



CANADA

House of Commons Debates

VOLUME 145 • NUMBER 066 • 3rd SESSION • 40th PARLIAMENT

OFFICIAL REPORT
(HANSARD)

Monday, September 20, 2010

—

Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Monday, September 20, 2010

The House met at 11 a.m.

Prayers

• (1105)

[*English*]

VACANCIES

VAUGHAN, DAUPHIN—SWAN RIVER—MARQUETTE

The Speaker: It is my duty to inform the House that vacancies have occurred in the representation, namely Mr. Maurizio Bevilacqua, member for the electoral district of Vaughan, by resignation effective September 2, 2010; Mr. Inky Mark, member for the electoral district of Dauphin—Swan River—Marquette, by resignation effective September 15, 2010.

[*Translation*]

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

* * *

[*English*]

BOARD OF INTERNAL ECONOMY

The Speaker: I have the honour to inform the House that for the purposes and under the provisions of article 50 of the Parliament of Canada Act, the following members have been appointed members of the Board of Internal Economy, namely Mr. Baird, member for the electoral district of Ottawa West—Nepean, in place of Mr. Hill, member for the electoral district of Prince George—Peace River.

[*Translation*]

In addition, Ms. DeBellefeuille, member for the electoral district of Beauharnois—Salaberry, is replacing Mr. Guimond, member for the electoral district of Montmorency—Charlevoix—Haute-Côte-Nord.

* * *

MESSAGE FROM THE SENATE

The Speaker: I have the honour to inform the House that a message has been received from the Senate informing this House that the Senate has passed certain public bills, to which the concurrence of the House is desired.

It being 11:05 a.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

PRIVATE MEMBERS' BUSINESS

[*English*]

CORPORATE ACCOUNTABILITY OF MINING, OIL AND GAS CORPORATIONS IN DEVELOPING COUNTRIES ACT

The House proceeded to the consideration of Bill C-300, An Act respecting Corporate Accountability for the Activities of Mining, Oil or Gas in Developing Countries, as reported without amendment from the committee.

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, I rise on a point of order regarding Bill C-300, An Act respecting Corporate Accountability for the Activities of Mining, Oil or Gas in Developing Countries, introduced by the member for Scarborough—Guildwood.

I submit that the bill contains provisions which would require new spending for purposes not currently authorized in statute and therefore should be accompanied by a royal recommendation.

Bill C-300 would add new functions to the Department of Foreign Affairs and International Trade Act by requiring the ministers of Foreign Affairs and International Trade to establish a new, quasi-judicial function regarding Canadian companies engaged in mining, oil or gas activities in developing countries. Currently, the Department of Foreign Affairs and International Trade Act does not authorize spending for that new function.

The government did not raise a point of order on the bill prior to second reading. However, during committee consideration of the bill, the issue of new spending was raised, and I now want to bring that to your attention. On December 1, 2009 officials from the Department of Foreign Affairs and International Trade stated in committee:

The mechanism itself would require...the set-up of a whole new procedural framework that is not currently in existence within DFAIT and is not foreseen in the DFAIT Act.

Private Members' Business

Let me explain why this would require new spending. Clause 9 of the bill would amend the Department of Foreign Affairs and International Trade Act to compel the ministers of Foreign Affairs and International Trade to ensure that mining, oil and gas activities by Canadian corporations in developing countries are consistent with the guidelines in clause 5 of the bill.

Clause 4 of the bill sets out a formal complaints process to require the ministers of Foreign Affairs and International Trade to receive complaints and conduct investigations on whether the guidelines have been contravened.

In a case where the ministers determine that activities contravene the guidelines, the ministers would be required to notify the president of the Export Development Corporation and the chair of the CPP Investment Board that a Canadian corporation's mining, oil or gas activities are inconsistent with the guidelines.

In such a case, the EDC would not be able to enter into, continue or renew a transaction with a Canadian corporation found to have contravened the guidelines and the CPP Investment Board would have to ensure that assets are not invested in any corporations that have been found to be in contravention of the guidelines.

Bill C-300 would alter the terms and conditions in the Department of Foreign Affairs and International Trade Act by adding a new quasi-judicial function. The need for a royal recommendation for a new function is explained on page 834 of the second edition of House of Commons Procedure and Practice. It states:

A royal recommendation not only fixes the allowable charge, but also its objects, purposes, conditions and qualifications. For this reason, a royal recommendation is required not only in the case where money is being appropriated, but also in the case where the authorization to spend for a specific purpose is significantly altered.

On June 13, 2005 the Speaker ruled on Bill C-280, An Act to amend the Employment Insurance Act (Employment Insurance Account and premium rate setting) and another Act in consequence, stating:

Second, clause 2 significantly alters the duties of the EI Commission to enable new or different spending of public funds by the commission for a new purpose—

On February 11, 2008, with respect to a new role or function for an existing organization or program, the Speaker ruled on Bill C-474, the National Sustainable Development Act, stating:

Bill C-474 also proposes a new mandate for the commissioner.

However, clause 13 of Bill C-474 would modify the mandate of this new independent commissioner to require, namely, the development of "a national sustainability monitoring system...The clause 13 requirements would impose additional functions on the commissioner that are substantially different from those foreseen in the current mandate. In the Chair's view, clause 13 thus alters the conditions set out in the original bill to which a royal recommendation was attached.

I have explained how the new function proposed in Bill C-300 would alter the terms and conditions of the original royal recommendation for the Department of Foreign Affairs and International Trade Act.

In keeping with the precedents I have mentioned, I therefore submit that Bill C-300 requires a royal recommendation.

•(1110)

Hon. John McKay (Scarborough—Guildwood, Lib.): Mr. Speaker, we have been at this bill now for some 13-14 months

and here we are literally at the last minute raising issues of royal recommendation, which have already been, in my judgment, ruled on. This bill was carefully crafted in order to avoid the issue of royal recommendation because that is a limitation on private members' bills.

I take note, Mr. Speaker, that it requires no creation of any new agency. It does not create any new ombudsman. It does not create any new department. It does not create any agency which would require further appropriation of any moneys or any expenditures on the part of the government. This bill was intentionally crafted that way so as to avoid the very objections that my hon. friend has raised. There will be required, within the government itself, a reorganization of its resources, but there are no new resources contemplated by the creation of this function in the ministry.

I say to my hon. friend and I say to you, Mr. Speaker, that this bill does not require a royal recommendation as it does not require any fresh resources. The fresh resources are literally the prerogative of the government. There is no intention and, in fact, there is no requirement on the part of Bill C-300 to create any new agency, any new organization, or any new expenditure of funds.

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, the issue here that is raised by the Parliamentary Secretary to the Leader of the Government in the House of Commons refers to the creation of a new quasi-judicial function. A function is not a new agency or a board.

The procedures with regard to assessing the requirements for a royal recommendation on private members' bills begin with a notice by the Speaker after consultation with the Clerk of the House. The Clerk's officials do a rigorous examination of each of those bills and they report to the Speaker who in turn reports to the House on the possibility of a royal recommendation being required. No such report was provided to the Speaker, and the Speaker has not in fact given such an alert to hon. members in this regard. Therefore, I would submit, for all the reasons that the Clerk of the House of Commons did not flag this for the Speaker, that those reasons would stand in the stead of the member who has moved this bill.

The other consideration, and I have seen this with regard to other bills, is that significant alteration of the role of any body does not necessarily rule out the fact that there is a responsibility for that. I think, Mr. Speaker, you would find that there is no other department or agency, whether it be Foreign Affairs or International Trade, to which this particular matter that is raised by Bill C-300 would come under. It must be under their ambit; it must be under the scope of their work.

I submit, Mr. Speaker, that this is the only place that it could go so that it is consistent with the responsibilities as departments, agencies, and boards, and that this bill does not require a royal recommendation.

•(1115)

SPEAKER'S RULING

The Speaker: I thank the hon. parliamentary secretary, the hon. member for Scarborough—Guildwood, and the hon. member for Mississauga South for their submissions on this point. I will examine the bill in light of their submissions and return to the House in due course with a ruling in respect to this matter.

Private Members' Business

There are 16 motions and amendments standing on the notice paper for the report stage of Bill C-300.

[*Translation*]

Motions Nos. 1 to 16 will be grouped for debate and voted upon according to the voting patterns available at the table.

[*English*]

The Chair does not ordinarily provide reasons for its selection of report stage motions. However, having been made aware of the exceptional circumstances surrounding the committee study of this bill, I would like to convey to the House the reasoning involved in considering these motions.

[*Translation*]

The note accompanying Standing Order 76(5) reads, in part:

The Speaker...will normally only select motions which were not or could not be presented [in committee].

The Chair takes note that the hon. member for Scarborough—Guildwood sits on the Standing Committee on Foreign Affairs and International Trade, which was mandated to study Bill C-300. Although I believe that the majority of the amendments in his name could have been proposed during the committee consideration of the bill, they were not.

[*English*]

In a written submission to the Chair, the member outlined his efforts to overcome the committee's inability to deal with the bill in the prescribed timelines, even going so far as to move a motion that the committee begin clause-by-clause study of the bill. These efforts proved fruitless, and although the member had submitted his amendments to the committee, he was not afforded the opportunity to propose them.

Having carefully reviewed the sequence of events and the submission made by the hon. member for Scarborough—Guildwood, I am satisfied that these motions could not be presented during the committee consideration of the bill and, accordingly, I have selected them for debate at report stage.

[*Translation*]

I shall now propose Motions Nos. 1 to 16 to the House.

[*English*]

MOTIONS IN AMENDMENT

Hon. John McKay (Scarborough—Guildwood, Lib.) moved:

Motion No. 1

That Bill C-300 be amended by replacing, in the English version, the long title on page 1 with the following:

An Act respecting Corporate Accountability for the Activities of Mining, Oil or Gas Corporations in Developing Countries"

Motion No. 2

That Bill C-300, in Clause 2, be amended by replacing lines 9 to 11 on page 1 with the following:

"“corporation” means any company or legal person incorporated by or under an Act of Parliament or of any province, and includes holding or subsidiary companies of the corporation.”

Motion No. 3

That Bill C-300, in Clause 2, be amended by replacing, in the French version, lines 10 to 13 on page 1 with the following:

“Opérations de recherche, notamment par forage, de production, de rationalisation de l'exploitation, de transformation et de transport de ressources minérales, de pétrole ou de gaz, réalisées dans le territoire d'un”

Motion No. 4

That Bill C-300, in Clause 2, be amended by replacing lines 12 to 16 on page 1 with the following:

““developing countries” means countries classified as low income, lower middle income or upper middle income in the World Bank list of economies, as amended from time to time.”

Motion No. 5

That Bill C-300, in Clause 3, be amended by replacing, in the French version, line 34 on page 2 with the following:

“3. La présente loi vise à faire en sorte que les”

Motion No. 6

That Bill C-300, in Clause 4, be amended by replacing, in the English version, lines 3 and 4 on page 3 with the following:

“receive complaints regarding Canadian corporations engaged in mining, oil or gas activities”

Motion No. 7

That Bill C-300, in Clause 4, be amended by replacing lines 22 and 23 on page 3 with the following:

“ister who receives the complaint shall consider any relevant information provided by the corporation or the”

Motion No. 8

That Bill C-300, in Clause 4, be amended by replacing, in the English version, line 27 on page 3 with the following:

“that a corporation has contravened a guideline set”

Motion No. 9

That Bill C-300, in Clause 4, be amended by replacing line 32 on page 3 with the following:

“undertaken pursuant to this section, which shall include a determination regarding the corporation's compliance with the guidelines set out in section 5 and the Ministers' basis for any finding, within eight”

Motion No. 10

That Bill C-300, in Clause 4, be amended by replacing lines 39 to 44 on page 3 with the following:

“(8) If a corporation is found by a Minister to have contravened a guideline referred to in section 5, the corporation shall have six months, from the date of publication of the Minister's finding, to bring itself into compliance. During that period, no adverse steps resulting from that breach of compliance shall be taken against the corporation by Export Development Canada pursuant to section 10.2 of the Export Development Act or by the Department of Foreign Affairs and International Trade pursuant to section 10 of the Department of Foreign Affairs and International Trade Act.

(8.1) The Ministers shall publish in the Canada Gazette their findings regarding compliance with the guidelines within a period of 30 days after the conclusion of the grace period provided for in subsection (8).

(8.2) If, at the end of that grace period, the corporation remains in contravention of a guideline, as determined by the Ministers, the Ministers shall, within a period of 30 days, notify the President of Export Development Canada and the Chairperson of the Canada Pension Plan Investment Board that the corporation's mining, oil or gas activities are inconsistent with the guidelines referred to in section 5.

(8.3) If a corporation found to be in contravention of a guideline at the end of the grace period provided for in subsection (8) subsequently undertakes corrective actions, the corporation may request the Ministers to review the results of those actions and make a determination regarding compliance with the guidelines. The request shall be made in writing and shall include such information as is required to determine compliance with the guidelines.

(8.4) Subsections (3), (4), (6) and (7) apply to a request for review provided under subsection (8.3) as if it were a complaint.

(8.5) If the Ministers determine through a review that the corporation remains in contravention of a guideline, the Ministers shall notify the President of Export Development Canada and the Chairperson of the Canada Pension Plan Investment Board that the corporation's mining, oil or gas activities are inconsistent with the guidelines referred to in section 5.”

Motion No. 11

Private Members' Business

That Bill C-300, in Clause 4, be amended by adding after line 12 on page 4 the following:

“(11) Every investment manager who invests the assets of the Canada Pension Plan Investment Board pursuant to the Canada Pension Plan Investment Board Act shall take into account the results of examinations and reviews undertaken pursuant to this section.”

Motion No. 12

That Bill C-300, in Clause 5, be amended by replacing line 17 on page 4 with the following:

“(2) The guidelines shall be substantially consistent with:”

Motion No. 13

That Bill C-300, in Clause 5, be amended by replacing lines 18 to 23 on page 4 with the following:

“(a) the IFC's

- (i) Policy on Social and Environmental Sustainability,
- (ii) Performance Standards on Social and Environmental Sustainability and Guidance Notes to those standards,
- (iii) applicable Industry Sector Guidelines, and
- (iv) General Environmental, Health and Safety Guidelines;”

Motion No.14

That Bill C-300, in Clause 8, be amended by replacing line 36 on page 5 with the following:

“enter into or renew a transaction”

Motion No. 15

That Bill C-300, in Clause 9, be amended by replacing line 17 on page 6 with the following:

“functions under subsection (2)”

Motion No.16

That Bill C-300 be amended by deleting Clause 10.

He said: Mr. Speaker, I welcome you back to the House. I am sorry to see you had to be put to so much work so quickly. I also welcome back my hon. colleagues on their return from summer recess.

