting properly with stakeholders in each province, including researchers and private health laboratories. As far as the regulatory framework and cooperation with the provinces go, those are other matters.

Certainly, the Bloc Québécois endorses the idea that the government should consult with stakeholders affected by the bill before preparing regulations. We have no choice because the other political parties are in favour of adopting this bill without regulations.

However, we had proposed, during clause-by-clause study in committee, that the government consult the provinces before amending the schedules. When we questioned officials about the effects of this amendment, they indicated there would be no consultation with the provinces before preparing the amendments. Did anyone think of that? They do not even consult the provinces and they are going to make regulations without any consultation with people in each of the provinces.

Those officials also said that the experts and researchers were found in research laboratories and within the federal government, while ignoring the expertise within the public service of Quebec or the other provinces. We have expertise as well, but the Conservatives do not want to recognize it. They just want to listen to their own experts; and they will only take into account what they like.

They also pointed out that British Columbia had serious reservations about the bill, and these were the same officials who had reassured the province by promising to consult B.C. on the scope of the bill. They will do the consultation later.

The Bloc amendment called for consultation with Quebec and the provinces before any modification of the schedules; that is, before adding a pathogen or revising its classification. The purpose of this amendment was to ensure that the federal government properly evaluated the impact of any such changes.

It must be said that the Conservatives and the Liberals decided that amendment was not necessary, and in doing so dismissed the expertise of Quebec and other provinces on the subject.

The Liberals, who cried wolf in committee because of a failure to respect British Columbia's jurisdiction and the repercussions of the bill on the people of British Columbia, put their trust entirely in the regulations under the Act, and make no provision for British Columbia to give its views on the classification of pathogens.

In a news release on April 29, 2008, announcing the introduction of Bill C-54, the minister insisted that there were no risks. Yet, today, suddenly, there are many risks.

The Bloc Québécois calls for in-depth study of Bill C-11. We want to put questions to experts to ensure that the details of Bill C-11 will not adversely affect the research community in Quebec.

•(1615)

**Mr. Nicolas Dufour (Repentigny, BQ):** Mr. Speaker, I would like to congratulate my colleague, the member for Shefford. He has a

deep knowledge of this issue and he clearly demonstrated that during his remarks.

He spoke earlier about the attitude of the Conservatives. I would like to have his opinion about the attitude of the Conservatives. In the beginning, they thought Kyoto was a socialist plot. Next, they made cuts in education and university research. Then, they brought forward Bill C-11, another slap in the face to universities. One could say that the government has a desire to attack the scientific community. They cut \$160 million in the area of scientific research.

I would like my colleague from Shefford to tell me how he feels when he sees the Conservatives acting in this dogmatic way.

**Mr. Robert Vincent:** Mr. Speaker, I thank my colleague for his pertinent question.

I am pleased to answer him since I did not have an opportunity, in the time allowed me, to talk briefly about the legislation of the Conservative government. Do you know why the government wants to include risk groups 1 and 2? It is not complicated.

At first, it did not want any consultation. Moreover, the government never stops advancing the spectre of a bioterrorism attack; very nearly casting researchers as potential terrorists. We have heard about the flu virus, which presents no problem in risk groups 1 and 2. There is not even a risk. Even if there were a low risk and the virus were to spread, we already have all the science necessary to control it and medical care to deal with it.

Once again, the government wants to frighten people by trying to exercise control and by saying there could be a risk of terrorism. Terrorists are not going to steal pathogens of some flu strain and send them to British Columbia. That makes no sense. The government, however, wants to control the students who will practice medicine. It tells them not to touch that area because there is a risk. Does it think, perhaps there is a student who would take the flu virus and spread it within a school? Moreover, if a student did such a thing, he or she could be put in prison for six months and fined half a million dollars. At some point this is stranger than fiction.

•(1620)

**The Acting Speaker (Mr. Barry Devolin):** 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 Nanaimo—Cowichan, Aboriginal affairs; the hon. member for Repentigny, University Scholarships.

Resuming debate, the hon. member for Repentigny.

**Mr. Nicolas Dufour (Repentigny, BQ):** Mr. Speaker, it is a pleasure for me today to rise and present my position and that of the Bloc on Bill C-11. As a member of the Standing Committee on Health and the Bloc's youth critic, I can say that this bill is of great concern to me. I am concerned because it has to do not only with public health and safety but also with the research done in our universities.

The predecessor of this bill was Bill C-54, which died on the order paper when the election was called last October. The purpose of the bill is to create measures to promote safety and security with respect to human pathogens and toxins.

In case any of my colleagues do not know, pathogens are micro-organisms that can cause illness in human beings. Some toxins, produced by micro-organisms, can also cause illness. Pathogens are divided into five categories. The least dangerous are in risk group 1 and the most dangerous in risk group 5.

When I said that Bill C-11 concerned both public health and our scientific community, it was because these micro-organisms are used in both scientific research laboratories and in health care facilities in Quebec and Canada.

At the present time, the regulations on importing pathogens make it necessary to obtain a licence in order to bring them in from foreign countries. Only laboratories that import pathogens have to observe a set of guidelines on laboratory biosafety. Those that use pathogens already present in Canada do not.

The purpose of Bill C-11 is, in short, to make the laboratory biosafety guidelines obligatory for everyone and to require everyone to obtain a licence for controlled activities so that the existing pathogens can be followed. The purpose is to determine where these pathogens are and who is in possession of them and also to institute a system of offences and punishments for people who violate the guidelines.

Bill C-11 would therefore require everyone in the scientific community to obtain a licence in order to conduct research on pathogens and toxins. Whether in order to manipulate, possess, or import them, everyone would need a licence.

As I pointed out earlier, there are guidelines for the possession and handling of pathogens and toxins.

In short, Bill C-11 would require that low-risk laboratories, those using agents from groups 1 and 2, which entail, according to the Public Health Agency of Canada, “moderate risk to the health of individuals and a low risk to public health” obtain a licence. That is interesting. According to the agency once again, “They are able to cause serious disease in a human but are unlikely to do so. Effective treatment and preventive measures are available and the risk of spread of disease caused by those pathogens is low.”

Naturally, we understand the government's concern with respect to groups 3 and 4 and the precautions proposed as they could affect the health and safety of the general population. However, there is a problem in that laboratories that handle agents in groups 3 and 4 already observe the provisions in the guidelines.

The guidelines were established more than 15 years ago and, since then, there has not been an incident in Canada in laboratories that use groups 3 and 4 or those that use groups 1 and 2. Mr. Marc Ouellette, a professor at Laval University, appeared before the committee twice and was very clear on that point.

Bill C-54 and then Bill C-11 sent shock waves through the research community. No one was prepared for them. When we examined the bill—and I even read the document explaining it—we thought it was ridiculous, because people had been following the guidelines for 15 years.

In fact, the only major incident involving improper use took place in the United States in the early 2000s and it was in a laboratory run by the American government. Scientists already comply with the framework put forward by the federal government for the use and importing of pathogens.

### *Government Orders*

As I mentioned earlier, Bill C-11 would impose a new framework for university and hospital laboratories as well as private laboratories. At the Standing Committee on Health, we spoke to a number of scientists who work in these laboratories and who have serious doubts about the impact of Bill C-11, and I can understand them.

• (1625)

Nevertheless, when it comes to the new obligations on the circulation of pathogens within a facility such as a university, researchers wonder, not about the safety aspect of their research, but about the way the government is taking control over their everyday research activities.

Once again, the Conservative government is trying to use a variety of tactics to interfere in scientific research, exactly as it did by granting new funding to the Humanities Research Council, but limiting them to economic research. I will return to that point later. That decision, once again, was reached without consultation and without taking the opinion of those most concerned into consideration.

Did the government do any impact studies on the effects such legislation would have on university curricula, on the operation of our hospitals, on the research industry in Quebec and Canada?

Not in the least.

In addition to cutting \$162 million in funding to granting agencies, the Conservative government is imposing a legislative framework on researchers, which will require major additional investments for the thousands of facilities wishing to use pathogens with a low level of risk to the public.

The Conservative government is again after *carte blanche* as far as the regulations are concerned; they will not be reviewed by Parliament. I have serious misgivings about the potential repercussions of this bill on the development of pathogen research in Quebec and on the positive contributions this would make to public health.

We need only think of the swine flu that is rampant at this time. Will scientists be able to work as effectively in future to find solutions to such a virus? I think this issue is worth examining.

Once again, it seems that the Conservative government is introducing a bill without evaluating its direct repercussions on the community. We are beginning to get used to it.

Did the government reflect on the impact that Bill C-11 will have on university teaching? Did it reflect on the investments required to set up a teaching laboratory using groups 1 and 2?

*Government Orders*

For example, *E. coli* is currently listed in schedule 2 of the bill. According to the academics, this pathogen is widely used by students in laboratory experiments. The fact that it is in schedule 2 would force universities to step up security in classrooms, although not all types of *E. coli* are potentially hazardous.

It is true that the government introduced some distinctions in Bill C-11 compared to former Bill C-54 and it could change the classification of pathogens in the schedules. However, that example illustrates the general upgrading problem that will be necessary in some teaching laboratories.

Moreover, the bill restricts the access to licensed facilities. Clause 31 of Bill C-11 says that:

A licence holder shall establish and maintain a list of all persons authorized by the licence holder to access the facility to which the licence applies, including persons holding a security clearance for that facility and visitors. The licence holder shall provide the Minister with that list if requested to do so.

Where teaching is done in laboratories, will the university have to give the list of all students who can access the laboratories or of all students of the university? I do believe that there are still too many questions and not enough answers in that bill.

According to the academics we consulted, Bill C-11 would require major investments in universities where there are laboratories. These investments will not be used to make the necessary upgrades to allow the laboratories to work with groups 3 and 4 pathogens, but to make them conform to the new provisions concerning groups 1 and 2. They told us that universities in Quebec and Canada will have to spend billions of dollars—and I repeat, billions of dollars, in the middle of an economic crisis—to do the necessary upgrading.

Many witnesses also asked the government to eliminate schedule 2 from the bill to reduce the impact on everyday research work. According to scientists, that would considerably change the content of Bill C-11. Indeed, 90% of pathogens used in university laboratories are from group 2.

● (1630)

A scientist at McGill University's Department of Microbiology and Immunology even issued a serious warning about the direct impact of implementing the act if schedule 2 is not repealed:

Removing level 2 would not put Canadians at any greater risk than they face now. Canadians are well protected with what is already present. Keeping level 2 in this bill will certainly slow research in this country and slow our ability to compete internationally and our ability to attract biotechnology and major industries...

In a time of economic crisis, it seems that the worst thing we could do would be to put even more constraints on our universities, which are already faced with serious funding problems. Especially since, as I said, there have been no incidents since the guidelines were introduced 15 years ago. The government is once again trying to impose its right-wing ideology and to control research as much as it can without spending anything. That is completely unacceptable.

As I have mentioned, the handling of pathogens is carried out for diagnostic purposes and for research and development. The Bloc Québécois is concerned with the effects of this bill on the future of research and development in this country related to pathogens. At the risk of repeating myself, I want to say that the Conservative government, in addition to cutting research budgets, is trying to exert maximum control over the scientific community.