It is an honour to be the lead speaker on Bill C-300 in the opening of this parliamentary session. Ironically, this bill has spent some 13 months in committee and over that time the arguments in favour of the bill have actually become stronger.

I would never, in my wildest imagination, have thought that this bill would attract so much attention. Certainly, I had not anticipated it would attract so much international attention. People are literally flying in from around the world to support Bill C-300 and are encouraging my colleagues to get behind this bill and do something for the world's poor, the world's indigenous and the world's people who cannot speak for themselves. They are literally taking their own time and spending their own resources to lobby colleagues and encourage them to support this bill.

Why would people spend their time and resources and have all of the international attention and domestic attention on what is quite a modest bill? My view is that it is due to Canada's reputation as a fair-minded democracy that adheres to the rules of law and where aggrieved persons can actually come and expect to receive redress. That may or may not be true in some of the countries from which these folks are coming.

I also believe that this bill has received so much attention because of the increasingly negative reputation of Canadian mining companies operating abroad that do things to people and communities which would never be tolerated in this country. I could literally take members on a world tour. Mexico, Guatemala, El Salvador,

Honduras, Peru, Ecuador, Chile, Argentina, Colombia, Papua New Guinea, Tanzania and the Congo have enormous conflicts with Canadian mining companies. The allegations that have been put forward against these Canadian mining companies are very serious as witness after witness came before our committee and made these allegations.

It is never a good day for Canada when our own Governor General is surrounded by 200 Mexicans chanting “Canada, go home” because of the activities of the Canadian mining company operating in that country. It is not a good day when, as a witness described, he was chased out of a village because the villagers thought he was a Canadian supporting a Canadian mining company. He deemed it appropriate to take the flag that was on his backpack and black it out. It is not a good day for our reputation. It is not a good day when one of the people who was moderating a debate in which I was involved said that she had recently been in Guatemala where people would naturally ask her where she was from. When she would say that she was from Canada, they would say that in Guatemala it was better that she described herself as being from America.

Ironically, one of the great objections that the industry puts forward to the bill is that it would cause reputational damage. Reputational damage to whom? Is it reputational damage to Canada or is it reputational damage to the country?

We already know that a lot of activities of Canadian mining companies destabilize governments, put other Canadian companies at risk and put Canadians travelling abroad at risk. Why the objection to reputational risk? Why the fear of a quasi-judicial process where the impartial laws of natural justice actually prevail in a hearing? Why indeed?

It is hugely ironic to me that at the same time they are complaining about the process, they are saying that they adhere to the IFC standards that are set out in the bill itself. They do not want to have a process to find out whether they actually adhere to the IFC standards because they say that they are already adhering to them. It seems a bit of an ironic argument.

Possibly, though, the real reason that the objection is so vociferous on the part of the companies and the government is that there possibly is something to be hidden. The allegations in the aforementioned countries are possibly true.

• (1120)

Sometimes where there is smoke there is just smoke but sometimes where there is smoke there is an actual fire. Did witness after witness really tell the truth about murder, rape, environmental degradation, officials being bought and paid for and paramilitaries enforcing the so-called companies? With all of those witnesses, was that just smoke and mirrors?

Private Members' Business

Possibly there is some truth and the companies do not want anyone, let alone a government official, a minister of the crown or the people of Canada, actually taking evidence, having a look, listening to arguments and making a finding one way or another, good or bad. Not only do the companies not want anything resembling a fair and impartial inquiry, they do not want any sanctions. They want to exist in a sanction-free environment. They say that the sanctions are too draconian.

What are the sanctions? The sanctions are that they will not get support from the Export Development Corporation of Canada. They will not get support from the Canada pension plan. The Canada pension plan will not be allowed to buy shares on the stock exchange. They will not get consular support. They will not get the promotional activities that our consuls general provide right around the world to Canadians operating abroad. In other words, no taxpayers' money, no pensioners' money and no parties.

That is three rather modest teeth and I am proposing pulling half a tooth on one of these amendments because we took the view of the Canada pension plan that there would be a requirement to amend the Canada pension plan, which would require provincial consent. My thought was that if the Minister of Finance could not get his own provincial counterparts to make much needed amendments to the Canada pension plan, what hope would I have of getting amendments? Therefore, we have modified that objection somewhat.

Then there is the full argument about extraterritoriality. This is just plain nonsense. This bill is about accountability for taxpayers' hard-earned money and how it is used, not where it is used. Like foreign aid, Canada has expectations and the absolute right to withdraw its money at any time and in any place. So also does EDC and the Canada pension plan. Canada retains the right to invest abroad based on its own set of laws and guidelines. It has the right to invest and it has the right to divest.

The other proposed amendment of significance is whereby the company would be given a period of time to rectify its non-compliance. Notwithstanding what the companies say and its handmaidens, the government, I would much prefer compliance over non-compliance. I prefer honourable and responsible mining over non-mining at all.

These are the objections: the companies are too draconian, they will hurt our reputation and they will leave Canada in droves. To go where? To go to the United States, the most litigious nation on earth? To go where the alien tort claims act is? To go where Senator Lugar's bill is, which now requires that Canadian mining companies wishing to list their shares on the New York Stock Exchange must tell the department how much money they are giving governments and government officials? It is an attempt at accountability and transparency, which speaks well for our American friends but does not speak well for us.

Will they go to Great Britain, which is another great place? It is actually proposing a more robust version of Bill C-300. The European Union has very high standards of corporate social responsibility. I doubt the companies will go to Russia or China. The only place they may possibly go is to Switzerland. When companies go to Switzerland, they generally want to hide something. If they are going to Switzerland, fine, Lord love them, but they are

not going to take Canadian taxpayers' money or pensioners' money with them.

This really is a modest bill. It has run into a virtual tsunami of objections from the industry and the government. Government members may face clear and overwhelming testimony from those who have chosen to turn their backs on the poor, the helpless and the aboriginal. By voting against this bill, they embrace the status quo. If this bill does not pass, we will have failed vulnerable people and struggling democracies. We will be diminished in the eyes of the world. We will erode our credibility to speak in international fora. We will be smaller in every way.

• (1125)

Hon. Jim Abbott (Parliamentary Secretary to the Minister of International Cooperation, CPC): Madam Speaker, it gives me a great deal of pleasure to stand and rebut the bunch of stuff that just came from the other side. I rise today to speak in strong opposition to Bill C-300. I had the opportunity to be fully engaged in the committee process and discussions. My presentation will lay the expert testimony and facts we heard onto the record for all members of the House.

The debate on Bill C-300 has been constantly muddled by partisan division and a cliché of anti-business rhetoric. I must say that was a great exhibition we just had. The partisan division is along party lines on the frivolous premise that one party is more virtuous in protecting human rights than others. It should be made clear right from the beginning of this debate that all members of Parliament, Canadians, indeed Canadian companies, want to ensure that human rights are protected. We all agree with corporate social responsibility.

It should be noted that we are very fortunate in Canada, in a country where the big bad corporations that the member has tried to make out just do not exist. There is no Avatar planet full of blue people and mysterious trees being destroyed by the big bad mining company. We live in a country where everyone realizes the value of human rights and corporate social responsibility. Canada has an independent corporate social responsibility counsellor who works with NGOs and companies to ensure that Canada is a world leader in respecting human rights abroad. Around the world Canadian companies are noted leaders, practising corporate social responsibility, contrary to what the member just said.

Bill C-300 should be defeated in the chamber for the following reasons. It is badly written legislation and it has extremely poor process in its implementation mechanism.

I want to be clear. The MPs who are voting against the bill are not voting against corporate social responsibility. None of us would vote against corporate social responsibility and human rights. Canada has its own independent CSR program, which involves consultations, public reporting, third party verification. Bill C-300 dismisses the existing collaborative approach and promotes an open-ended punitive one.

Private Members' Business

Bill C-300 would harm our businesses, which are already world leaders on corporate social responsibility. The bill is often referred to as the product of the national round table on corporate social responsibility. It does not deserve that title. The bill does not represent the round table.

The round table was very successful and it involved representatives from civil society, corporations and the bureaucracy. All participants were happy with the result of the discussions, but not all are happy with the bill.

As previously noted, the government response to the national round table was the establishment of Canada's independent corporate social responsibility counsellor. In contrast to the thoughtful government action, Bill C-300 was hastily drafted with no consultations, as we heard time after time during the committee process. The product we see before us is sloppy. The bill, if ever enacted, would have drastic consequences that were never envisioned by the round table.

In the bill the complaints mechanism is placed in the hands of the ministers of the Crown. Bill C-300 converts a process that should be fair and independent into one that is entirely partisan. The complaints mechanism should be run at arm's-length by an independent individual, who reports to the government and that is precisely the existing rule of Marketa Evans, Canada's corporate social responsibility counsellor.

In comparison, the bill would promote soapbox partisan antics on the issue. No minister would be able to deem a claim frivolous without that decision being derided by the opposition's partisan political agenda. However, the same claim could be deemed frivolous by an independent corporate social responsibility counsellor because he or she would be independent from politics.

Unfortunately, the problems with the complaints mechanism go further. Any claim will automatically be perceived as having credibility because of the involvement of ministers of the Crown. Even the most frivolous accusation could be perceived as legitimate. Bill C-300 does not have any mechanism to protect the system from frivolous claims and therefore even the most facetious claim could be given false credibility when the minister so-called investigated.

This issue is so obvious that several prominent Liberal politicians have put partisan politics aside and expressed their concern about the bill, stating that foreign governments could end up withholding or taking away permits from Canadian firms citing the minister's investigations. This could happen in spite of the fact that at the end of the investigation there still might be no evidence of wrongdoing against the company.

• (1130)

When Bill C-300 was in committee, scores of expert witnesses came to testify against the bill. Many of the witnesses had voluntarily participated in the national round table discussions. We heard from the Canadian Chamber of Commerce and the Export Development Canada. These two organizations are representative of the leaders of the Canada's economy and the fact that they are strongly opposed to the bill should not be ignored.

We heard from countless Canadian companies that have outstanding reputations and are examples for the world when it comes

to investing in the communities in which they operate. We even heard from the foreign minister of Burkina Faso, who appearing on a different topic, spoke of the immense contributions that Canada's private sector was making in his developing nation.

If we collect the committee witnesses, placing them onto a scale, those opposed to the bill on one side and those in favour of it on the other, the scale will overwhelmingly tilt in opposition to the bill. We cannot ignore the qualifications of the witnesses who spoke out against the bill. They are experts and came with precise concerns about specific details of the bill.

I will not deny there were witnesses in favour of the bill. However, they spoke in favour of corporate social responsibility in general and could not rebut the concerns about specific sections of the bill.

Let me restate that around the world Canadian companies are noted leaders, practising corporate social responsibility. Canada has its own independent CSR program, which involved consultations, public reporting and third party verification.

Bill C-300 dismisses the existing collaborative approach and promotes an open-ended punitive one. The bill would harm our businesses that are already world leaders on corporation social responsibility. In fact, it is important to note that many witnesses stated that the bill would jeopardize the ability of Canadian corporations to purchase mines from less reputable operators.

Frequently Canadian companies will purchase mines that were previously run with little regard for human rights and Canadian companies will correct the problem. Canadian companies invest heavily in local communities and bring mines up to acceptable standards. If Bill C-300 were to be enacted, we have been advised this will no longer be possible because the bill does not protect a company from the allegations of abuse that occurred before it acquired the mine in question. The Canadian corporation could be in jeopardy of liability for prior actions by previous owners.

If Canadian companies are unable to purchase previously poorly run mines, then the local communities will be left at the mercy of the less reputable companies from countries with lower human rights standards than those in Canada. We have also been advised that it will be difficult for Export Development Canada to partner with any mining operation overseas.

Mines are not entirely financed by one organization, but are a collection of international investors. This typically include Canadian companies, Export Development Canada, private investors from around the world and other investment sources. International investment partners would not agree to invest if EDC were at the table and C-300 were to become law. The bill would force EDC to walk away from its investment if any claim were made against the project.

Private Members' Business

This is highly problematic because Canadian direct investment abroad in the mining sector was \$66.7 billion in the last two decades. Putting this at risk would cripple our Canadian companies. If international investors feel that the EDC is default-risk due to the poor complaints mechanism of the bill, they will only invest in EDC if other public organizations are not involved.

Canada's mining sector is a world leader. We have every right to be proud of the work that our companies do. Our companies have an excellent economic track record and have incredible corporate social responsibility programs that operate in communities around the world.

Canada is well positioned throughout the current worldwide economic crisis, but we are not out of the woods yet. The economic recovery is still fragile. Our commodity sector has led the way for our economy and we must not hinder its progress now. We must not cripple our strongest economic sector.

Supporters of the bill will argue that we are saying that if the bill is passed, there will be a mass exodus of companies from Canada. These are the same people who twist the debate into cliché anti-business arguments.

• (1135)

For every reason, the bill is sloppily written, does not reflect the national round table, does not create an arm's-length independent process, creates a partisan political process, has an inadequate complaints mechanism, hinders reputable—

The Acting Speaker (Ms. Denise Savoie): The hon. member for Laurentides—Labelle.

[*Translation*]

Ms. Johanne Deschamps (Laurentides—Labelle, BQ): Madam Speaker, first of all, I want to say welcome back to all of my colleagues, to you, and to the House staff.

I am very pleased to speak to Bill C-300 on this first day back. The Bloc Québécois will support this bill, because it is a first step in the right direction. Unfortunately, there are not currently any mechanisms to adequately regulate the activities of Canadian mining, oil and gas companies abroad. This is a senseless situation that must be changed. We know full well that Canada is a world leader in the mining industry, and Canadian companies must set an example.

The vast majority of Canadian mining companies that operate abroad are respectful of the local populations and the environment. However, it is clear that for several years, Canadian mining companies have been directly or indirectly associated with forced relocations of communities, major environmental disasters, support for repressive regimes and serious human rights violations. Some companies even hire armed groups, such as militias or security agencies, to protect them.

Far too many conflicts still exist between communities and mining companies, and far too many human rights advocates are still being abused psychologically, kidnapped and sometimes even murdered.

Extraction practices need to be regulated so that they pose no threat to the sustainable development of local populations or their health and safety.

Those are several reasons why Canadian companies should be held accountable for the impact of their overseas activities. The Bloc Québécois is recommending a clear, independent and transparent process to ensure accountability and to monitor Canadian companies' compliance with accountability standards.

We are debating Bill C-300 and its amendments today because we need to act quickly. There are far too many people affected by the negligence of some Canadian companies to ignore such a serious issue. Yes, there are currently some serious gaps. And we did not make them up: numerous people spoke to this on a number of occasions before the Standing Committee on Foreign Affairs and International Development.

Like many of my colleagues, I repeatedly met with many individuals and with members of civil society organizations working in Honduras, Guatemala, Mexico, Colombia and Africa, where the people have been affected by the questionable behaviour of some Canadian mining companies. Their testimonies were all marked by deep distress, great suffering and injustice.

Bill C-300 is a rudimentary legislative tool, and while it is debatable, it is still high time that Canadian parliamentarians pass legislation to regulate the activities of Canadian mining, oil and gas companies working overseas. The Canadian government has its head in the sand if it believes that the voluntary measures it has proposed are effective deterrents. This government is refusing any form of legal regulation of Canadian companies, saying that monitoring is the host countries' responsibility, even though they do not possess the resources needed to manage the situation.

These countries and the mining industry need to make sure that natural resources help reduce poverty and promote economic and social development. The government should exert more control over these companies' practices and give Canadian investments abroad the tools they need to ensure that these companies' activities truly benefit the people of these countries.

The government should recognize that this situation is serious and adopt measures that require mining companies to operate responsibly. The government appears to be downplaying the social, environmental and human rights impacts that these companies' practices and activities have.

This debate has been going on for too long. In 2005, the Standing Committee on Foreign Affairs and International Development released a report entitled "Mining in Developing Countries - Corporate Social Responsibility". Three of the recommendations in the standing committee's report proposed specific objectives relating to the Canadian government's responsibility to monitor and exert greater control over the activities of Canadian mining companies abroad.

Private Members' Business

•(1140)

Two recommendations concerned the importance of establishing clear legal standards for accountability and developing mechanisms to monitor the activities of Canadian mining companies in developing countries.

At the time, a number of Canadian NGOs called the committee's recommendations "a real breakthrough".

As we all know, the then government's response was deeply disappointing because it was interested only in voluntary measures.

In its response, the government agreed to organize a series of round tables to study in greater depth the issues that the Standing Committee on Foreign Affairs and International Development raised in its report. Four round tables were held from June to November of 2006 in four different cities: Vancouver, Toronto, Calgary and Montreal. Participation levels were high: 104 briefs were submitted, 156 oral presentations were given and 57 experts were invited to participate. Members of the public and experts spoke for a total of 101 hours.

Following this extensive consultation, the members of the advisory group, the Canadian and Quebec NGOs, and the experts managed to come to an agreement with a good part of the Canadian mining industry. They published a report on March 29, 2007, in which they asked the Canadian government to immediately adopt a set of standards establishing a corporate social responsibility framework for Canadian mining, oil and gas companies operating abroad. These recommendations are the result of a consensus between civil society and the extractive sector.

The report recommends the establishment of a corporate social responsibility framework for the extractive sector.

In addition, it recommends the appointment of an independent ombudsman to handle complaints about the activities of Canadian extractive companies abroad, the establishment of a tripartite committee—consisting of members of government, civil society and the extractive industry—to monitor compliance with standards, and the establishment of an advisory group to provide advice to government on improving corporate social responsibility.

The report recommends that offending companies no longer be entitled to tax benefits, loan guarantees and other forms of government assistance.

It took the Conservative government two years to respond to the round table report. The Conservative government chose to ignore the recommendations made by the parliamentarians and advisory group members who took part in the round tables and instead set up a bogus agency that will not impose any rules or consequences on companies that pollute or infringe on human rights. The government's decision to rely on voluntary measures and its refusal to adopt effective sanctions make the communities affected by mining projects even more vulnerable.

The Bloc Québécois has always defended the need for social responsibility standards for corporations working abroad and for that reason we are in favour of the principle of Bill C-300. We have frequently denounced the overseas activities of Canadian extractive

companies that violate human rights and compromise the sustainable development of local populations.

In closing, Bill C-300 makes it possible to continue the debate about the social responsibility of Canadian mining, oil and gas companies abroad. A number of groups have mobilized to voice their support for Bill C-300. Civil society has taken this opportunity to inform parliamentarians and the public of the need to monitor the overseas activities of mining companies.

•(1145)

[*English*]

Mr. John Rafferty (Thunder Bay—Rainy River, NDP): I welcome you back to this session, Madam Speaker.

I would like to thank the member for Scarborough—Guildwood for introducing this legislation and for his general concern for citizens in developing countries. I would also like to thank him for seeing it through committee and for working with other MPs to improve it. I thank the member, while noting that corporate accountability for Canadian resource extraction companies operating abroad is long overdue. I also thank other members and groups who have worked so hard to put this issue on the public agenda, including the member for Ottawa Centre.

Many players in the extractive industries have taken advantage of political cultures in developing countries that cannot or do not accept or respect our domestic principles of democratic accountability and transparency. We also know that such companies will continue to act unethically so long as there is no requirement, penalty, or incentive to encourage them to act in a different, more responsible manner.

Nearly every witness who testified at committee in regard to this bill acknowledged that there is a problem in the extractive resource sector in developing countries, and many agreed that our federal government has the right, the responsibility, and the power to right this wrong.

I am sure that all members, past and present, would agree that legislation that enforces international rights standards and environmental best practices among Canadian companies operating abroad is long overdue. I do, however, have a significant problem with the conduct of some members of the foreign affairs committee that examined this bill.

I stated that I assume that all members, past and present, feel a need to protect human rights, labour rights, and the environment and to stop reckless and unfettered business practices, no matter where they occur. Why did these members deliberately and forcefully stall progress and prevent amendments from being introduced and debated and put forward? I will let their actions speak for themselves, but I hope that they will come on board and make a constructive contribution to the debate and legislative process at this time so that the bill can pass in some form in this Parliament.

Private Members' Business

Support from the New Democrat caucus for legislation that would enforce ethical behaviour by Canadian companies, including those operating abroad, has never been difficult to attain. This bill, however, like most that enter this place, is an imperfect piece of legislation.

I will repeat my concerns from this past March about this bill. I believe that it is too narrow in scope and application and too weak in its enforcement for my liking. As such, and given that this bill would merely encourage such ethical and morally responsible behaviour in the extractive resource industry sector rather than enforce it, I can only offer my qualified support. Along with my New Democrat colleagues, I remain hopeful that it can still be amended to resolve some of these difficulties and problems.

Obviously, an amendment to the bill that would see it apply to all corporations in Canada with operations abroad, not just to those receiving government assistance that are operating in the extractive industries, such as mining and oil and gas, would be most welcome.

In addition, it would be helpful if there were a clause in the legislation that would ensure that the principles contained in it related to environmental best practices and international human rights standards could be enforced rather than merely encouraged.

Equally helpful would be the creation of an independent ombudsman's office to help ensure that the principles in the bill are respected and to investigate any claims that may be brought against companies with respect to the provisions in the bill.

I am pleased to see an amendment put forth that would put an incentive in place to encourage companies with poor corporate accountability histories or that violate standards to change their practices to re-earn the support of the government. I thank the member for that amendment.

● (1150)

I thank the member for Scarborough—Guildwood for taking such a bold step and for tabling amendments, if that is still possible at this late stage, and for tabling them regardless of what the outcome will be, beyond the reach of the destructive and corrosive behaviour of some MPs who sit on the foreign affairs committee.

This bill, for all its imperfections, is progress on the issue. I thank the member again for using his private member's spot to table a substantive legislative measure that can make a real difference in this world.

● (1155)

Mr. Francis Valeriote (Guelph, Lib.): Madam Speaker, I stand before you to speak in favour of Bill C-300, An Act respecting Corporate Accountability for the Activities of Mining, Oil or Gas in Developing Countries, as well as recent amendments that serve to incorporate recommendations made by Canada's extractive sector.

The bill grows out of actual recommendations made in the 2006 government round table report on corporate social responsibility and the Canadian extractive industry in developing countries. It empowers ministers to review serious, not frivolous, allegations made against Canadian extractive firms that operate in foreign jurisdictions. Firms found to be in actual violation of the norms set out in this legislation risk losing financial support from the Canadian

Pension Plan and Export Development Canada should they fail to make improvements. Currently no investigation is even allowed without the actual consent of the company.

Having briefly described what this bill will do, I will now explain why we need to pass it, and I will begin with a brief quote:

Canada has shown its determination to be a good world citizen.

This quote comes from a children's book on Canada and the world. It is used in schools to teach kids about Canadian identity and about how Canada is perceived internationally. These types of textbooks have a profound impact on our identity as Canadians. They speak of what we once stood for as a country.

When I was fortunate enough to travel to Honduras, Guatemala, and Peru over nine years of being involved in international aid work, I was proud to tell locals that I was a Canadian, and they welcomed me as such. Today our image is changing. Today people in certain developing countries see us as no different from other western countries that are eager to exploit their natural resources, compromising the human rights of indigenous peoples and their ability to manage their own resources, such as water, oil, minerals, and agricultural products.

In voting on Bill C-300, we are being forced to answer a simple question: What do we want our children to read when they are learning about the way their country responded to this bill while we were its decision-makers? How shall we reconcile the legacy we are leaving with the values that we claim are so dear to us: fairness, equity, generosity, and social and environmental responsibility?

Today we could choose to be the decision-makers who continue to provide funding that enables socially irresponsible acts committed by a select few Canadian firms. Instead we could act and cut off funding if and when, and only if and when, firms are found to be in actual violation of the respected norms set out in this bill.

I will now provide examples of some of these socially irresponsible acts to illustrate why action is required. Let us begin with Guatemala.

The Canadian firm HudBay Minerals stands accused of evicting local Guatemalans from ancestral and culturally significant land. When surprised villagers inhabiting the El Estor region of Guatemala protested their forced relocation, violence broke out. Homes were burned and hacked to the ground. Protesting villagers were harassed, beaten, raped, and killed, or they vanished.

Reports of these allegations are extremely difficult for me. We are all partly responsible and frankly, anyone who has contributed to the Canada pension plan, our national retirement fund, is unwittingly supporting this conduct by association. The Canada pension plan has \$30 million invested in HudBay.

Private Members' Business

The situation in Honduras is not much better. The Canadian firm Goldcorp and its subsidiaries are accused of deforestation, of polluting streams, and of illegally altering the course of waterways to support their San Martin mine. Water near the mine has been found to have unsafe levels of harmful metals, and Hondurans living near and using that water have been found to have unsafe levels of arsenic, mercury, and lead in their blood, conditions we would simply not permit in our own country. Goldcorp's environmental record was found to be so atrocious that the Honduran government fined the company for, among other things, allowing cyanide and arsenic to leach into the environment.

Again, we passively support this conduct because we do nothing, while the CPP and Export Development Canada use our money to invest in this company. CPP investments amount to \$256 million.

The list continues and is disturbing. Vancouver-based Copper Mesa stands accused of harassing and displacing Ecuadoreans. Contractors for the Toronto-based Barrick Gold stand accused of gang-raping women in Papua New Guinea.

• (1200)

How much can Canada's reputation withstand?

Marcia Ramirez was pepper-sprayed by Copper Mesa security personnel in Ecuador. She described Canada as being a bad country that destroys everything.

Despite these compelling examples, I know that many are still thinking about our economy. Just as some rightfully understand that economic prosperity and environmental stewardship are not mutually exclusive, so too can the human rights of indigenous people co-exist with economic development.

Let me now take a few minutes to explain why passing this legislation will not hamper our economy. First, the United States recently passed legislation to regulate the way their version of the Export Development Corporation invests its money overseas, and mining companies have not boycotted the United States. As with the U.S., mining companies will continue to choose Canada as their headquarters, because we are a stable country with favourable regulatory regimes.

Second, a firm operating responsibly with respect for the environment and human rights will be less likely to encounter resistance from the residents of host states or from its shareholders. As such, firms will be able to operate with greater efficiency, will be more stable in their business operations, and will therefore have access to cheaper money.

In 2003, Talisman Energy was forced to cease its undertakings in Sudan after investors threatened to sell off their shares in light of allegations of human rights abuses.

Shell's operations in Nigeria were also threatened when locals began to sabotage mining equipment in response to human rights abuses and environmental contamination.

Professor Richard Janda, an expert in environmental law and sustainable development at McGill University's Faculty of Law, explains Bill C-300 this way:

There is no evidence that Bill C-300 will unfairly disadvantage Canadian extractive companies, and in fact there is strong reason to believe that the opposite is

true. It is more likely to create a regulatory environment that would make Canadian extractive sector companies world leaders in the area of CSR, resulting in a competitive advantage for those Canadian companies when operating internationally.

Instead of continuing to let our once-good reputation be blemished by a few, and I stress "a few", extractive firms inclined towards such irresponsible behaviour, we have an opportunity to take action and pass this progressive legislation. Today we can show people in the developing world that yes, we are capable of doing the right thing. We can show them that we will no longer be "a bad country that destroys everything".

Instead, let us vote for this legislation so that we can once again be thought of as international leaders in human rights. Members of Canada's honourable foreign service undergo rigorous training before they are posted overseas to represent Canada to the world. Some, and I stress "some", of our corporations go into these same countries and with heavy-handed brush strokes undermine the efforts of our foreign service and paint Canada and Canadians as human rights abusers, militia-funding displacers of local populations, environment destroyers, water contaminators, rapists, or killers.

If we do not do something about it, if we do not vote in favour of this bill, it is our children who will read about this in their textbooks as the moment we squandered, the moment when we chose profit over justice when we had the opportunity to choose both. One need not prevail at the expense of the other.

While not posing a threat to Canadian extractive businesses, this bill represents an important first step towards enabling the government, in the most severe cases, to investigate and sanction conduct that is by all accounts irresponsible.

We have a choice. We can either sit back and let our country's identity be shaped by certain irresponsible firms whose objectives do not include the positive portrayal of Canada or the protection of human rights and the environment abroad, or we can do something about it.

Join me in ensuring that our children learn of a Canada and inherit a legacy they can be proud of, rather than a Canada that many in developing countries are starting to question. We must grasp this opportunity to correct this wrong, strengthen our legacy, and re-write the stories that, if we do not do something now, our youth will read and see their country cast in a poor light.

• (1205)

Mr. Greg Rickford (Parliamentary Secretary for Official Languages, CPC): Madam Speaker, I would like to expand further on some of the challenges that Bill C-300 would present in its implementation. I will drill down, no pun intended, on at least seven substantive issues we have with Bill C-300.

Private Members' Business

I should say from the outset that the great Kenora riding is home to vast mineral assets, and in fact has one of the most productive gold mines in the world, operated by Goldcorp in Red Lake and Pickle Lake. Needless to say, constituents, families, communities, and corporations performing exploration and mining activities in the great Kenora riding have expressed serious concerns with respect to Bill C-300.

I am therefore pleased and honoured to speak to this bill on behalf of my constituents.