It is also important to be concerned about the effects of Bill C-11 on health institutions, such as hospitals, that use laboratories to carry out diagnostic tests. That could have a direct impact on the health services of Quebec and the provinces. The bill also seeks to impose penalties on anyone who contravenes the law. It is important to mention that laboratories, including universities, hospitals and other government establishments, could be forced to pay a fine. Does the government really want to inflict fines on universities and hospitals that already have a crying shortage of funds?

The bill also provides fines and penalties for anyone guilty of careless acts or lack of precaution in the handling of pathogens and toxins. Such action would be liable to a maximum of five years in prison and a fine of up to \$500,000 for the first offence. A second offence would attract a maximum fine of \$1 million or up to two years in prison, or both of those penalties. Are the measures in Bill C-11 to prohibit intentional misuse of pathogens not already contained within the Anti-terrorism Act?

While we had questioned officials about the possible repercussions, it is now clear that the government did not conduct any study of the impact of Bill C-11. The only response we received was that when it was drawing up the regulations the government would consider the concerns of experts and researchers, to reduce any possible negative impacts. Even though the government still has not conducted an impact study or else is refusing to make it public, the government appears so anxious to have Bill C-11 adopted that it is forgetting that enforcement of the law will not begin for another 4 or 5 years.

I sincerely believe that the government should have acted responsibly before blindly jumping into the implementation of Bill C-11. It should have conducted impact assessments and properly consulted the stakeholders, specifically, researchers, the provinces, medical laboratories and the entire scientific community. Of course the Bloc Québécois supports the notion that the government must consult the stakeholders affected by the bill before drafting any regulations. However, in the clause by clause study conducted by the health committee, of which I am a member, the Bloc proposed that the government consult the provinces before amending the schedules, which obviously was not done.

When asked about the consequences of this amendment, the officials said there would be no consultation with the provinces before the amendments were drafted, thereby forgoing the expertise of public servants from Quebec and the provinces. I would also remind the House that British Columbia has expressed serious reservations about the bill, and that it was these same officials who reassured them, promising that they would be consulted about the scope of the legislation.

● (1635)

This sentiment was echoed by the Government of Quebec. The Quebec health minister, Yves Bolduc, wrote a letter to the Canadian Minister of Health to express his concerns.



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The Liberal members who were tearing their hair out in committee because of the failure to respect British Columbia's jurisdictions and the repercussions the bill would have on the people of that province decided to put their trust entirely in the regulations, thereby denying British Columbia the opportunity to give an opinion on the classification of pathogens. The Liberals have a habit of trampling on the provinces, and this is just one more example.

In her speech earlier, the hon. member for Winnipeg North seemed to be saying that the NDP were the only ones to try to change Bill C-11 in committee by proposing amendments.

Perhaps this amnesia is due to the energy she spent on justifying her position.

I would also like to remind the NDP members and all members of the House that the Bloc Québécois also proposed amendments at the report stage calling for the removal of level 2 pathogens and calling on the government to table the regulations before the House before they are adopted. We therefore supported the other parties' amendments that were along the same lines. However, that was not enough.

It would be interesting to know why the hon. member for Winnipeg North and the Liberal and Conservative members of the Standing Committee on Health did not support the amendment put forward by the Bloc Québécois calling for the activities carried out in any facility regulated, operated or funded by a province to be excluded, when Quebec's health minister as well as Ontario and BC officials expressed serious concerns about the impact of Bill C-11 on activities in Quebec and the provinces.

Given that the risk to Canadians posed by the presence of human pathogens and toxins in labs is low, according to the Conservative government; that the bill is designed to make the laboratory biosafety guidelines mandatory through licensing, without the government first consulting the primary stakeholders and assessing the impact on such things as university teaching and labs in health facilities; that the government's goal is to address a potential terrorist risk by regulating pathogens and toxins and that the Anti-terrorism Act and other acts can already cover some of the provisions of Bill C-11; and that this bill can potentially invade the jurisdictions of Quebec and the provinces, for all of these reasons, the Bloc Québécois is calling for an in-depth review of Bill C-11.

We will question experts to make sure that the details of Bill C-11 do not adversely affect Quebec's research community. We will ensure that the proposed provisions are respectful of Quebec's areas of jurisdiction in that they take into account potential implications with respect to university teaching and research as well as health services provided to the people of Quebec.

• (1640)

**Mr. Richard Nadeau (Gatineau, BQ):** Mr. Speaker, I would like to ask a question of my colleague.

Did I hear correctly that Quebec's health minister is opposed to this bill because it encroaches on the province's jurisdiction?

We know that pathogen issues fall under provincial jurisdiction. If I understand correctly, Quebec's health minister, Mr. Bolduc, is strongly opposed. He is not the only one, since I believe other

provinces also voiced their opinions. I would like to hear more about this.

**Mr. Nicolas Dufour:** Mr. Speaker, I thank my hon. colleague from Gatineau for his excellent question.

Let me read from the letter sent by minister Yves Bolduc to the Minister of Health:

Quebec realizes that what is proposed in the bill would have major impacts, most notably on the management of medical laboratory and diagnostic services, which are normal services within Quebec's health system. However, these services fall under the jurisdiction of the government of Quebec.

Once again, the Conservative government, despite its promise of open federalism, is engaging in piecemeal federalism and trampling the role of the provinces in the federal system. I must say this is one of the main reasons why I am a sovereignist.

**Mr. Robert Carrier (Alfred-Pellan, BQ):** Mr. Speaker, I want to congratulate my colleague from Repentigny for his excellent speech on Bill C-11. We just heard that the government is not very interested in the position taken by the Quebec Minister of Health and his opposition to this bill for reasons related to provincial jurisdiction. This is not surprising from a Conservative government that constantly ignores the interests of Quebec and its areas of jurisdiction. However, what concerns me more is the support the Liberal Party seems willing to give to this bill. I would like to know what the hon. member thinks of the position of the official opposition.

**Mr. Nicolas Dufour:** Mr. Speaker, I would like to congratulate my colleague from Alfred-Pellan for his election and to thank him for his excellent question.

I have to admit that, while he was asking this question, I was already thinking of the disappointing way the Liberals have acted in this matter. In committee, they were completely against the bill. They asked many scientists and researchers to come and testify against inclusion of group 2 pathogens. And what did they do when it was time to vote? It was all the same thing. They supported the government, as they have done for many other bills and motions. The Liberals talk to the media about how terrible and scary this is. They say they will vote against it, but the first thing they do is to vote with the government. So, would it be that different if they were the government? I really doubt that because it is always the same with them. Anyway, when they were in power, the Liberals did what the Conservatives are doing, that is, demeaning the role of the provinces within Confederation. So, I have said it and will say it again: it is always the same thing.

**Mr. Richard Nadeau (Gatineau, BQ):** Mr. Speaker, I would like to ask my colleague to elaborate on a point. Why do we find ourselves in a situation where the federal government will once again attempt to interfere with Quebec's areas of jurisdiction?

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•(1645)

**Mr. Nicolas Dufour:** Mr. Speaker, I am being asked many very good questions today and I appreciate it. That allows me to elaborate on the actions of the Conservative government on that issue.

**An hon. member:** A good government.

**Mr. Nicolas Dufour:** I am not so sure about that. The member across the way says that it is a good government, but I have my doubts. However, in all honesty, I must admit that we would not be better off with the Liberals.

The problem with the fact that the government interferes with provincial areas of jurisdiction is that most universities and health facilities doing research with group 2 pathogens are financed by the provinces. Guess what the government will do when the act is implemented? It will wash its hands of it. It will say that it is not its problem anymore and that provincial governments must invest in universities and hospitals to upgrade the laboratories to comply with the new regulations. Of course, as usual, the provinces, and particularly Quebec, will not get one red cent from the government to help them.

**Mr. Richard Nadeau:** Mr. Speaker, first, I would like to know how young university researchers who are learning their skills in our institutions and universities in Quebec and the rest of Canada will be affected by this bill.

**Mr. Nicolas Dufour:** Mr. Speaker, I can tell from his many interesting questions that my colleague from Gatineau knows a lot about this issue.

The problem for young researchers is that they work in labs with human pathogens. I specified in my remarks that over 90% of these human pathogens are in group 2. If these group 2 pathogens are removed from the schedule, there will not be any problem. But the government insists on keeping them there. The problem is that young researchers will no longer have the bacteria and toxins they need to pursue their studies. It is easy to figure out what the impact will be.

It is as if I wanted to teach carpentry to somebody, but without giving him a hammer. How could he become a good carpenter if he does not have the tools of his trade? The problem will be the same with Bill C-11 as long as schedule 2 is there. Scientists and young researchers will again be penalized.

We know that this Conservative government is cutting funds for research. And now, with Bill C-11, it is taking control over scientific research.

Guess who is going to be penalized? Those affected will again be young students, researchers and academics, who are working in good faith and want to contribute to the medical community in Quebec and Canada. And what does the government do? It is making things difficult for them and it is making sure they will go abroad. All our potential to develop new knowledge, all those who could help Quebec and Canada forge ahead, will leave for places and countries where it is recognized that the knowledge economy is the economy of the future. But the Conservatives do not know what the knowledge economy is all about.

**Mr. Richard Nadeau:** Mr. Speaker, can my colleague from Repentigny tell me how universities and medical institutions could be affected by Bill C-11?

**Mr. Nicolas Dufour:** Mr. Speaker, I thank my colleague from Gatineau for his question.

The problem is that universities and hospitals, both in Quebec and in the rest of Canada, are already experiencing a serious funding problem. Because of Bill C-11, these universities and hospitals will need several billion dollars—according to a university professor—to improve their laboratories. That will be very costly for the provinces and they will not get any federal assistance.

**Ms. Nicole Demers (Laval, BQ):** Mr. Speaker, today I listened very carefully to my colleagues from the Bloc Québécois who demonstrated clearly that this bill is irrelevant and should go back to the drawing board to be re-examined and reworked to meet the real needs of the community in terms of risk management.

Everyone knows that I am curious. When I see a bill that is irrelevant, that leads nowhere, that will solve nothing and that will only interfere with the work of specialists and researchers, I am curious and I look for anything that could enlighten me as to where exactly the danger lies. Why is the government looking now to pass a bill that would suddenly make risk group 1 and 2 pathogens more dangerous and require a licence for these pathogens? I asked myself that question.

I looked to see what was being done in the United States because we know of course that, since 9/11, our American friends are very fond of all these laws and measures that are nothing but cumbersome. I understand their anxiety and their need to put forward legislation aimed at preventing terrorist acts on their territory.

I came across something quite interesting, and I believe that our Conservative, Liberal and New Democrat colleagues should hear it. Words could be a useful pathogen if, by reproduction and transmittal, they could contaminate our colleagues from these parties and disseminate more wisdom among them.

I will read some excerpts from a report by Mr. Nicolas Moquin, of the Laboratoire d'étude sur les politiques publiques et la mondialisation. The title is "Analyse des impacts de la mondialisation sur la sécurité au Québec, Rapport 4 — L'arme biologique et ses vecteurs". The author is not the member for Laval or just anyone talking through their hat about things they do not really know. The study was done by a very knowledgeable group of people. Here is how the report begins:

The erosion of frontiers, the increasing ease of travel, the free circulation of goods and people as well as migratory movements are characteristics of globalization. The new information and telecommunication technologies, such as satellites, cable broadcasting and the Internet, also promote rapid information sharing and allow for the coordination of various activities taking place at great distances. Western democracies are therefore more vulnerable to transnational threats. Transnational terrorist groups, such as al-Qaeda, can acquire tools which allow them to better target their attacks.