[*Translation*]

Many members of the House have pointed out certain practical issues that need to be considered, while recognizing the intent and the goal of this bill.

[*English*]

I want to reiterate that this government is a firm believer in corporate social responsibility. However, this bill is not the way to promote it.

Over the last year, the Standing Committee on Foreign Affairs and International Development has heard from almost 70 witnesses on Bill C-300. Many witnesses have raised a number of practical issues with the bill, and these must be considered while recognizing the intent of the bill. I would like to highlight some of the more significant obstacles that they have raised regarding the effective implementation of the bill.

First, Bill C-300 does not appear to include any procedural safeguards to ensure that it is consistent with Canada's procedural fairness or even every Canadian's right to a fair and public hearing by an independent and impartial tribunal. For example, Bill C-300 would not require those conducting an examination to give notice or even consider evidence from the affected company. It would, however, permit complainants to give evidence against affected parties without subjecting themselves to cross-examination. Furthermore, this bill puts at stake the rights, privileges, and interests of an affected company.

Because a negative judgment under Bill C-300 would significantly affect a company's reputation and operations, we owe our Canadian companies the right to procedural fairness.

[*Translation*]

Second, Export Development Canada—EDC—uses its trade influence to encourage businesses to develop socially responsible practices and helps businesses implement them.

The categorical nature of the compliance standards set out in this bill would force EDC to immediately cut off any association with any Canadian business that fails to fulfill its corporate social responsibility.

[*English*]

This means that if Bill C-300 becomes law, EDC's ability to provide lending and insurance to companies in the extractive sector will be seriously compromised, without providing any real corporate social responsibility benefit.

[*Translation*]

Once again, if Bill C-300 is enacted, EDC's capacity to provide loans and insurance to companies in the extractive sector will be seriously compromised, and there will be no real corporate social responsibility benefit.

[*English*]

In the last year alone, EDC's support is estimated to have generated \$61 billion in Canadian GDP, which amounts to 5¢ of every Canadian dollar, and sustained 642,000 jobs in communities across the country. When we consider that the extractive sector comprises one-third of EDC's total business volume, we can appreciate the impact that EDC's departure from the market would have on working families here at home. This clearly highlights the economically reckless and irresponsible nature in which this bill was conceived.

Third, the department already has two mechanisms in place to assist in the resolution of disputes: the National Contact Point for the OECD Guidelines for Multinational Enterprises, and the Extractive Sector Corporate Social Responsibility Counsellor. Both of these mechanisms focus on improving the performance of Canadian companies. This allows for longer-term solutions that benefit all parties involved.

By comparison, Bill C-300 is largely punitive. Unfortunately, in many cases the Government of Canada does not have the leverage over extractive companies that the bill presumes. Junior companies, especially, often do not seek the government support this bill proposes to deny them. In these cases, the company would not be compelled to change its performance under the threat of Bill C-300.

The implication is that this bill would see changes we do not want, because a prejudicial regime such as that proposed by this reckless bill could serve only to encourage more companies to leave Canada.

● (1210)

[*Translation*]

Those companies might see the constructive mediation provided by the national contact point and the corporate social responsibility counsellor as a better way to enhance their performance and be more competitive.

[*English*]

That is what mining companies in Canada are saying about the bill. In fact, a number of witnesses also put forth that the bill would discourage companies from maintaining offices in Canada. Instead, they would relocate to another jurisdiction. Why risk such a result when we have a strategy that is working? That is the question.

The punitive framework of Bill C-300 contrasts with the constructive, productive, and effective mediation offered by the National Contact Point and the Corporate Social Responsibility Counsellor.

Regrettably, Bill C-300 could be counterproductive to the existing mechanisms, since a company might not want to engage in the informal mediation if the information it provides could subsequently be used against it in a complaint under Bill C-300. It burns goodwill and good faith.

Private Members' Business

Fourth, the bill proposes changes to the Special Economic Measures Act. It is not clear why an act that deals with state-to-state relations would appear in a bill designed to regulate the activities of corporations.

Fifth, even if the consequential amendments that are proposed are applied domestically, the bill may constitute an extra-territorial application of Canadian law since it would be regulating the activities of Canadian companies outside Canada's jurisdiction.

Many countries, including many of our trading partners, would likely take issue with the patronizing implication that Canada viewed their laws as inferior. Likewise, it might harm diplomatic relations if we were to send teams of investigators into these countries, especially if they were in the process of conducting their own investigations.

Sixth, we have serious concerns about whether there is the constitutional authority to enact Bill C-300. The regulation of business, including issues relating to human rights and the environment, is constitutionally a matter for provincial jurisdiction, with regard to property and civil rights. Therefore, there is a serious risk that the regulatory scheme of complaints, examinations, and published findings envisioned by Bill C-300 would be found to be unconstitutional. Simply put, there does not appear to be any federal head of power that clearly authorizes Parliament to establish the regulatory scheme as proposed in Bill C-300.

Seventh, and finally, Canada's missions abroad provide critical advice on corporate social responsibility to Canadian companies. Bill C-300 would prevent our missions from engaging companies facing difficulties and would prevent us from helping to resolve their disputes.

For these reasons, we feel that the government's corporate social responsibility policy is a more effective way of helping Canadian extractive companies continue to develop a social licence to operate. As discussed in the past, building on Canada's commitment to the OECD's Guidelines for Multinational Enterprises and our country's National Contact Point, the government's strategy describes four specific initiatives for action that outline our commitment to promoting best practices for Canadian companies operating abroad.

The government has supported the development, outside government, of a multi-stakeholder Centre for Excellence in Corporate Social Responsibility that will help the Canadian extractive sector to implement these voluntary performance guidelines in their operations abroad.

We applaud organizations like the Prospectors and Developers Association of Canada who have developed e3 Plus, A Framework for Responsible Exploration, which is intended to complement established norms for corporate behaviour as exemplified by the OECD Guidelines for Multinational Enterprises and the United Nations Global Compact.

Our efforts promote corporate and social responsibility, both domestically and abroad. I ask all members from both sides of the floor for their support as we continue to take measures to ensure that Canadian companies can make the most of our global opportunities.

● (1215)

Mr. Gerard Kennedy (Parkdale—High Park, Lib.): Madam Speaker, it is a great honour to rise in support of the bill. This is a bill about what is possible for Canada. It is not a bill for members who do not want to address the fundamental problems that exist in Canada.

We need to have impact on world trade. We need to be agents of our own way forward in terms of how we are going to get good results, good jobs, and good outcomes for people from this globalized economy. It is our champions in mining, in particular, in this case that can lead the way.

What is most disappointing to some of the argumentation we hear against this bill is that there was a consensus that is reflected in this bill. This is the outcome of the corporate round table on social responsibility. Clause after clause, measure after measure, many of these things are to be found in the guidelines that corporations have for themselves. What is the difference? We are actually going to enact something. We are actually going to make something workable. We are actually going to make it plausible.

As is often the case when it comes to progress there are doomsayers that say all these incredible things that will come about as a consequence without looking at what this really could mean. This could mean corporations will have an ability to resolve disputes. This could be an enhanced reputation for Canadian-based mining companies. Of course, for those of us interested in the benefits for Canadians of companies, it is a little rich hearing from some of the government members about how they would like to see Canadian headquartered companies when they keep rubber-stamping sale after sale and creating conditions under which our mining companies are being sold off.

This bill had quite a different context a few years ago when we were world leaders. The government has ridden us to a different place. But the companies we do have understand these issues. They deal with them every day in the sovereign nations that they are part of. It is, I think, a bit of stampeding on somebody's part to bring them away from where this bill could put them, which is in a consensus position; a functional position of leadership in the world.

It is what we need to see happen in terms of trade if we look at our own vulnerabilities in terms of our dependence on foreign decisions in a range of things. We want to start to see not just a code of ethics, but a basis for behaviour on the part of companies in terms of advancing some of the other outcomes that we have. The bottom line has to include some of the bottom line benefits for the local populations and Canada is in that position in a number of industries.

Again, when we look at the unspoken in terms of what the government and some of the bill's detractors are prepared to look at, they simply do not see that this is a functional bill that has taken into account all of the different challenges that are there and that the companies actually then deal with a predictable process.

Government Orders

It is a little bit like the failure of the government on climate change. To go to the Petroleum Club in Calgary, or to any business enclave in the country, they are talking fairly loud about a government that does not have the temerity to actually invent something that will work. What does business want? Predictability. They actually want to know what the rules of the game are. To simply say, as this government says on climate change and so many other things, "We will wait for somebody else to move", that is not leadership. That is not even Canadian.

Canadian companies and Canadian governments have led in a whole host of areas internationally. That is not the Conservative government of today. That is the problem. It is in that context of do nothing, know nothing, deny everything that we basically have this reactionary government unwilling to basically have leadership—

The Acting Speaker (Ms. Denise Savoie): Order. I regret to interrupt the hon. member, but he will have approximately six minutes when this item returns. The time provided for the consideration of private members' bills has now expired and the order is dropped to the bottom of the order of precedence on the order paper.

GOVERNMENT ORDERS

[English]

COMBATING TERRORISM ACT

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC) moved that Bill C-17, An Act to amend the Criminal Code (investigative hearing and recognizance with conditions), be read the second time and referred to a committee.

He said: Madam Speaker, I am pleased to rise and speak at second reading to the combating terrorism act, Bill C-17.

In that regard, I have to thank the hon. government House leader for putting justice legislation first on the list. I know that is in accord with his own thoughts and priorities. I just want to tell him how much I appreciate that this is the first bill before Parliament in this session and thank him.

I am pleased to lead off the debate on a vital piece of the government's national security legislative agenda: Bill C-17. This bill, with which many members are familiar, seeks to reinstate, with additional safeguards, the investigative hearing and recognizance with conditions provisions that sunsetted in March 2007.

This government has put national security and, in particular, anti-terrorism at the forefront of its agenda.

In the March 3, 2010, Speech from the Throne, the government committed to taking steps to safeguard Canada's national security, maintaining Canada as a peaceful and prosperous country and one of the safest places in the world in which to live. This is our goal. The proposals in this bill represent one significant step in the right direction.

There is somewhat of a history in this place on these powers. These provisions were first introduced in the Anti-terrorism Act in

December 2001 and were subject to a sunset clause. Members will recall that the ATA also contained a mandatory parliamentary review component, which led to two separate reviews: one by a Senate special committee and, in this place, by two subcommittees, the last being the Public Safety and National Security Subcommittee.

As the committees were winding down their review of the ATA, including the investigative hearing and the recognizance with conditions powers, the sunset date on these provisions was fast approaching. As a result, the government introduced a resolution in the House of Commons that proposed to extend these provisions for three years. Unfortunately, the powers were not extended by a vote of 159 to 124 and the provisions, therefore, expired on March 1, 2007.

It is important to recognize that the reports published by the parliamentary committees that reviewed the ATA were generally supportive of the powers contained in Bill C-17 and called for their extension.

Since that time, attempts have been made by this government to reinstate these important tools.

First, Bill S-3 was introduced in the Senate in the 39th Parliament and contained additional safeguards and technical changes to respond to the recommendations of the committees reviewing the ATA.

The Senate passed Bill S-3 on March 6, 2008, with a few amendments, but it died on the order paper when the election of 2008 was called.

More recently, in the last session of Parliament, this government again made efforts at bringing this important piece of legislation back to life, through Bill C-19. Bill C-19 contained the amendments made by the Senate to the former bill.

In summary, these were making mandatory a review of these provisions by a parliamentary committee within five years; deleting some words in the recognizance with conditions provisions to track charter jurisprudence; and making a technical amendment for consistency.

These changes are also now found in Bill C-17. I want to make that very clear. They are all there in this piece of legislation.

With that short history, let me turn to an explanation how the investigative hearing and the recognizance with conditions provisions of this bill would operate.

What will become very clear, as I described these proposals, is that they would achieve the appropriate balance between the respect for human rights without compromising effectiveness and utility.

First, with the investigative hearing provisions, the courts would be empowered to question, as witnesses, those persons who are reasonably believed to have information about a past or future terrorism offence.

Government Orders

● (1220)

The key here is that the person required to attend an investigative hearing is treated as a witness, not someone who is accused of a crime. It is important to note that witnesses could be questioned under this scheme without the commencement of any prosecution.

Earlier, I noted the balance between human rights and security. In this regard, the investigative hearing provision would be equipped with numerous safeguards for witnesses in accordance with the charter of rights and the Canadian Bill of Rights. I would like to set out a few of these safeguards so that all hon. members can get a sense of the careful attention which our government pays to issues of this type.

First, the attorney general must consent before the investigative hearing can be initiated.

Second, an independent judge must agree that an investigative hearing is warranted, finding in particular that it is believed on reasonable grounds that a terrorism offence has been, or will be committed, the information concerning the offence or the location of a suspect is likely to be obtained as a result of the order, and in all cases, reasonable attempts have been made to obtain the information by other means. Previously, this safeguard only applied to future terrorism offences and not past ones.

Third, section 707 of the Criminal Code, which sets out the maximum period of time in relation to which an arrested witnesses can be detained at a criminal trial, would apply to a person arrested to attend an investigative hearing. This is a new safeguard that is added to Bill C-17, something that was not in the original legislation.

Fourth, the person named in the investigative hearing would have the right to retain and instruct counsel at any stage of the proceeding.

Finally, there is a robust prohibition against the state using the information or evidence derived from the information against the person.

It is important for all members of this place to know that in 2004 the Supreme Court of Canada ruled that the investigative hearing was constitutional having regard to the safeguards that existed at that time in a case called "Re: Application under Criminal Code s. 83.28".

Therefore, I think all members would agree that the safeguards set out in Bill C-17 in relation to the investigative hearing are robust, effective and reasonable.

Now let me return to the recognizance with conditions provisions of the bill. The recognizance with conditions proposal would permit the court to impose on a person such reasonable conditions as the court considers necessary to prevent terrorist activity. This would prove to be a vital tool in efforts at keeping Canadians safe. As I set out in the various components of the recognizance with conditions scheme, I would ask hon. members to take note of the numerous safeguards contained within the proposal.

Under the proposed bill, before a peace officer is able to make an application to a judge for a recognizance order, again the consent of the attorney general would have to be obtained. A peace officer could lay an information before a provincial court judge if the peace

officer believed on reasonable grounds that a terrorist activity would be carried out and suspected on reasonable grounds that the imposition of a recognizance with conditions on a person or the arrest of the person would be necessary to prevent the carrying out of the terrorist activity. This would be the legal test to be met in order to obtain the judicial order to compel a person to attend before a judge.

Under this proposal judges would be able to compel a person to attend before them for a hearing to determine if a recognizance would be imposed. Now the bill proposes a very limited power to arrest without warrants, the purpose of which is to bring a person before a judge so that the judge can exercise his or her power of judicially supervised release.

This power can only be exercised in two situations as follows: first, is where a peace officer has the grounds for laying an information before a judge, but by reason of exigent circumstances it would be impractical to lay an information and the peace officer suspects on reasonable grounds that the detention of the person is necessary in order to prevent a terrorist activity.

● (1225)

The second is where an information has already been laid as a summons issued by a judge and the peace officer suspects on reasonable grounds that the detention of the person is necessary in order to prevent a terrorist activity.

For example, suppose that a peace officer has the requisite grounds to lay an information before a judge. However, he or she also learns that the terrorist suspects are planning an imminent terrorist attack and the person is about to deliver material that could be useful in making, for instance, an explosive device. In such an example, the peace officer could reasonably suspect that it is necessary to detain the person and bring him or her before the judge in order to prevent the delivery of the material and therefore the carrying out of the terrorist activity.

The bill sets out that in cases where the person has been arrested without a warrant under the recognizance with conditions provisions, that person cannot be detained for more than 72 hours. In the end, if in the opinion the recognizance is not warranted the person will of course be released.

It is important to note that if a person refuses to enter into a recognizance when ordered by the court, the judge can order the person's detention for up to 12 months. This is a significant power but I am sure one that is understandable in the circumstances given the seriousness of the harm that could be caused by the commission of a terrorist offence. Moreover, it is a power found in other peace bond provisions of the Criminal Code.

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For both the investigative hearing and the recognizance with conditions powers, the bill would require annual reporting on the use of these provisions. While annual reporting requirements existed in the original legislation, this is an important change that is found in Bill C-17. In response to a recommendation from the Senate committee that reviewed the ATA, the bill proposes that both the Attorney General of Canada and the Minister of Public Safety provide their opinions, supported by reasons, as to whether the operations of these provisions should be extended. This is an open, transparent and sound reporting mechanism that is being proposed.

One of the benefits of having extensive reviews and debates already to have taken place on these provisions is that one is able to anticipate questions or concerns that may be expressed. I will not attempt to address some of those issues.

Some may take the position that these provisions are not necessary since they have been rarely used when they were in force if at all. However, this argument is premised on the view that since these powers were not used in the past that they will not be needed in the future. In the face of continuing terrorist attacks around the world, this logic is, to say the least, questionable. Neither I nor do I suspect the members of the House have the power to predict the future. Therefore it is imperative that we as a country have the mechanisms necessary to respond to a terrorist threat and that we give our law enforcement proper tools to do so. This is what Canadians rightfully expect.

It is certainly true that when these powers were previously in force for five years, to our knowledge the investigative hearing power was invoked only once and never in fact held. On that occasion, the Supreme Court of Canada considered the investigative hearing scheme and found it to be constitutional. To my knowledge, the recognizance provision was not used at all.

I suggest that this is clear proof, not that these powers are not needed, but rather that Canadian law enforcement is prepared to exercise restraints when it comes to using these powerful tools.

I would like to restate that the recognizance provisions cannot be imposed solely on the ground of reasonable suspicion. The bill would require that the police officer believes on reasonable grounds that a terrorist activity will be carried out and that he or she suspects on reasonable grounds that the imposition of a recognizance with conditions is necessary to prevent a terrorist activity. This is a significant threshold and not one based on mere suspicion.

• (1230)

Some have argued that the Criminal Code already contains similar provisions that could be used for terrorism related offences, such as Section 495(1)(a) and Section 810.01, and that accordingly these provisions are unnecessary. Section 495(1)(a) in part allows a police officer to arrest without a warrant a person reasonably believed to have committed an indictable offence or about to commit an indictable offence. What this argument fails to realize is that the arrest powers in that section apply to a much smaller class of persons than those who would be covered under this bill.

Similarly, the peace bond provisions that I talked about earlier target only potential perpetrators of offences themselves, the actual person doing it. Provided the criteria or the recognizance with

conditions are met, this bill would apply more broadly to persons who could not be arrested for terrorism offences in order to disrupt the planning of terrorism. I think all members of the House would agree that this is a class of persons who must, in order to save lives, be subject to a form of judicially supervised release.

We all know that terrorism is not a new phenomenon. Since the attacks on the United States in September 2001, the world has witnessed numerous acts of terrorism but, more important, as the recent guilty pleas and convictions in terrorism cases in our country have shown us, Canada is not immune to the threat of terrorism.

We as a government and as parliamentarians have a responsibility to protect our citizens. In doing so, we must provide our law enforcement agencies with the necessary tools to achieve that objective. It is equally our responsibility to do so in a balanced way with due regard for human rights. That was our goal with this reform and I believe that we have achieved it.

The investigative hearing and the recognizance with conditions powers are necessary, effective and reasonable. I call upon all parties to work together to make Canada a safer place to live, work and thrive.

• (1235)

Mr. Mark Holland (Ajax—Pickering, Lib.): Madam Speaker, I do not necessarily share the joy that the minister has expressed about the House leader bringing forward this legislation at this time given the fact that many of the amendments and things that we were pushing for were originally suggested in 2007. In fact, we had to wait until March 12, 2009 for the government to bring this bill forward. I can recall speaking more than a year ago to the imperative need to get this bill before committee and yet here we are more than a year later waiting around for the government to deal with it. Prorogation killed it once but the government brought it back.

I can recall when the government said that these measures were so important that they had to be dealt with immediately at committee. Why have we been waiting nearly three years? Why, several bills later, are we still waiting to deal with this at committee, ask questions and approve measures?

Hon. Rob Nicholson: Madam Speaker, I hope the hon. member will remember that this legislation actually came before the House for a vote.

I will pass this advice on to my colleague the government House leader. Just because people have voted one way in the past or made speeches in support of something in the past does not necessarily mean that they will follow through with that.

These sunset provisions were put in by the previous Liberal government. I and my colleagues reintroduced this bill with the approval, the blessing and the tacit support of the Liberal Party and then, at the last minute, they folded their tent and decided they would not be supportive. It was very disappointing. The provisions themselves have been sunsetted. Since my colleague is now worried that it has taken a while for us to get this legislation back to the House, I hope this means he will be supportive of it.

Government Orders

I indicated that I looked closely at amendments that were proposed by his colleagues in the Senate and they are in this legislation. This is the bill that was originally put in by the Liberal Party of Canada when it was in government. I listened to the proposals that were made by the Senate of Canada to get these necessary anti-terrorism provisions. On one occasion the Liberals folded their tent and changed their mind but I hope that will not be the case this time. I am somewhat encouraged that the hon. member has asked why we are not dealing with this. We are dealing with it right now.

The member made comments about the hon. government House leader. He is an outstanding individual and it was an outstanding appointment. I thank him again for putting forward justice legislation right at the beginning of this session. We have been saying for a long time that the economy is absolutely vital to Canadians but our justice agenda is vital and important to Canadians as well.

• (1240)

[*Translation*]

Mrs. Maria Mourani (Ahuntsic, BQ): Madam Speaker, I would like to ask the minister a question about CSIS, one of the agencies responsible for national security, particularly counterterrorism. I would like to know if he read the Canadian Press release that states:

Canada's spy agency—CSIS—says it would use information obtained through torture to derail a possible terrorist plot—a position critics argue will only encourage abusive interrogations.

...

CSIS will share information received from an international partner with the police and other authorities “even in the rare and extreme circumstance that we have some doubt as to the manner in which the foreign agency acquired it,” say the notes prepared for use by CSIS director Dick Fadden.

The quoted material is from a briefing note sent to the head of CSIS.

My question for the minister is this: is his government aware that CSIS would use information obtained by torture in certain circumstances, and does his government approve?

[*English*]

Hon. Rob Nicholson: Madam Speaker, I have been very clear about the legislation that we have in Parliament today. We are providing police and law enforcement agencies with the tools they want.

I would ask everybody to look very carefully at what I had to say about the different safeguards that are placed within this legislation. They are to be used on reasonable grounds. I have set those out in detail for both parts of this: the investigative hearings and the recognizance with conditions sections.

I have responded to the reports that I received from the two subcommittees of this House. A committee of the Senate had a look at that. We have made some changes to it that do nothing except enhance this bill.

I would say to the hon. member that we should put in the hands of the police forces the tools they need and deserve to fight terrorism in this country. We cannot turn our heads away and hope that this country will not be targeted or become a victim. We know that terrorism and those who want to disrupt our society exist. Therefore, when we see legislation like this that responds in a responsible

manner with appropriate safeguards, it should have the support of all members of the House and, indeed, the members of the other place.

Whatever prejudices, misbeliefs or concerns members have had in the past, I would ask them to look at this legislation. I hope they and all members of the House will stand with the members on this side of the House to support these important tools that our police agents and those in law enforcement need and deserve.

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Madam Speaker, I was on the committee that sat through the hearings that reviewed the anti-terrorism legislation. Witness after witness came forward and myself and other members of the committee repeatedly asked questions about a scenario where these two sections were needed given that they are a huge incursion into what are fundamental historical rights for all Canadians, both in terms of the right to remain silent and not be incarcerated unless charged and know what the charges are against a person.

There were witnesses from CSIS, the RCMP and the justice department and no one could give me a scenario where these sections were needed in the light of looking at other sections in the Criminal Code and the Canada Evidence Act that could have dealt with the scenarios they painted. I have to tell the justice minister today that I still have not heard of one scenario where these sections are needed.

When we put that in the context of an attack on fundamental rights, such as the right to remain silent, the right not to be incarcerated unless charged and knowing what the charges are against a person, how can we possibly justify that in a democratic society?

• (1245)

Hon. Rob Nicholson: Madam Speaker, the hon. member started off by saying that this was a huge incursion into the human rights of individuals. I was very clear in pointing out all the different safeguards that existed. They go beyond what was originally there nine years ago in terms of clarifying exactly what it is that we are applying to. It is possible that when it comes to the attention of law enforcement agencies, there is information available for past or future terrorist activities. This clarifies and sets out the basis upon which that evidence can be brought to the attention of law enforcement agencies.

I hope that in his discussion as to what he heard at committee, he would remember those members of the law enforcement agencies saying that these were the tools, the kinds of things they needed, to deal with the threats that we were facing. He would know as well that we are constantly trying to update the Criminal Code and the provisions that are on the books in our country to ensure they deal with the evolving face of crime.

Whether we are talking about everything from identity theft to auto theft to white collar crime, all these types of crimes have changed over the years. It has become more sophisticated. If one had said 10 years ago, at the beginning of the millennium, that it was necessary to have special powers on the books with respect to anti-terrorism, I suppose there would have been more skepticism from the NDP. However, we know what has taken place in the last nine years.

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As I mentioned in my opening remarks, law enforcement agencies have been very careful with these powers, which underscores how responsible they are. I am sure he must have heard this at committee. Law enforcement agencies have said to me that they want these on the books, that these are important tools to have in the fight against—

The Acting Speaker (Ms. Denise Savoie): I regret to interrupt the minister, but his time has run out.

Resuming debate, the hon. member Ajax—Pickering.

Mr. Mark Holland (Ajax—Pickering, Lib.): Madam Speaker, this is indeed an important matter on which to speak.

I expressed some of my frustration in the question, and perhaps I will come back to it for a moment. If we go back to 2007, when we were considering this whole matter, it was our party, along with other opposition parties, that said we needed to work collaboratively and as quickly as possible to find solutions to ensure that police had appropriate powers but that we struck the right balance.

At the time, the government was all over us saying that if action was not taken immediately, the end was nigh and this would open the doors to all kinds of threats. It attacked us for even daring to ask questions or suggest that the matter needed to be studied appropriately.

Immediately, after the hue and cry about the urgency of how important it was, it disappeared from the radar. Off it went for a long period of time until it suddenly became enormously urgent again when the government re-introduced it in March 2009, again with much fanfare, saying that this was incredibly urgent. Two years had passed and it had done nothing, but suddenly now it was deeply urgent and a matter of national security that we did something immediately and with next to no debate.

Then the government forgot about it again for a while. We debated it in June. We ended up having a prorogation, which killed that bill and many others, and off it languished yet again.

Here we are some three years later, dealing with this bill. Again the government tells us it is urgent, essential and must be dealt with immediately. It just does not wash. It would appear the government is using the timing of the bill more as a distraction than having any genuine interest in getting something done. The Standing Committee on Public Safety and National Security should have been looking at this issue years ago and having detailed indepth conversations, which we were told we did not have the time to have.

This is a fundamental problem I have with the government. It raises an issue that it says is of such urgency and no one can ask any questions. It wants to ram it through and does not want us to ask any questions. It even questions our patriotism if we ask questions as if somehow we are soft on terror because we want to strike the appropriate balance. Yet the government takes three years on the very same thing that it said was so urgent. All we asked for a few months to have expert witnesses in front of a committee to ensure we got it right.

Why is it important that we get it right? There is such an important balance between collective security on the one hand and individual freedom on the other. On the one hand, every one of us, down to

every last single Canadian, wants to ensure that if there is something that puts the country in immediate peril, the police officers have every reasonable tool at their disposal to dispose of that threat safely, to ensure that public safety is maintained and that collective order is preserved.

Of course we want police officers to have those tools, but we want to ensure they are only used in the most extraordinary of circumstances with the most rigorous of oversight and that it is never abused.

This leads us to the second point. This whole process of standing in Parliament, of asking questions, of having committees is about a process of protecting those individual freedoms as well, ensuring we do not go so far in the name of collective security that we erase our right as individuals to have freedoms.

Is that not the thing terrorism looks to erase in the first place? Is it not the very fundamental thing it is looking to destroy?

If we accept provisions without caution and we end up going too far, then we have situations like we had with Maher Arar, or Mr. Nureddin, or Mr. Almalki or Mr. Abou-Elmaati, individuals who got caught up in a system that went too far, that cut too many corners when it came to intelligence and ended up destroying the lives of innocent citizens.

When we have this debate, let us have it rationally, let us have it carefully and ensure we get it right. I certainly hope it is going to finally come to committee and that this is not just another opportunity to obfuscate and distract.

In that regard, when the justice minister congratulates the House leader, I am decidedly less optimistic that the reason it is before us today is because the government is suddenly excited for renewed action. I think it has a lot more to do with a very bad summer.

● (1250)

It is important to talk about from where the bill and the provisions came.

After 9/11, the Liberal government passed the Anti-terrorism Act, the package of measures, including Criminal Code amendments, to combat terrorism and terrorist activity. The act attempted to balance those measures with respect for Canadian values, fairness and human rights. Two new powers in the act, investigative hearings and preventive arrests, were considered sufficiently intrusive and extraordinary that a specific five year sunset clause was applied to them alone. The sunset clause was a Liberal caucus priority.