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As I read this, I cannot help thinking about the day, not so long ago, when our distinguished colleague across the floor went to the airport in Toronto. With some of his colleagues in charge of public safety, he was able to gain access to areas where, normally, he should not have been able to go. This represents a much greater threat of bringing biological weapons here than the threat of reproducing those weapons in a laboratory where we have pathogens from the risk groups 1 and 2. In spite of this, nothing has been done yet to make airports safer.

## ● (1650)

Western states are very concerned about terrorism. On October 5, 2001, shortly after the September 11 tragedy, the United States lost yet more lives when five people died of anthrax.

Anthrax is considered a risk group 4 pathogen. It is not a risk group 1 or 2 pathogen. It is very dangerous and should not be in just anyone's hands. However, even though the United States has very strict and specific rules, the pathogen was found in envelopes addressed to elected members of the U.S. Congress and Senate. Unfortunately, police in the U.S. had been unable to intercept the envelopes.

This incident illustrates the degree to which the proliferation of nuclear, radiological, biological and chemical (NRBC) weapons constitutes a threat to national and international security.

These are weapons of mass destruction, much like the weapons that were not found in Iraq, weapons that justified the American government's military action in that country.

Weapons of mass destruction (WMDs) and NRBCs can have a destructive impact on all levels of society and the environment.

The introduction explains these problems. Further on, it addresses biological weapons, bioterrorism and agroterrorism. I would like to talk about bioterrorism, because pathogens are what interest us today.

Security experts agree. Actions against civilians or even property by individuals or groups belonging to large organized networks are characteristic of terrorism. These organizations claim adherence to a political or religious cause, orchestrate attacks, or employ intimidation tactics to create a climate of fear. There are many forms of terrorism; we will focus on biological weapons.

Biological weapons have not yet been used on a large scale, but some states have pursued the development of biological weapons and their antidotes. These weapons use living organisms or products derived therefrom.

These states are not terrorist groups; they are governments that have developed biological weapons.

These organisms may multiply within another living organism, which then becomes a vector for contamination [...] There are four categories of biological agents: viruses (smallpox, Ebola), bacteria (anthrax), fungi, and toxins produced by living organisms (ricin, botulism bacillus).

Each of those appears in risk group 4.

Vaporizing or mixing biological agents with drinking water or food increases their capacity for mass destruction. These agents can also be incorporated in goods or postal packages.

According to the World Health Organization (WHO), some 50 viruses, bacteria and toxins could be used to manufacture biological weapons... Manufacturing a biological weapon requires little specialized knowledge. Advances in biological research and even the access to Internet have made it increasingly possible to procure the equipment necessary to manufacture such a weapon. It is even highly likely that the number of instances where strains of smallpox are stolen will increase. As it turns out, there is a real threat, and the use of such weapons of mass destruction is cause for great concern. Currently active terrorist groups could resort to biological weapons in attacks.

## ● (1655)

When we say that it is easy to make a biological weapon with the help of Internet, it is important to realize that we are not talking about scientists or researchers working in laboratories to serve mankind by developing universal remedies for the various diseases known to man. We are talking about terrorists who, in the comfort of their own bedroom or living room, find recipes for putting together these so-called biological threats.

Bioterrorism means the spreading of germs susceptible of causing deadly diseases. Recent advances in genetics and molecular biology make it possible to turn innocuous bacteria into pathogens through the insertion of toxic genes. These bacteria can be made even more virulent so that they can bypass the immune system or become antibiotic resistant.

I do not think that the kind of bacteria and terrorist activities we are talking about here will be the fields of interest of our young researchers and scientists, who are so dedicated and so anxious to improve the lives of their fellow citizens by looking for new methods of treatment.

Included in this report is the notion that, being aware of these problems, risks and potential difficulties, the United Nations as well as the United States, Canada and Quebec have developed alternate approaches that now allow us to make sure that we will not be the victims of bioterrorism or agroterrorism.

For example, in 2003 in the United States, the FDA or Food and Drug Administration, which is the agency that oversees drugs, arms and foodstuffs, established an obligatory registration system for foreign and local producers who handle, process, deal with or transport foodstuffs. Foreign companies in the agri-food sector that export perishable foods to the United States must provide the Food and Drug Administration with a minimum of two hours advance notice.

American importers of agri-food products must also notify the FDA before crossing the border of another American state. If imported food products might constitute a health risk, the FDA reserves the right to quarantine them for a period of 20 to 30 days.

Members will recall that we had a serious problem two years ago with spinach imported from the United States. Even though there are very strict rules in the United States governing the transportation of food, its quality, and its relative risk, here in Canada we ended up, despite all that, with very dangerous spinach contaminated with a coliform bacillus that was a threat to human health. It is not enough to have very strict rules. We have to be certain that those rules work.

The bioterrorism legislation in the United States also attempts to secure institutions that stock toxins and biological viruses. The Animal and Plant Health Inspection Service has established a list of viruses that could be used to produce biological weapons. States, universities and private laboratories must therefore abide by certain conditions if they want to hold and handle these type 4 viruses, as was previously mentioned.

*Government Orders*

Canada has also become involved at the United Nations in a group of countries that are concerned about these problems because some states have developed viruses, bacteria and human pathogens that can be very dangerous and that can reproduce very quickly.

• (1700)

Today, most of these viruses are in a Russian laboratory, where they are monitored. For a few years, there has been an oversight committee made up of people from Canada, the United States, Europe and even Quebec. These people have a responsibility to protect the viruses against terrorism and make sure that the viruses kept in this facility are not removed for any reason.

Responsibility for planning and for Canada's response to the threat of bioterrorism rests with Public Safety and Emergency Preparedness Canada (PSEPC), the Department of National Defence (DND), the RCMP and the Public Health Agency of Canada (PHAC), which are all part of the joint response team. The national readiness and response system of PSEPC coordinates all response activities. Internationally, Canada responds to biological threats by working with its international partners.

In 2002, to follow up on Canada's proposals at the Kananaskis summit, the G8 member countries adopted the global partnership against the spread of weapons and materials of mass destruction. This partnership has primarily focused on co-managing Russia's chemical and biological military complex, a legacy of the Communist era. Canada and the other G8 members want to prevent any terrorist group from acquiring or developing biological weapons.

These chemical weapons are not found in small hospital or research laboratories. Chemical weapons do exist, but it is governments of certain countries that have developed them to use them themselves or to scare their neighbours or other countries by threatening to produce and export them. Generally, researchers and lab technicians are not the most diabolical minds behind threats of bioterrorism.

In Quebec, we are fortunate to have a public health agency.

Canada's and Quebec's initiatives to combat the vectors of biological weapons and protect themselves against the effects of such weapons primarily take the form of cooperation on safety and public health and compliance with FDA requirements by agri-food companies in Quebec and MAPAQ regarding food traceability.

I am certain that my colleague from Marc-Aurèle-Fortin is well aware of this situation, because:

—September 11, 2001 and the anthrax incident resulted in major changes to civil security in Quebec. Not long after these events, the governments of Quebec and the state of New York decided to establish the Quebec-New York Committee, a working group to examine new measures to be adopted for communications and security in emergency situations... The work of the committee led to the establishment, within the Ministry of Public Safety, of the roundtable on management of nuclear, biological, radiological and chemical threats.

• (1705)

The Parti Québécois—a sovereignist party—was in power in Quebec at the time.

Representatives of Montreal, Quebec City and Gatineau were members of the roundtable. Each city was represented by a police officer, a firefighter and a municipal civil security officer. Other members of various ministries and organizations also participated, including the Quebec provincial police, the SQ, which was responsible, together with the Montreal police force, for examining nuclear, biological, radiological and chemical threats.

I only have one minute remaining. That is not long enough. It is not enough to make my colleagues understand, no matter whether they are Liberals, Conservatives or New Democrats, that they are not making the right decision by voting for this bill. This bill must be reviewed in its entirety. It must be studied and witnesses must come

and explain what they need, in order to have a real policy to prevent bioterrorism.

• (1710)

**Mr. Robert Carrier (Alfred-Pellan, BQ):** Madam Speaker, I thank my colleague from Laval for her presentation on this important and very technical bill that has an impact on the entire scientific and medical community in Canada.

I want to refer specifically to a letter sent by Quebec's health minister, dated April 6, in which he states his opposition to the continuation of this bill's consideration because of its impact. Measures proposed in the bill would have major repercussions, especially on the management of medical laboratory and diagnostic services. This letter says, "Accordingly, the Government of Quebec is calling on the federal government to reconsider its approach to ensuring the biosafety and biosecurity of human pathogens and toxins, rather than pursuing the parliamentary work currently underway."

That was exactly the amendment proposed by the Bloc Québécois in committee during the study at second reading. It was rejected.

I would ask my colleague what she thinks of the negotiation in good faith proposed by the current Conservative government regarding the harmonization of the QST and GST and this other situation where the Government of Quebec wants to be consulted before this bill is passed. What does she think about this attitude, especially considering that the Liberals are also thinking of supporting the bill?

**Ms. Nicole Demers:** Madam Speaker, I thank my colleague for his question which is quite relevant.

I am not surprised that the government rejected this amendment. Any pretense of openness towards Quebec is just that, a pretense. But I must admit I was surprised that the Liberals and the NDP refused to support this amendment.

This amendment stated that, in Quebec, we have a public security agency and that we know very well how to protect our own citizens. We do it with great openness and transparency. We have always done it.

I wish that, at least once, this Parliament would be transparent and true to itself and that it would respect Quebec's demands. I would be quite surprised if it did, but I would be very pleased.

**Mr. Nicolas Dufour (Repentigny, BQ):** Madam Speaker, much has been said in my able colleagues' remarks and mine on Bill C-11.

I would like to know whether the hon. member feels a renewed sovereignist commitment when she sees the federal government interfering, with a bill like Bill C-11?

As my colleague from Alfred-Pellan said, we have seen this happen in the issue of tax harmonization, and in other issues like cuts in scientific research and so many other issues over the years.

*Government Orders*

Does my colleague feel a renewed commitment to sovereignty every time she sees this kind of interference and incompetence on the part of the federal government?

**Ms. Nicole Demers:** Madam Speaker, my young colleague displays great eloquence for his age. What a fire and what a passion for such a young colleague!

My answer for my young colleague will be brief. As we know, I am a keen admirer of the late René Lévesque, who said that, after all, Quebecers are something akin to a great people. This may explain why others have a hard time working with us and understanding the Quebec people, the Quebec nation.

An African proverb says that you can go faster by yourself, but that we can go farther together. Quebecers have decided to go farther together, towards sovereignty. And it is true that my desire for sovereignty becomes greater when I am here.

• (1715)

**Mr. Richard Nadeau (Gatineau, BQ):** Madam Speaker, I would like to ask my colleague for Laval how the different provinces and the Quebec nation react to Bill C-11.

**Ms. Nicole Demers:** Madam Speaker, unfortunately, I am not a member of the Standing Committee on Health. However, if I understood what my colleagues said today, there is abundant questioning coming from all provinces, be it British Columbia, Quebec or other provinces. I am sure of that.

We must not forget that the most important thing is freedom, no matter what the Prime Minister might be saying. Presently, all sorts of means are being used to reduce freedom. We do not want to have the type of limited freedom the Prime Minister is calling for in his speeches. We want true freedom, without barriers so that people can go farther and higher, and achieve their full potential.

**Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ):** Madam Speaker, something strikes me about Bill C-11. The federal government once again is using its power to legislate in criminal law to impose regulations in provincial areas of jurisdiction. We often see that in the tax area. Here is my question. Is it not unfair for Quebec and the other provinces that the federal government uses the principles of criminal law and the Criminal Code to impose regulations in areas of provincial jurisdiction, such as laboratories, hospitals and research centres? Should we not rely instead on the Anti-terrorism Act, as it is done in Australia, for example?

**Ms. Nicole Demers:** Madam Speaker, I thank the member for Rosemont—La Petite-Patrie for his question.

I know how involved he is not only with the environment but also with everything related to ethics. I know how important it is for him and how much time he has spent studying those issues. Indeed, that should be part of the rights of the provinces in a real federation. Unfortunately, we all know that we do not have a real federation. The government is more centralizing than it appears. It pretends not to be, but it really is. A real federation would not be as centralizing, it would allow us to use the tools we have developed the best way we can, and it would give us the money to continue developing those tools.

**Mr. Nicolas Dufour (Repentigny, BQ):** Madam Speaker, first I want to congratulate my colleague from Rosemont—La Petite-Patrie on his excellent question and also my colleague from Laval on her

excellent answer. Once again, she spoke with the kind of eloquence that only she is known for.

My question is very straightforward. She said earlier that the Conservative government is centralizing. It is probably the worst government we have had in that regard in the history of this country. I would like her to give me some other examples that show how centralizing this government is.

**The Acting Speaker (Ms. Denise Savoie):** The hon. member for Laval has one minute to answer the question.

**Ms. Nicole Demers:** Madam Speaker, would you give me 20 minutes to answer my colleague's question? I will be able to give just a few examples if I have only one minute.

We voted this week on the harmonization of the GST with the QST. That is another example. We also had to ask the government on several occasions to stop trying to manage education, health care and wait times in our province. We asked the government several times to stop taking money that belongs to Quebecers and using it to its own ends. There are so many measures, whether they have to do with child care, social housing or other things.

In closing, this government is definitely not in favour of decentralization. It is a centralizing government.

• (1720)

**The Acting Speaker (Ms. Denise Savoie):** Resuming debate.

The member for Rosemont—La Petite Patrie has the floor. I would advise him at the outset that I will have to interrupt him at 5:30.

**Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ):** Madam Speaker, it is important that we have this debate today on Bill C-11, An Act to—allegedly—promote safety and security with respect to human pathogens and toxins.

There is a paradox right in the title the government has given this bill. This government is talking about the safety of pathogens, and yet in a media release dated April 29, 2008, when Bill C-54, the predecessor of Bill C-11, was introduced, the Minister of Health at the time said: “The risk to Canadians posed by the presence of human pathogens and toxins in labs is low.”

In 2008 they were saying that the risk to the public was relatively low. And now the government is introducing a bill to promote safety and security with respect to human pathogens and toxins, as if there were numerous risks.

So what does the bill that is before us do? First, it makes the guidelines that have been presented by the Public Health Agency of Canada mandatory. Second, it makes it mandatory that licences be obtained for regulated activities, so that existing pathogens can be monitored, to determine where they are and to know who has them. Third, it institutes a scheme of offences and penalties.

*Private Members' Business*

We are not opposed to oversight of these pathogens. That is a basic principle: the risk has to be managed, we have to ensure that the precautionary principle can be applied, of course.

In reality, however, what impact would the implementation of this bill have? It would create operating methods in workplaces like universities, research centres, clinics and hospitals. It seems clear to me that these sites are under Quebec's authority. And today we have a federal government that would use the Criminal Code to get directly involved in how our hospitals and clinics operate, in the name of criminal law.

As I said, the precautionary principle must be applied, of course, but at the same time, the federal government has to understand where its authority to act begins and where it has to end.

We on this side of the House are not the only ones who think the government is going too far. This is an excerpt from a letter written on April 6, 2009, which makes it very recent, barely three weeks ago, by the Minister of Health of Quebec, Yves Bolduc, to the federal Minister of Health, concerning Bill C-11:

Quebec notes that the measures proposed in the bill would have a significant impact on the organization of medical laboratory and diagnostic services, which are normal services within Quebec's health system. However, these services fall under the jurisdiction of the government of Quebec.

Health Minister Yves Bolduc wrote further:

Accordingly, the Government of Quebec is calling on the federal government to reconsider its approach to ensuring the biosafety and biosecurity of human pathogens and toxins, rather than pursuing the parliamentary work currently underway. It is important that that approach better reflect the respective roles of both levels of government in this matter.

This is a letter dated April 6, which the federal health minister has received. Unfortunately, our colleagues on the Standing Committee on Health, who merely tried to get the government side to approve an amendment to ensure that the provinces would be consulted during the development of the regulations, got a resounding no for an answer.

• (1725)

Not only did the minister not deign to withdraw her bill but the members of the government party and some opposition members refused, I firmly believe, to make sure that at least those concerned by the application of it, that is the Government of Quebec, the hospitals and research centres, were consulted. It was a categorical no. The federal government is trying to use the terrorist threat in order to meddle in areas of provincial jurisdiction. That is the reality.

The federal government has all the tools it needs to handle pathogens of this kind. It can do so under the Terrorism Act. At least three countries have done so. The United Kingdom decided to take action under its terrorism act to regulate pathogens of this kind. But the government refuses to use the legislative tools at its disposal. It decided to go further and meddle directly in areas of provincial jurisdiction.

There is clearly a constitutional problem with the bill. This is not the first time this has happened. The government already used its power to legislate in the area of criminal law to make some laboratory biosafety guidelines obligatory through the issuing of licences. However, the bill exceeds the federal jurisdiction, as

happened as well in the case of the federal bill on assisted reproduction, among others.

On June 19, 2008, the Quebec Court of Appeal handed down a judgment in the reference from the Government of Quebec on the constitutionality of sections 8 to 19, 40 to 53, 60, 61 and 68 of the Assisted Reproduction Act. The Court of Appeal stated that the sections in question exceeded the authority of the Parliament of Canada under the Constitution Act, 1867. In short, the judges said that the basic, overriding purpose of the part of the act that was challenged was to protect health and not to right a wrong. The provisions that were challenged could therefore not qualify as pertaining to criminal law under the Constitution Act, 1867.

There are precedents, therefore, for the federal government trying to use its power to legislate in the area of criminal law to introduce bills concerning health that are obviously outside its jurisdiction. Workplaces, universities, clinics and hospitals are clearly provincial jurisdictions.

We would have hoped today that the government would listen to reason at the stage the bill is at and withdraw Bill C-11, as requested by the Quebec health minister.

**The Acting Speaker (Ms. Denise Savoie):** It being 5:30 p.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

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## PRIVATE MEMBERS' BUSINESS

• (1730)

[*Translation*]

### GREENHOUSE GAS EMISSIONS TRADING SYSTEM FOR NORTH AMERICA

**Mrs. Claude DeBellefeuille (Beauharnois—Salaberry, BQ)** moved:

That, in the opinion of the House, the government should work with its North American partners to promptly pursue a North American cap-and-trade market with absolute greenhouse gas emission targets based on scientific knowledge, using 1990 as the base year.

She said: Madam Speaker, it is a privilege to debate my motion today, but before beginning, I would like to congratulate you. I think that it is the first time I have the floor with you in the chair. There are about 68 women out of a total of 308 members of Parliament. It is reassuring to see that a woman is in the chair today. That is why I wanted to congratulate you. There are no coincidences in life but I consider myself lucky to be able to debate the first motion in my name since I was elected, in January 2006, with you in the chair. Once again, I congratulate you.

We know, and the people who watch us on television know, that when it comes to consideration of private members' business, members are chosen by lot. Since I was elected, my name had never been lucky enough to be among the first 30 names. Since we have been working with successive minority governments, and there have been many elections, I had never had the opportunity to table a motion or introduce a bill that could be debated and voted on. Now, it is my turn and I am pleased to debate my motion with my parliamentary colleagues in this House.

*Private Members' Business*

The choice of the subject of a motion or bill is a serious matter. In choosing the subject of this motion, I felt it was important to contribute, with the means at my disposal, to improving a situation that affects the largest number of people possible. In this particular case, we could say the subject affects everybody and the effects could be disastrous according to the latest scientific studies.

Will I succeed in changing the situation by presenting this motion all alone? Obviously not. This is a global problem that affects us. Still, I will do what I can in this struggle that effects us all and put pressure, in my own way, on the current government to change its positions.

There were many different avenues open to me in the fight against greenhouse gases, but in my case, the choice was easy because the Bloc Québécois already has a comprehensive and credible climate change plan.

The Bloc is not just the only party that has consistently supported the Kyoto protocol. The Bloc is also the one party that has never stopped calling on the federal government to develop a plan that respects its own objectives. We have even proposed bold and constructive measures targeting both the environment and the economy that would enable Quebec and Canada to be well positioned for a "post-petroleum economy."

Among our proposals is a carbon exchange that is compatible with international markets. This idea, which was ignored by the Liberals and ridiculed by the Conservatives, is now the route that the United States wants to follow. It is not surprising that we feel this government is backtracking towards the creation of a carbon exchange tied to mandatory targets. There is such a lack of environmental leadership in this government that the Americans are now deciding the policies Canada will follow in the fight against greenhouse gases.

In the opinion of the Bloc Québécois, the Liberals and the Conservatives have closed their eyes to this problem for too long. It is now time for Canada to shoulder its responsibilities and make a commitment to significantly reduce greenhouse gases.

Let me read my motion again:

That, in the opinion of the House, the government should work with its North American partners to promptly pursue a North American cap-and-trade market with absolute greenhouse gas emission targets based on scientific knowledge, using 1990 as the base year.

Simple as it may be, this motion contains several elements, which I will explain shortly, after putting them in context to clarify the scope for those who find the motion a bit convoluted.

As I said earlier, climate change represents one of the biggest challenges humanity has to deal with. As scientific evidence piles up and we see just how staggering the extent of the consequences is, it becomes imperative to act without delay, and in an efficient and fair manner.

• (1735)

It is only by adopting credible greenhouse gas reduction measures that we will fight climate change and prevent the serious and irreversible damage and the enormous economic costs created by climate change.

I remind hon. members of the findings of former World Bank chief economist Nicolas Stern, who said that if nothing is done to fight climate change, the economic impact would amount to an annual 5% decline in global GDP. However, if measures to fight climate change were taken quickly, the negative impact on global GDP would only be 1%.

The Bloc Québécois believes that the Kyoto protocol targets are still the ones that must be reached. Canada is still a signatory to the Kyoto protocol and its targets have been confirmed by numerous recent scientific studies, including that of the Intergovernmental Panel on Climate Change, the IPCC.

I want to be clear: it is perfectly possible to significantly reduce greenhouse gas emissions while jolting the economy. In order to achieve that, we must take strong action to reduce our dependency on oil, and to stimulate the economic recovery of Quebec and Canada by investing in green technologies. How do we do that? By using, among other tools, tax and market instruments such as the carbon exchange, to which the Conservative government suddenly seems to find positive aspects, after criticizing the position of the Bloc Québécois and of environmental groups on this issue.

This is why the Bloc Québécois is proposing a credible plan that will allow Canada to get back on track and to move as close as possible to the targets set by the Kyoto protocol by 2012. Furthermore, the plan will attempt to meet the reduction target recommended by the IPCC to prevent climate change with irreversible consequences. We are talking about a reduction of 25% to 40% in greenhouse gas emissions, compared to 1990 levels, this by the year 2020.