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In October 2006, a subcommittee of the Standing Committee on Public Safety and National Security recommended extending the sunset clause, while also amending the Criminal Code to restrict the scope and application of investigative hearings and preventive arrest. The sunset clause came due on March 1, 2007. The Conservative government then introduced a motion to extend the provisions for a further five years, but in February 2007, the Liberal opposition, as well as the Bloc and the NDP, voted to allow clauses on investigative hearings and preventive arrests contained in the original Anti-terrorism Act, brought forward in the immediate aftermath of September 11, to sunset.

At the time, Liberal opposition offered to work with the Conservative government to find reasonable and effective improvements to anti-terrorism laws that would strike an appropriate balance between safety and protection of rights. After the defeat of the clauses, the government introduced legislation in October 2007 that would have brought back the two clauses with additional safeguards. It required law enforcement officers to satisfy a judge that they had used every other method to get information that they needed. It also required the attorney general and minister of public safety and emergency preparedness to report to Parliament on a yearly basis, explaining their opinion as to whether these provisions should be further extended.

It is important to note that most of these additional items that came forward were as a result of the Senate, and particularly Liberal senators who sought to improve the protection of individual freedoms in this matter. Most of those recommendations were contained in Bill S-3.

I will run through some of the important highlights of the improvements that were suggested to get the right balance: first, an increased emphasis on the need for the judge to be satisfied, as a mentioned before, that law enforcement had taken all reasonable other steps; second, the ability for a person ordered to attend an investigative hearing to retain and instruct counsel, something that previously had not been in place; third, new reporting requirements for the attorney general and the minister of public safety, who must now submit annual reports which not only list the uses of these provisions, but also provide an option supported by reasons as to whether these powers need to be maintained; fourth, the flexibility to have any provincial court judge hear a case regarding a preventive arrest; and last, a five year end date, unless both Houses of Parliament resolved to extend the provisions further.

I do not accept the argument that is posited by some that because these provisions have not been used with great frequency, that they do not have purpose. We have to be cautious to dismiss this just for that reason. There has to be a lot more than that. Clearly, these clauses should only be used in extremely extraordinary situations and we would expect and hope that if they were used, it would be an extremely rare occurrence. That unto itself is not enough to not support the bill.

I am, however, concerned with a couple of items and I they are items that we will have to explore at committee. One is oversight. We have to look at whether or not once every five years is an appropriate length of time under which to review this. We also have to look at the provision that would only have one of the Houses of Parliament review the bill.

We saw in this case, after the sunset clauses came, that the Senate did great work and was able to be very instructive with a number of recommendations that are now a key part of the bill and a key part of the debate. I would suggest that a review, perhaps, by both Houses of Parliament would also be appropriate.

I am concerned as well about the broader issue of oversight and particularly with how intelligence oversight is left right now. It would be inappropriate to have this debate without mentioning the fact that the government has completely ignored most of the key recommendations that came from Justice O'Connor, which were supported by Justice Iacobucci and were repeated by the RCMP Public Complaints Commissioner before he was let go because he criticized and did a good job. That is what the Conservatives do with people who do a good job of criticizing. These recommendations were repeated over and over again, saying that our security and intelligence services did not have adequate oversight, that it had led to major mistakes and that there was an incredible need to reform them.

● (1255)

If we are going to proceed with giving additional powers on the one hand, how can we proceed without dealing with these problems of oversight? Just as an example, the RCMP public complaints commissioner, Paul Kennedy, and again, he was the public complaints commissioner, issued a great number of concerns about the fact that he could only investigate something if there was a complaint made to him. If he had concerns, he could not proactively investigate. If he wanted to get information, he could not compel that information. He could sort of ask, pretty please, for that information to be granted to him. If it moved outside of the RCMP, since most things involving intelligence are multi-agency and therefore involve many different departments, there was no ability for him to track that bouncing ball as it moved through different departments.

There were a number of recommendations I mentioned that said that we have to fix this. We have to make sure that when we have oversight, there are no dark corners we cannot look into. There has been a further recommendation that we need to make sure that we have a committee of parliamentarians that is empowered to look at documents and information to make sure that the law is being upheld and that individual freedoms are being respected. That, right now, unfortunately, has also been ignored by the government.

These recommendations, by the way, were not made last week. In some cases, they go back four years or slightly longer, which is almost since the inception of the present government. It is not that the government came forward and said that it disagreed with them and that these were bad ideas. No, in fact, the government came forward and said that it agreed and would implement them immediately. Apparently we have a different definition of immediately. Immediately for me would have been four years ago. For the government, it is apparently just a tactic to stall and to put off forever.

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However, certainly at committee, and now, we have to demand that change in oversight. We cannot have agencies such as Citizenship and Immigration Canada or the Canada Border Services Agency, for example, that have absolutely no oversight whatsoever and continue to talk about granting new powers in the absence of fixing those problems.

The other issue I am concerned about that is important to mention is that the government will have to understand that the Canadian public and Parliament have a tough time trusting when it comes to matters of security and intelligence. Conservatives might have got away at the beginning, when they were a new government, as they called themselves, with people taking them at their word, “don’t worry, we have things covered”. However, simply mentioning the words “terror” or “security” does not give them a free pass, not anymore, because we have caught them too many times when they have been less than direct with Parliament about what the facts are.

A specific example, as we know, is when Mr. Colvin came forward with concerns about the way detainees were treated in Afghanistan. Instead of turning and looking at those and having a proper investigation of what he raised as issues, the Conservatives attacked his personal credibility and attacked him personally. They then followed that up by trying to shut down Parliament’s ability to take a look at the documents. It came to such a point that there was a crisis in the House, something that had to be determined by the Speaker. There was the whole Westminster system of parliamentary democracy he was looking at to rule on the fundamental right of Parliament to know the truth, to look at documents, and to demand information. Fortunately, the power of Parliament was upheld, but the very fact that the government would try to close down access to that information is deeply concerning.

When the government asks for more powers, to let it have more ability to do things without scrutiny and to just trust it, it will have to understand that there is a great deal of reticence to do so because of that history. There is a great deal of disbelief that it will fix the problem of oversight, because the pattern, as I mentioned earlier, and I am going to go through it specifically now, has not been to respond to thoughtful criticism with thoughtful answers or with review and reconsideration. It has been to go on the attack, to fire, to discredit, and to try to obliterate opponents as opposed to trying to actually respond to their concerns.

We saw Linda Keen, of the Nuclear Safety Commission, who came forward and expressed a number of concerns and disagreed with the way the government was proceeding. She found herself fired. I mentioned Paul Kennedy, someone who did his job with tenacity. I think anyone would have a tough time criticizing the work he did. He was critical of the government, because he kept pushing the Conservatives to make changes that he knew had to be made, reforms such those in the Brown report, which came out of the RCMP pension scandal, or the recommendations dealing with tasers that came from the disaster that happened with Mr. Dziekanski.

• (1300)

They were ignored. In fact, not only did they ignore him, but when he became more vocal and more concerned and more passionate in his plea to have something done, he was fired.

The victims ombudsman, who came forward and said that the government’s approach to crime is unbalanced, will not work for victims, and is the wrong approach, found himself fired.

The military ombudsman spoke out on behalf of military men and women and criticized the government. The government often lauds what it supposedly does for the military, yet we had a military ombudsman criticizing it and saying that changes are needed, that there are things that are grossly unfair. People who are coming back from serving their country are not being treated fairly. The government responded by firing that individual. The public complaints commissioner for the military was also fired.

We know that Marty Cheliak, who was head of the Canadian firearms program, went across the country passionately speaking about how the gun registry saves lives, how it is an essential tool for police. He was pleading with the government not to destroy it, not on a partisan basis but on a basis of fact and truth. He was fired, gotten rid of.

Therefore, I am sure that the Conservatives can understand why opposition members and Canadians are reticent to just hand over new powers to them, *carte blanche*, and trust them. We do not, and those are some of the very many reasons why.

There is an issue, though, beyond trust and the way the government tries to hide things and fires people or discredits, attacks, and maligns those who would have the courage to speak truth to it. It is also a function of incompetence.

One can look at how it has handled other matters that dealt with security. Let us take the G8 and G20. Here was an opportunity for Canada to host the world. It was at a time when the meetings were going to be on austerity, on the need to rein in spending, on the need to find a way to deal with an international debt crisis. It certainly would have been a great opportunity to show leadership, to hold the meetings in a place that was easy to secure and to make sure that the meeting costs were toned down and that the focus was on policy and substance.

Instead, the government first tried to shove the entire thing into a cabinet minister’s riding where it would not fit, and then it realized that it could not possibly manage it. The government then split it in half and tossed half to Toronto, basically telling Toronto, seconds before it was dumped on it, “You are going to be hosting world leaders in a downtown core in a security nightmare. Good luck to you”.

The government divided it up and completely mismanaged it. It showed no ownership of its mistakes. It did not come forward and say that we need a protocol going forward to make sure, for international meetings, that we have, basically, rules nailed down on who is going to lead and who is going to take responsibility. Instead, fingers pointed everywhere but at itself, and it said good luck to everyone.

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Meanwhile, Toronto was left with just a complete disaster, something that unnecessarily portrayed the city in an incredibly negative light, something that could have very easily been avoided. Of course, we all know the price tag. It was well over \$1 billion, probably more than even the \$1.3 billion that is being reported right now, for what turned out to be nothing more than a photo op and a black eye for Toronto.

However, it does not end there.

I spent the summer touring across the country, and one of the things that really struck me was how deeply offended many of the communities across the country are by the comments of Mr. Fadden, comments that cast aspersions upon Canadians and upon their citizenship. He treated them like second-class citizens, with no proof and no explanation. The government so terribly mishandled the situation with Mr. Fadden. Now the Chinese community and others are left with a growing cloud of suspicion that hangs over them, no ability to clear it, and no promise that it will be.

How the government handled Mr. Fadden, how it handled the G8 and G20, how it is handling the gun registry, which I am going to talk about tomorrow, so I will not today, and how it has dealt with issues generally when it comes to security intelligence, tells us that it is incompetent and that to hide that incompetence, it tries to shut down any dissent or any other voices.

For that reason, we are going to have to be very careful with this on the committee, and very careful with the government as we go forward in this House.

• (1305)

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Madam Speaker, I have looked very carefully at the input from my colleague from Vancouver Kingsway on the predecessor to this bill. His intervention on this bill raises very serious questions for me.

As a lawyer in Canada, I commit to abide by the rule of law. This is why we have legislatures. This is why we have parliaments. We are duly elected, through an open election, to enact the laws and then to rule our country by the rule of law.

What I find extremely troubling in this bill, including the amendments, is that there really is no attempt to have balance. The government is always talking about its efforts to balance the two interests in the country. I see very serious incursions into the democratic principles of this country and our ability to rule by the rule of law, particularly when this bill would take away the right to know the charges and to be charged before being interrogated and incarcerated.

I wonder if the member could speak to whether he believes that the amendments put forward through this new bill would remedy that situation. On my review of the bill, it looks like those provisions are, frankly, contradictory.

Mr. Mark Holland: Madam Speaker, we have to be very cautious. We need to look at this in committee, because we have conflicting information.

As recently as the last couple of months we have heard from law enforcement authorities who say that they do need additional powers, that what they have today is insufficient in the extraordinary

case of a situation that is highly volatile and that puts the country in immediate peril.

By the same token, I can read something said by the former director of CSIS, Mr. Reid Morden, who said:

Police and Canadian Security Intelligence Service have “perfectly sufficient powers to do their jobs”....

He went on to say:

If they're properly resourced...they don't need more powers.

I think that there is a careful balance. We have conflicting information from both the intelligence community and the policing community on what additional powers are needed. That is why I really think people have to discount and ignore the government as it tries to ram things through, because we do not want to get it wrong.

I would also add that any balance in this bill today, any additional leveling out, is because of the good work in the Senate done by our Liberal colleagues there. I really want to commend them for the work they did to bring forward a number of amendments that I think substantively improve it.

No doubt, we have more work to do in committee. It is important to look at it there. From the witnesses we are going to have, we are going to have to sort out some of these things to make sure that we get it right.

• (1310)

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Madam Speaker, I appreciate my friends calling for a balance and for more investigation to be done, but it still comes back to this: These are fundamental rights. How long have we had the right to remain silent in the parliamentary system we have in English common law? Is it 400, 500 years? It is fundamental. It was pre-charter, pre-Constitution. It goes way back, and this is a direct attack on it.

When we juxtapose that direct attack with speculation that we might need it at some time in the future and set it in the context of the history of this country, the way the War Measures Act was used against the sovereignists in Quebec and the labour movement and civil rights advocates in Quebec in 1970, we do not have a good history of doing this right. We do not have a good history of the way we treated the Japanese, Italians, and Germans in the first and second world wars.

I ask my colleague, when it is a fundamental issue of human rights and civil rights in this country, and all we have in terms of trying to justify it is speculation, which I have to say, quite frankly, mostly is based on paranoia, how can his party justify supporting this legislation?

Mr. Mark Holland: Madam Speaker, I think it goes back to the comments that we are hearing from police officers, saying that there are instances where all their other powers are insufficient and they are unable to act with the expediency that is needed to avert a tremendous tragedy. I agree with everything he is saying in terms of having to be extraordinarily cautious.

Government Orders

We must ensure that there is in fact a need for that power and it has to be demonstrated. We must ensure if that power is then granted, that there are sufficient oversights and controls of it, that it would only be used in that extremely limited circumstance, it would only be used on a very temporary basis, and that there would be a very strict and rigid regime of accountability for when it was used.

We owe ourselves a debate on this and an opportunity to hear from both conflicting sides. The only thing we have had for the last three years on this issue are bombastic statements about “either approve it now or you are for terrorism”. That is the only thing we have heard. We have had no intelligent debate on this subject.

What I think we have had the beginnings of here today in the House, and what I want to see continued in committee, is a mature, honest conversation about the real factual need for these provisions. If there is a clear need for them, then there be very tight ironclad controls placed around them so that there is a regime of accountability that will not allow them to be used. This is a matter that this House has to consider carefully because this is a very difficult balance. It is not an easy balance.

We absolutely must protect the Canadian public against threats to our public security, against potential acts of terrorism, but that cannot come at the cost of our individual liberties or the things that the hon. member mentioned in his previous comments of stripping individuals of the things that make this country great and that have been the foundation of our democracy.

• (1315)

[*Translation*]

The Acting Speaker (Ms. Denise Savoie): The hon. member for Ahuntsic has three minutes for questions and comments.

Mrs. Maria Mourani (Ahuntsic, BQ): Madam Speaker, as my Liberal colleague knows, when we create a law we never know how it will be used. In fact, my NDP colleague gave us the prime example of the War Measures Act.

My Liberal colleague said that with regard to this provision, we need protection mechanisms that will help strike a balance between the need for tools and human rights. I would like to point out to my colleague that both provisions the Combating Terrorism Act would introduce are totally unnecessary. Provisions already exist in the Criminal Code that allow all this.

That being said, my colleague says that the police are complaining that they need more tools. Can he tell me precisely what tools they are talking about? I am not getting the same story. What tools are they talking about?

Mr. Mark Holland: Madam Speaker, I clearly said that in the most extraordinary of circumstances we want to make sure that the police have all the tools they need to do their job.

It is extremely irresponsible not to debate this in committee. Experts on both sides of the argument are saying entirely different things. We need to debate this in committee in order to ensure that tough measures are introduced to protect society and the rights of Canadians.

Mrs. Maria Mourani (Ahuntsic, BQ): Madam Speaker, this session of Parliament opens with two of the Conservative

government's favourite tactics: a warmed-over bill that is just for show, or what I like to call a microwave bill.

This bill is warmed over because this is the third time the government has introduced it. The Conservatives do not understand that we do not support this bill. Despite the fact that Parliament decided not to renew two provisions of the Anti-terrorism Act on February 27, 2007, Bill C-17, An Act to amend the Criminal Code (investigative hearing and recognizance with conditions) resurrects provisions of the former Bill C-19, which rehashed provisions of the former Bill S-3, as amended by the Senate Special Committee on Anti-terrorism in March 2008.

The purpose of this bill is to reintroduce measures that expired in February 2007 under a sunset clause. A sunset clause sets out exceptional measures that may violate human rights. The idea is to make it temporary and see if it works. That is usually why we have sunset clauses.

These measures were investigative hearings and recognizance with conditions, as I said earlier. I will cover these measures in more detail in my speech.

Neither House of Parliament renewed these measures because they were never used. No investigative hearings were held. Not a single one. What is more, recognizance with conditions provisions, also known as preventive arrest, were never used. These provisions had their chance, but they were totally useless. They also had major human rights implications. So why resurrect this warmed-over bill?

As I said earlier, the Conservatives' other favourite tactic is making a big show, which they do to scare people. They would have us believe that we live in a dangerous world full of terrorists. That is why the Conservatives make up laws so people think they are being taken care of and kept safe. They put on a show by introducing a totally useless bill to convince people that the government is really taking their safety seriously.

I have to say that I am getting a little tired of the way they scare people and keep bringing back the same old same old. The Conservatives are using fear of terrorism and fear of criminals to introduce and reintroduce crime bills. It is the same thing over and over again. Simply put, they are using fear of terrorism to justify attacks on human rights.

From December 2004 to March 2007, we heard from witnesses, read briefs, and questioned experts, representatives of civil society, and law enforcement officials. The Bloc Québécois made its position known. We felt that the investigative process needed better guidelines, and that this exceptional measure should be used only in specific cases in which it is necessary to prohibit activities where there is imminent peril of serious damage, and not in the case of misdeeds already committed. We were also firmly opposed to the provision dealing with preventive arrest and recognizance with conditions.

Our position has not changed since 2007. We will vote against this bill.

Government Orders

We made comments during the debate. Because there was a debate. I do not understand why my Liberal colleague thinks it is so important for us to have a debate. We have debated it. The Senate has debated it. We have talked about it. What is there left to say? If it is no good, it is no good, and we move on. There are things we can do to fight terrorism.

• (1320)

It is clear that they have not considered any of our suggestions. A number of recommendations were made by both the House of Commons and Senate committees that examined this issue. These recommendations were dismissed.

As usual, the Conservative government wants to have its own way, forgetting that in a free and democratic society, there must be a real balance between security and respect for human rights. The goal of terrorism is, of course, to force people live in a state of terror and to cause the rights of individuals to be violated. And in this, the terrorists will win, in what I can only characterize as a world war.

Let us take a closer look at the two provisions that this government is attempting to reintroduce. First, let us look at the provision concerning investigative hearings. Section 2 deals with sections 83.28 to 83.3 of the Criminal Code under which, generally speaking, a peace officer could—with the prior consent of the Attorney General—apply to a provincial court or superior court judge for an order for the gathering of information. The order, if made, requires the named person to appear before a judge for examination and to bring any information in his or her possession. The person named in the order loses the right to remain silent. It is as simple as that. In addition, section 83.29 states that a warrant of arrest can be issued for anyone evading the investigative hearing. So you lose your right to remain silent and if you are not happy about it, you can be arrested. That is more or less what this means.

In fact, the police never use this provision because, in a routine investigation, they can question witnesses and carry out search warrants to obtain documents. This is already covered in the Criminal Code and it is already very clear.

Now, let us look at the other provision, which is even worse: recognizance with conditions, or preventive arrest as it is called in section 83.3. At this time, it already exists in the Criminal Code as section 495, which says:

A peace officer may arrest without warrant:

(a) a person who...on reasonable grounds, he believes...is about to commit an indictable offence;

So preventive arrest already exists as section 495 of the Criminal Code. A person who is arrested under this section must be brought before a judge who can impose conditions, in the same manner as the Anti-terrorism Act. The judge can even refuse bail if he believes that freeing the person could prove prejudicial or jeopardize someone's safety, thus representing a threat to public safety.

We can see that this provision has not really been used because, in any event, the police already have the tools they need to do their job. It is simple. For example, if police officers believe that a person is about to commit an act of terrorism, then they have knowledge of a plot. They probably know, based on wiretap or surveillance information, that an indictable offence is about to be committed.

Therefore, they have proof of a plot or attempt and need only lay a charge in order to arrest the person in question. They are already able to do so. There will eventually be a trial, at which time the arrested person will have the opportunity to a full answer and defence, as in any lawful society. The person will be acquitted if the suspicions are not justified; or, if there is sufficient proof that the person indeed wanted to commit an act of terrorism, they can be charged. It seems that the terrorist act thus apprehended would have been disrupted just as easily as it would have been had section 83.3 been used.

• (1325)

However, the preventive arrests the government wants to reinstate would allow for the arrest of a person who is not necessarily the one who is believed likely to commit a terrorist act, but only and simply a person whose arrest is necessary to prevent the carrying out of the terrorist activity. That is a significant nuance that can result in arbitrary arrests and target completely innocent people who have nothing to do with the case.

Some saw section 810 of the Criminal Code as being quite similar to section 83.3. Section 810 can employ the same type of procedure as section 83.3. While there is a similarity in the procedures followed in these two sections, there is a very big difference in their application. Section 810 talks about a summons, while section 83.3 talks about preventive arrest. Section 810 states that a person can be summoned before a judge, who can order that person to maintain the peace, which is not the same as the provision in section 83.3 whereby a person can be arrested because they are suspected of being a terrorist. Such an arrest is not based on fact, but on the suspicion that the person might be a terrorist. He is therefore arrested as a preventive measure. There is a big difference between these two sections.

It is extremely dangerous to create laws that are useless and violate the basic principles of criminal law, which seeks a balance between public safety and human rights. Whether we like it or not, it could lead to abuse sooner or later.

We should ask ourselves the following question: how can we wage an effective and intelligent war against terrorism? That is a very difficult question because, as with any form of crime, there is no simple, quick fix. Fighting crime or terrorism takes time and is very difficult because causes of such phenomena are numerous and complex. The solutions to such problems cannot be overly simplistic and consist merely of new Criminal Code provisions.

Government Orders

We have to attack the root of terrorism. That involves fighting poverty, not just in Canada and Quebec, but throughout the world. We live increasingly in an interrelated world, in an era of globalization. The world is becoming smaller as a result of the Internet and all rapid information systems. Regions are being abandoned and left in the hands of fundamentalists. We must fight urban violence and prevent ethnic wars. The war in Iraq, which was a great American lie, the rise of global conservatism, racism, intolerance of differences, communitarianism, the increasing Islamophobia in Canada and the world, must all be battled. I could list many more causes, but I will focus on something in which I have been especially interested for some time.

In order to effectively combat terrorism, we need to have professional, competent intelligence agencies and expert police services that are able to conduct investigations properly. The intelligence agency must be given the necessary resources to do the job, for it costs money. Canada has an intelligence agency, CSIS. Does that agency have sufficient financial resources to combat terrorism? It has a budget of half a billion dollars, which, I believe, is sufficient. The other fundamental question is whether it is competent and professional. That is the real question.

• (1330)

I conducted a little analysis of my own. I began to look at certain points, which I will share with the House. Very recently, retired Supreme Court judge John Major released his report on the Air India tragedy. The report harshly criticized CSIS and the RCMP. I will not dwell on that report for too long, because I do not have enough time.

One thing I would like to point out, however, is that CSIS has the discretionary authority to not share pertinent information with the police, including the RCMP. Furthermore, it was this lack of communication between the RCMP and CSIS that largely, and unfortunately, prevented this terrorist threat from being identified and averted.

On page 82 of volume three, the report states: “There is evidence that the discretion in section 19(2)(a) was used, especially in the early stages of the post-bombing investigation, to thwart full cooperation by CSIS with the RCMP.” I will not read the next part. However, there is a quotation, which states: “...we can only provide them investigational leads”. This illustrates the problem that exists in the legislation governing CSIS.

Furthermore, a Canadian Press article from June 17, 2010, reported that the former judge said that “agencies were not prepared for the threat of terror attacks in 1985—and holes in the country’s security systems still need plugging”.

I also had a look at another issue regarding CSIS. Obviously, we had that scathing report, but there is also the matter of the current director, Mr. Fadden. I do not know whether you followed this during the summer, but the committee met and invited Mr. Fadden to speak about the allegations he made on CBC television. In committee, the Bloc tried to present a motion calling for the resignation of Mr. Fadden, the Director of CSIS, in light of the comments he made on the CBC. Because now we have a CSIS director who put on a show for the media. We have never seen that before. Generally, CSIS directors are very discreet. He came to the committee to apologize, but he made allegations to whoever would

listen that ministers—we do not know where, we do not know who—and elected officials in British Columbia—we know where, but we do not know who—were agents of influence from foreign countries like China and the Middle East. What did he base this on? We do not know. But we do know the serious consequence of this type of unfounded and unsupported claims. Now the witch hunt is on to find out who these ministers are, who these elected officials in B. C. are who are agents of influence. He has already made similar statements in which he accused certain NGOs and advocacy groups of being sympathetic to terrorists.

These are the types of accusations we hear from this government when we do not vote in line with them: that we work with criminals and support terrorists. We have to wonder about the fact that an agency like this is being managed by a leader like that. We have been waiting for Mr. Fadden’s resignation, which has still not happened. So let us ask this: was he simply following directions from higher up? We would like to know what is going on on the other side of the House.

Ms. France Bonsant: Good luck.

Mrs. Maria Mourani: Yes, good luck.

I will try to cover my last point quickly. It is about statements that appeared in the Canadian Press in September 2010. According to the statements, Mr. Fadden received a memo stating that CSIS is using information obtained through torture. I want to point out that we debated this in the Standing Committee on Public Safety and National Security in March 2009.

I will stop there and come back to this later.

• (1335)

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Madam Speaker, I was just wondering whether my colleague from the Bloc wanted to elaborate on that point, please.

Mrs. Maria Mourani: Madam Speaker, I want to thank my colleague very much.

The saga began on March 5, 2009, in the Standing Committee on Public Safety and National Security when the executive director of the Security Intelligence Review Committee, Ms. Pollack, appeared as a witness. I asked her if CSIS uses, has used, or will use, information obtained by torture and if so, is it reliable? I will read to you what she said in response. It is quite something.

As for the first question, related to information obtained through torture, there is a decision that has been rendered by a member of this committee in the context of a complaint that was made, in which it was determined that at times, yes, CSIS does use information that was obtained through torture and that their overriding focus in doing so... Obviously they do so in the context of investigating threats to the security of Canada. Is this information reliable? Naturally her response was “no”.

Government Orders

I will be told, of course, that that was the answer given by Ms. Pollack of the Security Intelligence Review Committee. But what does CSIS have to say about this? The same day, March 5, we were also joined by a CSIS representative, Mr. O'Brien, operations and legislation advisor for CSIS. I asked him the very same question. Mr. O'Brien is a very honest person, for he told the truth. After skating around the issue for a bit, he finally replied as follows:

Frankly, I'm tempted to say that there are four words that can provide a simple answer, and those four words are either—and this is the skating around—“yes, but” or “no, but”, and the “yes, but” is, do we use information that comes from torture? And the answer is that we only do so if lives are at stake.

So they do use this kind of information.

So a public safety minister and the head of CSIS at the time appeared before the committee and told us to our face that Canada does not use this kind of information. They said so to our face. But what have we learned since? On September 13, 2010, a briefing note intended for Mr. Fadden specified that even though such information could not be used in a court of law to prosecute someone who poses an imminent threat, the government—the Conservative government—must make use of the information to attempt to disrupt that threat before it materializes. That is the reality at CSIS.

• (1340)

Ms. France Bonsant (Compton—Stanstead, BQ): Madam Speaker, I was listening to my colleague from Ahuntsic, who spoke about terrorism, torture and so forth. I would like to know what she thinks about the international agreement. In fact, we do not have the right to torture people just for the fun of it. Therefore, I would like her to further explain how they hide the threat of torture and what is presently happening to people in other countries.

Mrs. Maria Mourani: Madam Speaker, I thank my colleague for her question. No one has the right to torture anyone. No one has the right to use information obtained through torture. Canada has signed conventions prohibiting the use of torture. Canada—and by extension, every agency, department and body under its authority—must uphold these conventions.

CSIS is not above the law. Its purpose is to carry out threat assessments. The worst part of all this is that CSIS says that it uses information obtained through torture. This is dangerous because such information sources are not reliable. CSIS is, therefore, producing inaccurate assessments. And if its assessments are inaccurate, we need to ask ourselves how this is affecting our security. We are essentially entrusting this agency with the duty to conduct assessments regarding the threat of terrorism when it has clearly stated that on occasion it uses information obtained through torture—inaccurate information—when it sees an extreme threat.

The Omar Khadr case is the best example and clearest evidence of this. He admitted under torture that he saw Maher Arar in an al-Qaeda camp in Afghanistan. And yet we now know that this is not true. But that is to be expected. When you are 15 years old and end up in Guantanamo being tortured, you will go so far as to say that you have seen extraterrestrials. You will say any absurd thing just so that they stop torturing you.

Statistically—and all the studies show this—information obtained through torture is not only immoral, it is unreliable.

So we have one agency, which is giving unreliable information to the RCMP, which in turn spends our money conducting investigations based on unreliable information. The worst part is that we give them half a billion dollars a year to carry out this kind of assessment.