The plan is based, among other things, on the establishment of absolute reduction targets in the short and medium term, that is by 2012 and 2020, with 1990 as the reference year. It also proposes the use of science-based targets, a territorial approach, and the establishment of a carbon exchange in Montreal, which is the main purpose of this motion.

The idea is quite clear. We apply the polluter pays principle. Any credible plan to reduce greenhouse gases is based on that principle. In other words, the polluter must pay for the costs generated by his polluting. It is simple common sense. However, as we know, the Conservatives opted for the opposite principle, the polluter-paid principle, which rewards those who have done the least to reduce their greenhouse gas emissions.

Indeed, by substituting the reference year of the United Nations Framework Convention on Climate Change and of the Kyoto protocol, which is 1990, with the year 2006 proposed in the Conservative plan, or the year 2005 suggested by the U. S. administration, all the efforts made by Quebec businesses since 1990 are being swept under the rug. We are starting all over again, and businesses, whether or not they have reduced their emissions since 1990, are now all on the same footing and they must reduce their emissions in the same fashion. We can see how totally unfair and inequitable this situation is.

*Private Members' Business*

Let us talk about the territorial approach. Given the urgency of acting while fully respecting the jurisdiction of Quebec and the provinces, the Bloc Québécois is of the opinion that the most efficient, swift and equitable way to share the greenhouse gas reduction effort is to implement a territorial approach instead of a Canada-wide sectoral approach which, as we know, has been a monumental failure.

● (1740)

The territorial approach is the act of dividing Canada's greenhouse gas reduction target up among the provinces. It is a flexible approach that allows each province to choose its own plan or to join in the federal plan.

Let us take, for example, a scenario where the target would be a 6% GHG reduction for 2012, with 1990 as the base year. Quebec, which has already reduced its emissions by 1.2% since 1990, would only have to reduce them by 3.98 megatonnes. Alberta, which increased its emissions by 36.6% since 1990, would have to reduce them by 73 megatonnes.

Let us talk about the carbon exchange. The Bloc proposes to include in such a territorial approach a tradeable permit market, called a carbon exchange. I would remind the House that a carbon exchange is a tool enabling a company which has brought its greenhouse gas emissions below its reduction objectives to sell the tonnes of greenhouse gas emissions it would still be entitled to emit. For example, a carbon exchange would enable a province which has exceeded its targets to sell its surplus to another province experiencing difficulty reducing its emissions. With the territorial approach, provinces and Quebec will also be able to set targets for their industries and authorize them to buy or sell their tradeable permits with other industries outside their borders. Thus, there would be a powerful financial incentive to reduce greenhouse gas emissions since the company could make money with its reductions.

A carbon exchange cannot, however, achieve its full potential unless absolute greenhouse gas reduction targets are set. This creates a dynamic market where there are both sellers and buyers. The federal government must therefore set absolute greenhouse gas emissions for the short and medium terms, thereby making it possible to make a significant, but achievable, reduction in emissions. Such a reduction will stop Canada from losing all its credibility on the international scene.

This implies that some severe financial penalties—for example, twice the cost of a permit—should be mandatory for each tonne of emissions by a company in excess of the allowed limit. Finally, this would require the creation of an independent body or bodies responsible for certifying emission reductions and imposing fines on companies that did not produce permits in conformity with their actual emissions.

The last, but not the least, component is the scientific criterion. What point would there be to measures to reduce greenhouse gas emissions if they do not make it possible to achieve appropriate results?

The IPCC was set up in 1988 by two UN bodies and the United Nations program, and brings together close to 2,000 scientists from all over the world. After gathering data from numerous scientific

studies, the IPCC formulated recommendations on the follow-up to the Kyoto protocol in its fourth assessment report, released November 17, 2007.

In order to avoid warming with irreversible consequences—that is 2 degrees Celsius over pre-industrial levels—the IPCC has recommended the capping of global greenhouse gas emissions within the next 10 or 15 years, and a reduction of over half the emissions compared to the 1990 levels by the year 2050.

I am proposing a motion that both respects the objectives set for greenhouse gas emissions and includes significant financial and economic incentives in order for us all to work together to reduce greenhouse gas emissions and thus to contribute to fighting climate change.

● (1745)

**Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ):** Madam Speaker, first of all, I would like to thank my colleague for moving this motion, one that is very important, especially in light of the United Nations climate change conference being held in Copenhagen a couple of months from now, which aims to establish a post-Kyoto agreement.

As she said, basically, there are three parts to this motion. First, there are absolute reduction targets, although the Conservative government favours intensity targets. Second, the Conservative government has always refused to take into account the reality and scientific facts. Lastly, the reference year should be 1990, and not 2005.

I wonder if my colleague can tell us why the government across the floor refuses to listen to the Bloc Québécois' arguments. Is it not in fact to protect its economic base, which is in the west? Is it not specifically to protect a single industry, the oil sands industry?

**Mrs. Claude DeBellefeuille:** Madam Speaker, I thank my colleague for his question, and I am happy to answer it.

First, I will explain that in Quebec, the paper companies, for example, or the aluminum companies were visionaries. They knew that one day, they would be forced to reduce their greenhouse gas emissions. Encouraged by certain regulations in Quebec and thanks to their vision, they decided on their own to reduce their emissions, and they have made significant efforts since 1990.

Other industries, such as the oil industry in the west, have made no effort to reduce their emissions. It is a question of critical mass. Using 2005 or 2006 as the base year reflects a deliberate and conscious decision to penalize the manufacturing sector in Quebec and favour the oil and petrochemical sector, which is primarily in western Canada. The economic impact is easier on the oil companies than it is on the manufacturing sector in Quebec.

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

**Ms. Claude DeBellefeuille:** Many people in the House are talking and making it hard for me to concentrate, but that is all part of the verbal sparring in Parliament.

In closing, I can add that using 1990 as the base year is not a whim of the Bloc Québécois. I believe that many businesspeople and scientists are calling for this. It is logical, and people are not stupid. Since it came to power, this government has always favoured western Canada and the oil companies over Quebec and its manufacturing industry.



*Private Members' Business*

**Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP):** Madam Speaker, I am sorry to interrupt my Bloc Québécois colleague but I have a specific and important question to ask my Bloc colleagues. The motion itself is very clear. It is very clear and very important for climate change.

This morning I heard that the leader of the Bloc Québécois was going to ask the government for something that would guarantee its support in future.

**Mr. John Baird:** No, no way!

**Mr. Nathan Cullen:** Are climate change, the carbon exchange and other things of this nature included in the Bloc Québécois request that would allow it to support the Conservative government?

**Mrs. Claude DeBellefeuille:** Madam Speaker, my colleague has been a member in this House for quite some time. Thus, he has noticed certain things on a number of occasions. For example, the Bloc Québécois motion of April 24, 2007 called for a reduction of greenhouse gases and absolute targets.

My colleague for Rosemont—La Petite-Patrie, the Bloc Québécois environment critic, has asked various governments hundreds of questions, and I am not exaggerating. Our focus remains the same: to provide this government with very specific means to reduce greenhouse gases based on 1990 levels and establish absolute targets.

**Mr. John Baird:** Support Obama!

**Ms. Claude DeBellefeuille:** We also wish to adopt a territorial approach and establish a carbon exchange.

**Mr. John Baird:** You are against Obama!

• (1750)

**The Acting Speaker (Ms. Denise Savoie):** Perhaps the minister is trying to stir things up, but we will resume debate.

The hon. Parliamentary Secretary to the Minister of the Environment.

[*English*]

**Mr. Mark Warawa (Parliamentary Secretary to the Minister of the Environment, CPC):** Madam Speaker, the Government of Canada does not support Motion No. 287.

We have made it very clear that we are committed to working with the United States to develop a coordinated approach, an approach that will advance our respective environmental and energy objectives and renew the North American economy at the same time.

Given the great and deep integration of our economies, it is critical that we get it right and that we get it right the first time. Those are the words of my good friend, Mike Holmes, and a good friend of the Minister of Transport, Infrastructure and Communities. That is the message we all need: to get it right the first time.

We also have made it clear that the Canadian government is committed to science-based goals to set realistic and achievable targets to reduce greenhouse gas emissions in Canada, as well as regionally and globally.

However, the use of 1990 as a baseline for absolute targets, as proposed in Motion No. 287, does not make sense for Canada. We saw Canada's greenhouse gas emissions actually increase for 13 dark years under the previous Liberal government. It is no wonder that the Leader of the Opposition said that with regrets to the environment, "we made a mess of it; we didn't get it done".

Our commitment to reducing Canada's total greenhouse gas emissions by 20% by 2020 uses 2006 as a baseline year.

Canada is not alone in using a more recent baseline year.

**Hon. John Baird:** Obama.

**Mr. Mark Warawa:** The United States has signaled that it will use 2005 as a baseline year.

**Mr. Nathan Cullen:** Focus, Mark. Focus.

**Mr. Mark Warawa:** Australia is using a 2000 baseline—

My apologies, Madam Speaker.

**The Acting Speaker (Ms. Denise Savoie):** I believe the hon. member's colleagues are disturbing the member's speech. I would call my colleagues to order, including those who are ministers in this room.

**Mr. Mark Warawa:** Madam Speaker, Australia is using the year 2000 as its baseline for greenhouse gas reductions, and there are indications that Japan will likely use the 2005 baseline. Europe has also announced that it will be considering using the 2005 baseline as its target starting in 2013.

This reflects certain realities. For one thing, governments have much better emissions information from more recent years. Also, we need to recognize that regardless of the baseline year used to reduce greenhouse gas emissions, the important thing is the results that will be achieved from the targets. We need to focus on the results.

We remain committed to reducing Canada's total greenhouse gas emissions by 20% from 2006 levels by 2020, and 60% to 70% by 2050. Those are the toughest targets in Canadian history.

In 2007, the government set out a comprehensive strategy to reach these ambitious and achievable targets in its climate change policy entitled, "Turning the Corner". This plan included significant action to reduce greenhouse gases across all sectors of the economy, including stringent short term targets for the industrial emitters, our recently announced fuel efficiency standards for vehicles and energy efficiency standards for consumer products.

Our plan to reduce greenhouse gas emissions is on track. However, the economic downturn and the opportunity of working with the new United States Obama administration has required that we fine-tune our approach to tackling climate change. We are currently refining our strategy to reduce industrial greenhouse gas emissions and intend to put the regulatory framework into law in the coming year.

*Private Members' Business*

Unlike the opposition parties, we will ensure that our plan provides the right balance between protecting the environment and ensuring economic prosperity. We will continue to work closely with the Obama administration, as well as with our provincial and territorial governments, and our stakeholders to develop and implement a North American cap and trade system for greenhouse gases that reflects our interests.

We have made significant progress on this front. As the House knows, our Prime Minister met with President Obama in February of this year to discuss how our two countries can work together to address shared issues related to energy and the environment.

The minister has also had the opportunity to meet with senior American officials to continue to build and develop this clean energy dialogue that began with the president and the Prime Minister. This dialogue includes expanding clean energy research and development on research related to advanced biofuels, clean engines and energy efficiency. It includes developing and deploying clean energy technology, in particular carbon capture and storage technology that has the potential to significantly reduce greenhouse gas emissions globally. The world is counting on us.

We are also building a more efficient electricity grid based on clean and renewable generation to make electricity delivery more reliable and to reduce congestion that can cause blackouts and power losses.

We are also working with the United States in other areas, such as transboundary air pollution, water quality and fuel efficiencies.

The government recently announced that we will introduce tough new regulations to limit greenhouse gas emissions from the auto sector. These regulations set limits on the tailpipe emissions of automobiles and they will be developed under CEPA. They will align with the mandatory national fuel efficiency standards in the United States beginning with the 2011 model year vehicles.

In addition to advancing its climate change agenda domestically and in the North American context, the government will continue to advance its climate change agenda at the international level as well.

This is a pivotal year as we work toward the United Nations climate change convention in Copenhagen in December of this year. We are committed to playing an active and constructive role to achieve a comprehensive and ambitious agreement at the international level that includes all the major emitters. That is what is missing in the plan from the Bloc and the NDP. They want to give a free pass to the major emitters. We cannot globally reduce greenhouse gas emissions without the major emitters involved.

• (1755)

In summary, we are working on revisions to our detailed regulatory framework to regulate industrial greenhouse gas emissions in Canada. We are also continuing to work constructively with the United States to develop a North American approach on energy and the environment to achieve a balanced and comprehensive outcome that represents real progress in addressing climate change and working proactively internationally.

We are getting it done on the environment. The Canadian government will continue its realistic and responsible approach to addressing the challenges of climate change.

[*Translation*]

**Mr. David McGuinty (Ottawa South, Lib.):** Madam Speaker, I would like to begin by congratulating the member for Beauharnois—Salaberry on her comments and her speech this evening. I would also like to congratulate her on having brought this motion before the House.

This remains an extremely important subject, despite the parliamentary secretary's ridiculous comments about the Conservative government's position and performance over the past three years.

[*English*]

First, Canada led the fight for the inclusion of market mechanisms like a cap and trade system in the Kyoto protocol and the international agreement called the United Nations Framework Convention on Climate Change. It was the Liberal government that fought hard with an American administration before the arrival of the far right Republican movement in Washington, under President Clinton. We fought for the inclusion of this market mechanism because we knew from the experience in the United States, under the U.S. clean air act, that it was less expensive to achieve reductions of greenhouse gases by using a market mechanism like a cap and trade system.

That was the genesis of the reason for all three countries pushing so hard during the negotiations backstopping the Kyoto protocol to include the market mechanism called cap and trade.

As my colleague from Beauharnois—Salaberry said, it is a system that has proven to be successful in achieving reductions of air pollution from coal-fired electrical stations in the United States under the U.S. clean air act.

Therefore, it is important to support the notion of cap and trade. It is important to be prudent with taxpayer money, Canadian industry money and other moneys as we seek the best and most efficient way to reduce greenhouse gases. It is why I am so personally supportive of the notion of a cap and trade system.

It also, as the member who proposed the motion suggests, creates a massive market for carbon trading. I asked the minister in question period this week whether he had any idea how we would capture what Deutsche Bank now describes as the trillion dollar carbon market, which will be up and running planet wide by 2020.

The government has no plan, and it is important for us to step back and be honest about this, so it cannot answer the question about how much we will take in Canada of the global environmental technologies marketplace, which is rapidly increasing, what part we will take of the global carbon market, which is rapidly increasing, while the Germans, Americans, French, Dutch and 10 or 20 other countries rapidly position not just their trading systems and their securities and exchange commissions, but their economies as well to go forward and capture so much of the wealth that is there for us to have.

*Private Members' Business*

• (1800)

[*Translation*]

My colleague is right: the Conservatives do not have a plan. Eleven groups analyzed the proposals. They all said that the targets were not realistic. She was also right in saying that the Conservatives are still going for intensity targets rather than absolute targets.

[*English*]

Intensity targets are completely out of sync with the notion of a cap and trade system. To have a cap and trade system, we need to have a real, hard cap so industry can trade within that cap, know exactly what it can or cannot emit into the atmosphere, trade away surpluses and create the marketplace by putting a value on the right to emit greenhouse gases into the atmosphere.

There is no hard cap when one talks the nonsense talk of intensity targets. No matter how many times the Prime Minister stands beside the President of the United States and repeats that intensity targets are fungible and can be connected with real, absolute targets, it is not believable and no one believes it. It is not really responsible for our Prime Minister to speak in that kind of tone. He knows he is not disclosing the reality of the situation.

No other country has abandoned the only international treaty to deal with greenhouse gas emissions and atmospheric concentrations. No other country is pursuing a so-called cap and trade system, using intensity targets. No other country is now so utterly dependent on another country to develop a plan for the climate change crisis. This motion is extremely important, but I fear for the motion because we now completely know that many things are happening beyond the sovereign control of this nation-state called Canada.

It has happened deliberately on the watch of this particular Conservative-Republican regime for historical reasons that we do not have time to get into. However, here is the net effect of three and a half years of pretending and window-dressing that they are dealing with the climate change crisis. Canada will now be taking a price from the United States on how much we will value carbon emissions at. Canada will now be taking its design for a cap and trade system from the United States. I predict the government will be reeled out of the corner like salmon at the end of a fishing line and it will be forced to back away from the nonsensical talk of intensity targets. It will adapt and adopt absolute cuts because it will be forced to do so by an American administration, which is not in line with the particular ideology of the government.

Canadians must remember that for all the time this regime and the Republican administration were in power in Washington, they worked hand in glove to first deny the existence of climate change, then to delay the implementation of a climate change crisis plan and then to deceive the Canadian and American peoples respectively about what they were or were not doing on climate change.

I think I counted the parliamentary secretary saying that we needed to get it right three times. He even quoted his good friend the Minister of Transport, Infrastructure and Communities, who said, "We need to get it right". Here is the problem. We have had three plans and three ministers in three years. Have they got it right? There is no plan. The Conservatives are running cap in hand to Washington, asking it to provide us cover because they have no

domestic plan. They have not prepared our industries. They are going to punish our industries.

It is so bad that the first minister of the environment did not even understand the concept of cap and trade. Then the Minister of Finance was asked point blank in the House whether he knew the carbon market was coming. He did not know what the carbon market was. Then the second minister of the environment said in the House that we could not trade internationally to achieve our greenhouse gas reductions. Then he changed his mind and said that we could trade, but we would cap the percentage of trade. Then he backtracked yet again. He said something else and he was yanked from his position.

Now we have a third minister who is in the United States this week telling the Americans and 16 other nation-states that Canada has an intensity-based cap and trade system. Really? Where is the cap and trade system for Canada? Where are the regulations? What is the price on carbon? Nobody in the government's caucus has an idea because the Conservatives do not even know what this design looks like.

• (1805)

Instead, we have a situation where the Minister of the Environment is skating with the sharpest blades he could possibly put at the bottom of his skates, pretending among the G17, led by the Chinese and Americans today, that Canada is ready to go with a climate change crisis plan.

There is no plan and no price on carbon, but it gets worse. Now we find out, because our domestic market is so small, that a cap and trade system, which would be just exclusive to Canada, would drive the price of carbon through the roof. It would cause so much pain because the market is so small and so liquid. Using the unfortunate words of the Conservative ideological leaders, it would simply increase the price of everything.

What I would like to hear from the government now, instead of nonsense and fairytales, is this. When will we see a price on carbon, what effect will it have on Canadian industries and their competitive practices and how high will the prices of energy in all their forms go?

[*Translation*]

**Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP):** Madam Speaker, I am pleased to rise here today to take part in this debate.

Basically, this debate about climate change is one that is vital to everyone. And when I say everyone, I mean everyone.

For the members of the NDP, it is incredible that we are now having a debate on a greenhouse gas emissions trading system, while the rest of the world continues to make major investments and create a market that works.

The motion moved by my colleague from Beauharnois—Salaberry is an excellent motion, because, even though it is very short, it contains the basic principles needed to establish an absolute limit that respects targets and to finally have a goal for the country. It establishes a concrete goal and concrete targets with respect to climate change.

*Private Members' Business*

Under this Conservative government and the previous Liberal government, it has been a disaster. To this day it remains a political disaster for this country. A carbon exchange is crucial. First it should be integrated with the United States and eventually, with the rest of the world. Otherwise, it will be practically impossible for Canada to fight climate change on its own.

[English]

The motion fits well with what the NDP has proposed in a bill that now sits before the Standing Committee on the Environment, which says a target must be finally put into law.

● (1810)

The reason we have suggested this in law is because we have seen successive governments present targets and plans, after plans, after plans, that do not come to fruition. I do not essentially blame only the Conservatives because they have learned well from previous Liberal governments who presented so many plans we began to lose count. Nevertheless, greenhouse gas emissions continued to rise at an unprecedented level, faster than our neighbours to the south, and faster than virtually any other country on the planet.

There was this connection. I remember the former Liberal leader saying it and then repeated by the next Liberal leader that it was impossible to reduce greenhouse gas emissions while having an economy grow so we had to choose one or the other. I have heard the current environment minister and the current Prime Minister misrepresent the issue time and again that these things are intertwined, that if greenhouse gas emissions rise, then our economy must rise.

This is the most false concept that has been presented in the debate around climate change to this point. It must be brought out into the light to show that a carbon market, for example, is an enabler for new technologies and new growth industries that Canadians have been wanting.

This morning I had some heads of corporations in my office describing and listing off the number of Canadian companies that have either been bought by American firms and moved south, or have simply picked up shop and moved south. These are significant companies from Alberta, British Columbia, Ontario and Quebec that have simply said that without a price on carbon, it is impossible for them to imagine a future in this country in order to develop their products. We are talking about wind, solar, and hydrogen economy. These companies have picked up and left, and are continuing to leave not because they want to but because they feel they must because they have seen where the action is and it is not here in Canada.

As a good example, in the last two federal budgets, both American and Canadian, when the support for renewable energies is pulled out, for example, and we look at what each of our countries is doing on a per capita basis, that is per person, for every \$1 we are spending the Americans are spending \$14. That is coming from the general accounting office in the United States. It is coming from the World Bank. It is establishing all the countries in the world and how much they are actually supporting, not through words, but through dollars.

A 14:1 ratio for Canada is an embarrassment. There is no doubt and it is with good conviction that these companies are leaving

Canada because when they look south of the border and see the support levels for wind, solar, tidal, energies that do not pollute, they realize that the cap and trade system that the administration there is developing will be a concrete one.

We brought forward Bill C-311 that finally puts into law these targets because these governments will not be held to account themselves. They need it inscribed in law. It has to be put there firmly with an ability to adjust targets and plans as we go along. That will establish a firm market.

At the natural resource committee we heard from industrial groups, from all sectors, including those in the fossil fuel sector that have said we must have a price on carbon, we must be able to trade in that market, because without that we cannot compete. We have argued this with the present government and the one before that, that their inaction on climate change would eventually lead to a crippling of the Canadian economy and the energy economy, including projects like the tar sands because we knew a world market was coming.

The concept of putting a price on pollution, of having the polluter pay, is one that Canadians agree with. It is one that Canadians overwhelmingly support and over a number of years industry has quietly been saying "yes, in fact we need some certainty because we cannot do these large investments, these large projects, without knowing that one of our major cost line items which was, eventually and now must be, a price on carbon". We have even moved the Conservatives to admit to that notion.

● (1815)

I am amazed by the parliamentary secretary's views on this and by extension the Conservatives' views. The notion that negotiating with the White House and that talking about a carbon market, mutually shared across our borders, would be an anathema to the government is spitting in the eye of the very industries that are going to need to trade on this market. These are the very industries that the Conservative government purports to support, such as the tar sands in Alberta and the electricity sector across the country. They will need access to a continent-wide market because the price, as has been mentioned before, of just a domestic-only Canadian market would be discouraging, difficult and harder than it needs to be for Canadian firms.

The government is very fond of talking about the costs of doing this for the environment or the costs of doing that. It has also been noted time and time again by Mr. Stern, formally from the World Bank, and others that the cost of inaction is extraordinary. In the very week that we see more of the Antarctic ice shelves peeling off, in the week that we see a further report by the IPCC, which has been monitoring the greenhouse gas emissions around the world and the intensity of greenhouse gas on the environment, we still see, in form if not in word, denial from the Government of Canada. It is offline with Canadians.

The enabling of the green economy can only happen if we establish a price on carbon. This needs to be noted time and time again for the government to see that it is not one or the other and to stop making the false posit for Canadians that they must choose between a clean environment and stable atmosphere or their jobs.

We have seen now the taking over of Chrysler. It sounds like Canada is going to have a member on that board. One of the key points in the restructuring of that part of the auto industry is to make more efficient cars, to make cars that pollute less. We have argued with previous Liberal administrations and the current Conservative administration that when we were handing money out to the big three automakers, which we have been doing for years for research and development, for technology and to support particular plants, to tie a little string to that. Ask them, as they are receiving public funds for this private enterprise, to include plans for more efficient cars and make more efficient cars.

New Democrats have been arguing this since 2000, saying that this only makes sense because that is where the puck is going to be. Do not pass it where it was, pass it where it will be.

In fact, here we are today with the big three in near meltdown status, all of them scrambling to keep themselves alive. Part of their revival plan is to actually do what New Democrats suggested back in 2000 and presented to the then Liberal government, a coalition among the unions, the environment and the auto sector itself saying, "We can come together on this. We can find ways that we can make the economy and the environment work together".

Bill C-311 would allow Canada to finally get on track, stop the games with the intensity, and all the mess that the Conservatives have made of this file. Their plan has been supported by no one. Not in industry, not in the environment, not anywhere around the world is there a viable plan. We will have one in Bill C-311.

These motions put forward and put on the table again are about the need for a carbon market, to finally realize and understand the full potential of this country's green economy, a more sustainable economy, an economy that provides jobs that we feel more secure with and that are for the sustainable, long-term viability of our economy and environment.

[*Translation*]

**Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ):** Madam Speaker, it is with great pleasure that I rise today to address Motion No. 287, moved by the hon. member for Beauharnois—Salaberry. I thank her for her motion, which seems simple.

This motion deals with three fundamental elements that will trigger huge economic, social and environmental issues in the years to come, for Quebec and the whole planet. In the next 10 minutes, I will try to present some of these issues.

First, through this motion, the Bloc Québécois is asking the government to agree with what we have been saying in this House for years, namely that absolute greenhouse gas reduction targets must be set.

For years, the federal government has been stubbornly trying to favour one segment of the industry, to ensure that the increase in emissions in a given industrial sector is taken into account—I am thinking, among others, of the tar sands—and to adopt intensity targets. The government should agree with us. It should respect Canada's international commitments and reduce greenhouse gas emissions in absolute terms. The way to do this is to set a cap on emissions and to base greenhouse gas reductions on absolute targets, and not on intensity targets, as the government is preparing to do.

### *Private Members' Business*

Indeed, we must set absolute targets. Why? Because we must put a price on carbon. We have two instruments at our disposal to achieve that objective and to decarbonize our economy, namely to impose a tax on carbon or to establish a carbon exchange.

Today, when I hear Liberal members tell us that they support the establishment of a cap-and-trade market, of a cap on emissions, or of a carbon exchange, I cannot help but think that this is not what they proposed in the last election campaign. They did not talk about a carbon exchange but, rather, about a carbon tax. I have not heard the Liberal Party, and we have not yet read their election platform. Nothing says that they would not want to impose a carbon tax, instead of promoting a carbon exchange, as proposed by, among others, the Bloc Québécois and the NDP.

Why a carbon exchange? Because we have to look back in time and remember that the Toronto and Montreal stock exchanges—and I invite the minister to pay close attention, because I think he is from the Toronto region—signed, in 1999, an agreement to ensure that Toronto—

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

**Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ):** Madam Speaker, could I ask you to restore order?

• (1820)

**The Acting Speaker (Ms. Denise Savoie):** Yes, indeed.

I would ask the hon. members on both sides of the House to be more respectful of the member who is speaking.

**Mr. Bernard Bigras:** Madam Speaker, in 1999, the Toronto and Montreal stock exchanges signed an agreement to divide their functions. The Toronto exchange committed to take over the cash market and the Montreal exchange decided to develop a new sector, derivative products. In 1999, a number of people in English Canada were of the opinion that Quebec would run into problems and that Toronto had kept the right part of the market, the larger part. On the contrary, Quebec business leaders mobilized and decided to develop the derivative products, carbon products in particular. Today the Montreal Stock Exchange has launched the Montreal climate exchange, has signed an agreement with the Chicago Stock Exchange, and is in the process of signing an exchange of greenhouse gas emissions quotas with the United States.

Many people in Toronto felt that the Montreal business community was going to run into problems by planning to specialize in derivative products. On the contrary, that market expanded, not only within North America, but also in Europe and the rest of the world. Perhaps then we will see the establishment of this North American carbon exchange, and it could be based in Montreal if the Conservatives do not insist on adopting intensity targets, which constitutes an obvious hindrance to the creation and viability of a carbon exchange.

*Adjournment Proceedings*

Absolute targets will not only allow a carbon exchange to be created, but will also allow Quebec businesses that have reduced their emissions to sell their credits on external markets, in Europe for instance. If the federal government insists, however, on establishing a regulatory program based on intensity targets, this will have negative effects on Quebec businesses, which will unfortunately then not be able to sell greenhouse gas emission reductions on foreign markets.

That brings to mind an industrial sector in Quebec, the aluminum sector, which has reduced its greenhouse gas emissions to 15% below 1990 levels. Smelters would like a regulatory system that does not necessarily give them an advantage over other industries, but is fair. Canada signed the international convention on climate change and the Kyoto protocol in 1997, and businesses in a province like Quebec that decided to implement plans to fight climate change should not be penalized. Quebec should not be penalized. The federal government is just trying to play to its economic base in the west.

Secondly, the motion refers to scientific knowledge. With just a few months to go before the climate change conference in Copenhagen, we need an accord that limits the rise in global temperature to 2°C above that of the pre-industrial period. According to the Intergovernmental Panel on Climate Change, that is the only way to avoid disaster. How can we reach those targets? By setting absolute greenhouse gas emissions reduction targets for Canada so that Canadian companies are forced to reduce their emissions to 20% to 25% below 1990 levels, as the motion states, not 2005 levels, as the government would have it. A 20% reduction below 1990 levels in 2020 is the only way to avert disaster.

But the government is not listening. This morning, I was reading an article that said that if we want to avoid the worst-case scenario in the coming years, corporations will have to limit consumption of petroleum and fossil fuels to just one quarter of global reserves.

• (1825)

What do the message and the study published in the scientific journal *Nature* mean? They mean that the policy proposed by the Bloc Québécois—in the economic plan it put forward this morning to reduce our dependence on fossil fuels—is the best policy put forward to date.

Finally, rather than help Canada's petroleum and natural gas industries, the government should support this motion by adopting absolute reduction targets based on scientific knowledge, using 1990 as the base year.

**Mr. Greg Rickford (Kenora, CPC):** Madam Speaker, the Government of Canada stands by its plan to reduce greenhouse gas emissions in order to fight climate change. We have made a commitment to reduce Canada's total greenhouse gas emissions by 20% by 2020 and by 60% to 70% by 2050, compared to 2006 levels.

Allow me to explain the important principles underlying the government's approach on the national, North American and international levels.

[English]

First, we speak to balance, environmental progress and economic prosperity.

Second, we recognize that this is a long-term challenge. The science tells us that this is what we have to do and we have to start immediately.

Third, building on the second principle, we will recognize the importance of technology. Canada will continue to be focused on supporting and providing incentives for technological development that needs to be undertaken to renovate our capital stock in an orderly, efficient way, moving us toward carbon capture and storage and newer and cleaner electricity generation.

The Government of Canada is moving forward on a clean energy dialogue with the United States. As hon. members know, Canada and the United States agreed to establish a clean energy dialogue to collaborate on the development of clean energy science and technologies that will reduce greenhouse gases and combat climate change. Therefore, the foundations of the clean energy dialogue have been established and concrete steps toward its implementation are being taken. Working groups are scheduled to meet over the next few months and will be ready to report back on their progress to our leaders by August 2009.

Canada will continue to work with the U.S. to develop a coordinated approach that will advance our respective environmental energy objectives and renew the North American economy at the same time.

We will continue to work on these tracks domestically, North America wide and internationally.

• (1830)

**The Acting Speaker (Ms. Denise Savoie):** The time provided for the consideration of private members' business has now expired and the order is dropped to the bottom of the order of precedence on the order paper.

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## ADJOURNMENT PROCEEDINGS

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

[English]

ABORIGINAL AFFAIRS

**Ms. Jean Crowder (Nanaimo—Cowichan, NDP):** Madam Speaker, I am rising with regard to a question that I asked on March 3. It was about proposed changes the Conservatives were considering with regard to accountability measures as well as governance. In the question, I was focusing on the process around consultation.

We know from speaking with first nations that they are more than willing to look at current governance within first nations communities. They are more than willing to look at accountability measures. However, they want to be included in the process.

*Adjournment Proceedings*

I want to refer to a newspaper article which appeared in the *Globe and Mail* on March 3. The headline reads, “Sweeping documents reveal sweeping new rules for natives”. An access to information request revealed that the government was looking at this process. The article states:

The federal government is secretly planning an overhaul of the rules governing Canada's reserves that is far more sweeping than what Ottawa is telling Canada's chiefs and native leaders.

Further on the article states:

—the government is aiming for the changes to take effect on April 1, 2010. Because the changes will be brought in as new policy rather than a new law, that they can be implemented without triggering a debate in Parliament over legislation.

There are a couple of concerns about this. First, the government is not doing the kind of consultation that first nations communities have called for consistently. Second, it is attempting to circumvent parliamentary oversight.

Article 18 of the United Nations Declaration on the Rights of Indigenous Peoples states:

Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions.

We know, of course, that Canada has failed to sign on to the UN declaration, but many other countries in the world have. This clearly outlines the fact that first nations must have involvement in decision making that directly impacts on their lives and their communities.

I was speaking to the chief and council in Kitigan Zibi today. They were talking about the fact that they certainly have not been consulted when it comes to changes in first nations governance or accountability measures. They would welcome those conversations. They have all kinds of accountability measures in place. They said today they have open books.

On another matter regarding consultation, the government hired some consultants to take a look at matrimonial real property. In their report the consultants outlined some specific elements that should be included in consultation. Recommendation 18 stated:

The Department should develop, as soon as possible, specific policies and procedures relating to consultation in order to ensure that future consultation activities can identify and discharge any legal duty to consult while also fulfilling objectives of good governance and public policy...

A number of items follow, and I would like to touch on a couple of them. One is to ensure that first nations have relevant information to the issues for decision in a timely manner.

Time and time again the government claims it is doing consultation by telling people the day before that there is a meeting the following day. We saw this in the drinking water guidelines that are being reviewed. The government claims there was a consultation process, but first nations simply did not have the opportunity to show up and provide adequate documentation.

**Mr. Rick Dykstra (Parliamentary Secretary to the Minister of Citizenship and Immigration, CPC):** Madam Speaker, I certainly appreciate the opportunity to speak to the question of the hon. member for Nanaimo—Cowichan.

Our government continues to work with a variety of first nations organizations in developing capacity within first nations to improve processes used to maintain effective and very accountable governments.

Let me be clear: The renewal of programs is part of the regular business cycle of our government. It requires periodic reviews of all grants and contributions to every single one of those programs, not just programs at the Department of Indian and Northern Affairs.

We believe this is an excellent opportunity to modernize these programs, which help first nations leaders exercise the important core functions of government.

We think the timing could not be better, because the authority for the Department of Indian and Northern Affairs to fund the current program actually expires on March 31, 2010, roughly a year away.

Program evaluations have taken place over the last number of years, and stakeholders recommended changes that will improve program efficiencies and operations. The renewal in 2010 provides an opportunity to address these findings.

The programs to be renewed are as follows: band support funding, band employee benefits, professional and institutional development, band advisory services and tribal council funding. The engagement is focused on these programs, no more, no less.

The review of these support programs is important because it presents an excellent opportunity to modernize and simplify programs that were developed almost 25 years ago.

This spring, Indian and Northern Affairs Canada employees travelled across our country presenting and discussing with various audiences our government's approach. They attended three meetings in Alberta with representatives of the first nations organizations and first nations administrators. Presentations also took place in the Yukon, Quebec and Nova Scotia, and the department is looking to schedule a presentation in the Northwest Territories with first nations there.

Clearly our government is working to ensure that all stakeholders in these programs have an opportunity to express their views and suggest their improvements. We have assembled an expert panel to assist with this initiative.

It is very simple, really. We wish to hear from those who would be affected by changes to these programs. Discussions are taking place with a variety of organizations and groups, including the Assembly of First Nations. This represents an inclusive and very transparent approach in reviewing programs. That is something our government wishes for all governments and leaders in this country.

● (1835)

**Ms. Jean Crowder:** Madam Speaker, I thank the parliamentary secretary for outlining the government's perspective on consultation, but I noticed that one of the words the parliamentary secretary used was the word “presentation”. By any stretch of the imagination, presentation does not constitute consultation.

*Adjournment Proceedings*

The government has committed to developing a full consultation policy that would circumvent the kinds of discussions that we are continuing to have in the House, whether it is about these kinds of programs, or whether it is water or matrimonial real property.

Fundamentally, the question then becomes, when will the government involve first nations in developing a meaningful consultation policy that respects things like article 18 of the UN Declaration on the Rights of Indigenous Peoples, that respects other court decisions that have come forward and talked about the need for appropriate consultation, that takes a look at the Auditor General's recommendations around the need for a consultation policy?

Really, it comes down to the fundamental question: When will the government come forward with that consultation policy that it has developed with first nations?

**Mr. Rick Dykstra:** Madam Speaker, we have been very clear. Since our 2006 budget, four budgets ago, we have shown clearly our intention and our efforts in terms of working with the aboriginal communities across our country, not just in making presentations, albeit presentations are extremely important, because certainly from an understanding perspective one wants to make those.

However, ours is about consultation. I can think of, as a member of the finance committee, spending time in Whitehorse doing exactly that, doing those consultations, listening to the direction that we needed to take, and in fact, doing that in 2006, 2007, 2008, and again in 2009, on the budgets that we have presented to the House.

In aboriginal communities throughout Canada, this is paying off and it is producing results. There is no question about that.

Even in our action plan of this budget, our government continues this commitment, with \$1.4 billion for priority initiatives aimed at improving the well-being and the prosperity of aboriginal people here in Canada.

[*Translation*]

## UNIVERSITY SCHOLARSHIPS

**Mr. Nicolas Dufour (Repentigny, BQ):** Madam Speaker, I requested this adjournment debate because I am disappointed at the semblance of an answer the Minister of Industry gave to a very simple question I asked on March 13.

According to the January economic statement, which I read with a great deal of interest, the government is increasing funding for Social Sciences and Humanities Research Council scholarships, which is highly commendable. The problem is that this increase is to be used to fund only economic research.

The whole scientific community is complaining about this increase, and for good reason. This false increase by the government shows that the Conservatives are driven by ideology, although with a Minister of State for Science and Technology who questions Darwin's theory of evolution, I should not be too surprised.

I would like to share the fears that have been repeatedly expressed by the entire scientific and academic community. And I stress the word "entire", because we are not talking about just a few groups, but the whole scientific and academic community. Researchers are afraid, and for good reason, that targeting economic research with scholarships will force them to focus on priorities they do not share.

This tells me—and not just me, but the entire university community in Quebec and Canada—that for the Conservative government, other areas of research in the social sciences, such as literature and philosophy to name a couple, are second class disciplines. For the Conservatives, everything goes to the economy and there is nothing left for anything else.

I find the Conservatives' attitude deplorable. These people defend free market ideas. Must I explain to them how the law of the free market works? I think so. The free market means allowing an invisible hand to manage supply and demand without government intervention.

However, the Conservatives' actions when it comes to research go against their own way of thinking. Scholarships in the social sciences were granted based on the demand in each discipline. The control they want to exert over the granting of scholarships leaves no room for the law of the free market, which is how it worked before their intervention.

I have seen the Conservatives renege on their promises many times, and the research scholarships issue is just one more example. They should be ashamed of themselves for acting with such cynicism and renouncing their own ideals.

And this major research on the economy will be completed when—in three, four or five years? It will be too late for this research to foster economic recovery. That is one less argument for the minister, one less argument in favour of the government taking control of research. In the meantime, the other social sciences are pushed aside by this government.

My question for the minister was straightforward. Who was consulted? I said that I was not the only one with concerns. Allow me to quote a few key players in research and the university world in Canada who have the same concerns: Gary Corbett, vice-president of the Professional Institute of the Public Service of Canada; Louise Dandurand, Chair of CREPUQ; Martin Lefebvre, Concordia University Research Chair in Film Studies; the FEUQ as well as the Canadian Federation of Students; the Fédération québécoise des professeurs et professeurs d'université; and the Canadian Association of University Teachers.

I would like to repeat my question and caution the minister of state. First, I will not accept excuses or an evasive answer claiming that Canadians were consulted. Second, key stakeholders in the university world are watching the minister of state. I will repeat my question. Who was consulted?

• (1840)

[*English*]

**Mr. Rick Dykstra (Parliamentary Secretary to the Minister of Citizenship and Immigration, CPC):** Madam Speaker, I want to thank the member for his exuberance in delivering that question. It is very impressive. We have had a long week in the House of Commons and probably our youngest member is still going strong. I want to compliment him on that.



*Adjournment Proceedings*

Perhaps the reason this means so much to him is if he were not in the House of Commons, he might be back in university and might have been able to take advantage of the scholarship programs we have provided for students.

The other part of his statement that I must comment on was he remark that the Conservatives were not interested in English literature or philosophy. I find that very ironic. My degree is in political philosophy. My son will enter university for his first term this fall and he will study English literature. Therefore, there are Conservatives who spend a lot of time dealing with literature and with philosophy. I wanted to ensure he was clear on that.

We need to take a look at some of the facts. If one takes time to examine our record as a government, it becomes very clear that our commitment to students has been firm from the very beginning. It becomes clear because we are committed across all disciplines, not just one or two.

Let us take a look at some facts. In 2007 we launched Canada's science and technology strategy, a strategy which explicitly recognizes that talented, skilled, creative people, people such as our bright young students, are a critical element to the success of our economy.

In line with the strategy's commitment to people, we expanded the Canada scholarship program, bringing our level of support from 4,000 to 5,000 students across all areas of study, with 2,600 of those supported through Social Sciences and Humanitarian Research Council, 1,600 supported through the Natural Sciences and Engineering Research Council and 800 supported through the Canadian Institutes of Health Research.

The expansion of the Canada graduate scholarships program announced in budget 2009 simply and in a very matter of fact way builds on our commitment. At a time of great need, and we are in that time, when our global economy is in the most synchronized recession of the post-war period, a time marked by the worst financial market crisis since the 1930s, we are taking clear and decisive action.

We are giving students alternatives to the weakening labour market. At the same time, we are ensuring they are fostering skills that are critical to our cultural fabric of our country and also to our economy's long-term success.

In total, 2,500 additional scholarships will be made available as a result of the temporary expansion of this CGS program. As members of the House are aware, and my colleague across the way should know this, 500 of these will be granted by the Social Sciences and Humanitarian Research Council to students pursuing degrees related to business, which are related very closely to our country's economic success. It is obvious that our commitment is across the entire spectrum.

Some members are choosing to ignore that fact, but through this program, the Social Sciences and Humanitarian Research Council will continue to award Canada graduate scholarships across a full range of social sciences and humanities disciplines.

All told, the council will award an expected 5,700 Canadian graduate scholarships over the next three years. Of these, 5,200 will

be available in all areas of the social sciences and humanities. That represents 90%.

This government recognizes the important contributions of all social science and humanities disciplines to our prosperity and to our society.

● (1845)

[*Translation*]

**Mr. Nicolas Dufour:** Madam Speaker, I would like to begin by thanking my colleague for the flattering comments at the end of his response. I am not impressed, but I will return the favour. I did not know that he had a son who was entering university. I thought he was as young as I am. He sure did not waste time.

However, I think that the Parliamentary Secretary to the Minister of Citizenship and Immigration's answer is really disappointing to the researchers and university people watching us tonight. For weeks, papers across the country have been saying that people connected to universities were never consulted about how to award these scholarships. That is unfortunate, because, as I am sure the parliamentary secretary will agree, the 21st century economy will be a knowledge economy. We have to make major investments.

As I said before, they have invested, but they have put their money in the wrong places, and that could end up being worse than not having invested at all. It is really too bad.

[*English*]

**Mr. Rick Dykstra:** Madam Speaker, I certainly would not suggest that my son is the same age as the hon. member across. He is a lot younger. I am actually one of the younger guys on this side of the House. The member should be cautious on how old he is going to accuse me of being.

I want to be very clear. We made a four year commitment in every budget. In 2006, it was \$1 billion in university and college infrastructure. In 2007, it was \$800 million to ensure students would have the opportunity to access higher education. That was a 40% increase over what the previous government had cut way back in the early 1990s. We increased it by 40% and added to it to ensure there was an escalator clause so that we would not need to return to that issue again.

*Adjournment Proceedings*

In 2008, we implemented, rejuvenated and enhanced the scholarship program. We set aside the millennium scholarship program and had long term sustainable funding for students, who could not afford it, to have access to university and college educations. In 2009, we again built on the scholarship programs and added more. Not only did we do that, we invested \$2 billion—

• (1850)

**The Acting Speaker (Ms. Denise Savoie):** Order, please. The motion to adjourn the House is now deemed to have been adopted. Accordingly this House stands adjourned until Monday, May 4 at 11 a.m. pursuant to order made on Monday, January 26 and to Standing Order 24(1).

(The House adjourned at 6:50 p.m.)

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