Instead of passing legislation introducing two useless provisions, we need to properly overhaul the law governing CSIS and review the way it does things. That is what we need to do. We should not be debating two completely pointless clauses today; we should be talking about what needs to be done with CSIS in order to make it effective, competent and accountable.

[*English*]

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Madam Speaker, whenever I get up to speak to legislation that purports to fight terrorism, I think of a rule that I had for my staff when I was practising law and a rule that I had and still have for my campaign workers. I tell them not to panic.

There are times when I have even thought seriously about perhaps having an amendment in our Constitution that would compel political leaders of whatever political stripe not to panic in a time of crisis. This happened in 2001 and in 1970 with the War Measures Act. It happened during the second world war with our shabby treatment of Japanese Canadian citizens. It happened in the first and second world war with the way we treated Italian and German Canadians, longtime citizens of this country.

When facing a crisis, we as political leaders feel that we have to do something even when all the evidence shows that the structures we have, the strength of our society, the strength of our laws, are enough to deal with it. We passed legislation in early 2002 to deal with terrorism when we panicked. We have learned in the last eight years that there was no need for that legislation.

The justice minister today said that we might need it. If it was not for the fact that we are dealing with fundamental human rights and fundamental civil liberties, there might be some merit and some logic to that argument, but these two sections of the anti-terrorism legislation are talking about a serious incursion into rights that have existed in this country since pre-Confederation, rights that go back four or five hundred years to the common law of England. One of my colleague's made that point in a speech.

The vast majority of our children in elementary school know they are supposed to have the absolute right to remain silent. The whole weight of the state cannot be used against someone to force him or her to testify against himself or herself. As we heard just now from the Bloc, a part of that has been used historically. Torture has been used to force people to confess, to make statements against their own interests. We had the fundamental right to remain silent until this legislation came into effect in Canada. Set in that context, there is absolutely no justification for us to have this type of attack on those fundamental rights.

Government Orders

We hear speculation about this or that possibly happening and this type of legislation being needed in those circumstances. 9/11 was nine years ago and we have not needed it that whole time. There have been incidents of people contemplating violence for political ends, one of the definitions of terrorism. We never needed this type of legislation in any of those incidents. One of the former directors of CSIS, Reid Morden, has come out publicly and confirmed that we have not needed it. He said, "There is no need for this type of incursion into those fundamental rights".

We also have to set in context the history of this country when we look at the way the War Measures Act was used during the second world war against Japanese Canadians and the way it was used against a wide swath of the population of Quebec in 1970.

• (1345)

I always tell this story with regard to the not panicking. The justice minister of that day was my predecessor from my riding, a law dean, and very well-educated. I remember having a breakfast meeting with him, in Windsor, about 48 hours before the War Measures Act was invoked. What he said to me at that time was, "We don't know what's going on in the province of Quebec. We don't know if there is in fact an apprehended insurrection occurring there. We just don't know". And yet, less than 48 hours later, the then Prime Minister invoked the War Measures Act.

What did we see at that time, in terms of the relevancy of this? We saw labour leaders, we saw members of civil society, with broad sweeps, incarcerated. No explanation. No charges. Some kept for short periods of time. A large number kept for weeks and even into a month or more.

I have to say in spite of the protestations by the government, and I have to say the Liberals and the official opposition, of some of the protections it is trying to build in, that risk still exists with this legislation if it were to become the law of the land. Because when we panic and we start making decisions based on that, whether it is political leaders, whether it is prosecutors, whether it is police, judgment goes out the window. Those fundamental rights get breached rapidly and dramatically.

The bottom line is that it is not worth the risk to pass this legislation to have that incursion into our fundamental rights in this country for what might happen in the future.

I want to make this other point which I made earlier when I was asking a question of the justice minister.

We had extensive hearings when the review occurred of the anti-terrorism legislation. We did those in 2006 into early 2007. We had a large number of witnesses come before us to try to justify this type of legislation. They were repeatedly asked, "What are the scenarios?" and they would describe scenarios where they thought they could use this legislation, none that had ever occurred in Canada up to that point and none that have occurred since then either.

However, when pressed about other sections of the Criminal Code that could be used for charges at that time, or sections in the Canada Evidence Act that could be used to justify getting out the information they needed, without exception that I can recall, and I think I am accurate on this, there was not one of those scenarios which stood up

to an analysis of why we needed this legislation which is what we already have in our law as tools for our officers to use.

I want to digress for just a second.

I really do not think it lies in the mouth of the Conservative government to try to justify the use of this legislation because it is being asked to do so by our police forces. Our police forces are not out lobbying for this legislation. They are out lobbying to hold on to the gun registry and the government is ignoring them 100%, in fact, in many cases, accusing them of misleading facts and ignoring all of the recommendations from them, which are based on facts, in that situation, as opposed to speculation under this bill.

They are trying to build in these protections, which is an admission of how much this could affect us, and in fact will affect us, I say that without hesitation, in another crisis as individual citizens of this country. Will it be the first nations? Will it be the sovereignists in Quebec? Will it be the labour movement? Will it be radical students? We do not know who the target will be, but there will be a target group and it will be used against them when the government goes into that panic phase.

• (1350)

The Liberals' reliance on the review being done by both the Senate and the House gives me no sense of comfort. When this comes up for review again, should the law ever get through, I have no comfort in it being turned over to an unelected Senate that has been stacked or will be in another few months by the Conservatives. I have no sense of comfort that that body will protect these fundamental rights of all Canadians.

What are we trying to do here? I hear from both the Conservatives and the Liberals that we are trying to strike a balance. The fundamental rule is that we do not compromise on fundamental rights, whether it is here in this country or at the international level. The right to remain silent is a fundamental right. The right to not be incarcerated without charge and without knowing the charge is a fundamental right. There is no compromise on fundamental rights. If we use that as our guideline, then we must vote against this legislation.

I could go into the details of some of the objections that I am hearing from Conservatives, in particular to our position, but when we look at the protection they are trying to build in, it is just not there.

One of my colleagues earlier today pointed out that with regard to the right to remain silent, we do not have that any more. We must give information. The Conservatives have now tried to build into the legislation a right to have counsel which was not there before in the prior legislation. It was not there in one of the original drafts of the legislation either. However, those two sections are completely contradictory. I, quite frankly, do not know what a court will do. My sense is that it will determine that in fact one does not have a right to counsel, that one must give the evidence that is being demanded if one does not have time to get counsel in to assist them. This is another fundamental right that was created by the charter, long-standing in our country, and it will go by the wayside if the bill goes through.

Statements by Members

The rules are: we do not panic when we are in a crisis situation; we never compromise on fundamental rights, which is what is being proposed here; and we should not rely on an unelected Senate to protect those fundamental rights, which is also being proposed. Certainly, when we look at the so-called protections that are here in this incursion, they are not there.

• (1355)

Mr. Brian Murphy (Moncton—Riverview—Dieppe, Lib.): Mr. Speaker, my friend goes back to the annals of history with the War Measures Act. He did not quite go back to the War of 1812, with which he may be personally acquainted, but does he not concede that the War Measures Act, when it was applied in the second world war and again in 1970, was in the pre-charter era and that there is no danger whatsoever that any of the ATA provisions would not be reviewed within the scope of the charter?

Surely the member is aware of court decisions that were very adamant in ensuring that the right to counsel of the choice of the detainee would be inserted in the law. Surely he thinks that could be either made by way of amendment at committee or perhaps even be proposed by the government.

With that provision, which is the salient point that the courts have opined upon, would the member not be comfortable with the charter in place, with the right to counsel and finally his statement that these are fundamental rights, right to counsel and right against self-incrimination? Does he not concede that section 1 of the charter, which overrides, in the case of national security, certain fundamental rights exist and has been held by the courts, the Supreme Court of Canada in fact, to have been applied?

In other words, does the member not concede that even though we have not used these provisions we may need these provisions and that it is prudent government to look at legislation that takes into account the modern laws, not the laws of the 1940s, which his speech was, with all due respect, replete with?

• (1400)

The Speaker: I hesitate to cut the hon. member off at this point in time but it being two o'clock we have to proceed with statements by members. I am afraid the hon. member for Windsor—Tecumseh will have to wait until debate resumes to answer this question. I am sure he is looking forward to that.

STATEMENTS BY MEMBERS

[English]

FIREARMS REGISTRY

Mr. Garry Breitkreuz (Yorkton—Melville, CPC): Mr. Speaker, I have spent 15 years and made over 550 access to information requests to uncover the true costs of the wasteful long gun registry. The registry does not improve public safety in a cost effective way. First, it only targets law-abiding citizens; second, front line police officers do not rely on the long gun registry data because to do so would put their lives in danger; third, laying a piece of paper beside a gun does not prevent crime.

Above all this is the overwhelming cost. At a price tag of well over \$1 billion, only about one-third to one-half of the rifles and

shotguns in Canada have been registered. A police chief in Saskatchewan has warned me that if we do not get rid of the long gun registry, it will cost at least another \$1 billion to register the rest of them.

Are Canadians willing to squander up another \$1 billion to register the remaining firearms or would they rather spend the money targeting organized crime and real criminals that are threatening the peace in our communities?

* * *

LAKE WINNIPEG

Hon. Anita Neville (Winnipeg South Centre, Lib.): Mr. Speaker, while the Minister of Public Safety proclaims that Manitoba has had "more than its fair share" of government funding, the real needs of Lake Winnipeg continue to be grossly ignored. The rehabilitation of Lake Winnipeg, the 10th largest freshwater lake in the world, requires real federal leadership.

In 2005, the federal-provincial Lake Winnipeg implementation committee called for a \$40 million five-year investment to bolster scientific understanding and to begin rehabilitation. In the 2006 election, the Liberals understood the critical state of Lake Winnipeg and went further, committing \$120 million over 10 years and developing a comprehensive plan for cleanup, which included reducing the levels of harmful pollutants to the pre-1970s levels.

However, despite these calls to action, the Conservative government waited until 2007 to announce \$3.5 million per year for Lake Winnipeg, while at the same time committing \$6 million annually to Lake Simcoe in Ontario, which has a watershed a fraction of the size. Surely—

The Speaker: The hon. member for Rimouski-Neigette—Témiscouata—Les Basques.

* * *

[Translation]

OLD RIVIÈRE-BLEUE TRAIN STATION

Mr. Claude Guimond (Rimouski-Neigette—Témiscouata—Les Basques, BQ): Mr. Speaker, this morning was the official opening of the Vieille Gare de Rivière-Bleue. On September 12, this achievement, which was spearheaded by the local heritage corporation, received the heritage award for preservation, restoration and conservation from the Conseil de la culture du Bas-St-Laurent.

Located in the heart of the town, Rivière-Bleue's former train station, which was built in 1913, is typical of transcontinental train stations from that era. It is the only one that has been preserved and that has its charming architectural features intact. It was saved from demolition in 1981 when the town of Rivière-Bleue purchased it, and it was designated as a historic monument in 2007.

I would like to congratulate the people and the authorities of Rivière-Bleue on their achievement.

Statements by Members

[English]

CHINESE CANADIANS

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, tonight in New Westminster a formal apology will be given by the city to the many residents of Chinese origin for racist, exclusionary policies passed several generations ago. This apology comes after an extensive consultation process with residents that has taken one year to complete, the first such reconciliation process undertaken by a city in Canada. We hope other cities do the same.

Sadly, it was a predecessor who rose in this House as MP for New Westminster who introduced the resolution which led to the infamous law that excluded Chinese immigrants to Canada for decades. The contribution that Chinese Canadians have made to this country is immense.

Though it is with sadness that we look at this part of our past, we look with optimism to the future as Canadians of Chinese descent contribute mightily to the building of Canada.

I rise today to formally apologize for the actions of my predecessor and his contribution to the racist and exclusionary policies that were enacted at the time.

[Member spoke in Chinese and provided the following translation:]

We are sorry.

* * *

FIREARMS REGISTRY

Mr. Ed Fast (Abbotsford, CPC): Mr. Speaker, the summer is over and this week we vote on whether to scrap the costly and ineffective long gun registry. No longer can the NDP and Liberal MPs hide by saying one thing in their ridings and quite another thing when they are in Ottawa.

Let us take the NDP leader. After promising to allow a free vote, he is now secretly trying to force 12 of his MPs to vote to keep the \$1 billion registry rather than do the right thing and listen to their constituents.

Then there are the eight Liberal MPs. Last November, they followed the wishes of their constituents and voted to eliminate the wasteful registry. Today they have sold out to a Liberal leader who proudly states, "It's my way or the highway".

What a sad and sorry state of affairs: 12 NDP MPs and 8 Liberal MPs all making a solemn promise to their constituents. On Wednesday, Canadians will know whether they can be trusted or not.

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● (1405)

HONORARY NAVAL CAPTAIN

Ms. Judy Foote (Random—Burin—St. George's, Lib.): Mr. Speaker, I rise today to pay tribute to a former resident of Harbour Breton, a community in the riding of Random—Burin—St. George's. Captain Sid Hynes who, early in his career, distinguished himself as a marine captain, has also proven to be equally adept as a captain of business.

In honour of his many accomplishments, Captain Hynes has been appointed an honorary naval captain by the Canadian Navy and to date is the only individual from Newfoundland and Labrador to garner such recognition and one of only 17 in Canada. He has been named one of the top 50 CEOs in Atlantic Canada and recently Captain Hynes was awarded the Medal of Merit by the Association of Canadian Port Authorities.

His years as a sea captain, coupled with his experience as a strong business leader as former president and CEO of Marine Atlantic, as well as his present position as CEO of Oceanex, Captain Hynes has shown to be someone who gets the job done. Since becoming CEO of Oceanex, Captain Hynes has increased the company revenue by 16%.

Captain Sid Hynes is a Canadian who has made and continues to make a difference in our country. He deserves our recognition and our appreciation.

* * *

BATTLE OF BRITAIN

Mr. Laurie Hawn (Edmonton Centre, CPC): Mr. Speaker, 70 years ago, the skies over London and southern England were a tangled mass of contrails and a roar of Merlin engines as Churchill's "few" hurled their Spitfires and Hurricanes against the Nazi onslaught on the island standing majestically alone in the face of aggression.

From airfields like Biggin Hill, Northholt and Tangmere, more than 100 Canadian fighter pilots in No. 1 Fighter Squadron of the Royal Canadian Air Force and 13 Royal Air Force fighter squadrons, including 242 Canadian Squadron commanded by the legendary Douglas Bader, fought valiantly and with great effect contributing significantly to the British victory.

By the end of the battle, Hitler's dreams of Operation Sea Lion were dashed, but at the cost of 544 aircrew, including 23 Canadian fighter pilots who made the ultimate sacrifice in the cause of freedom.

The Battle of Britain was a turning point in the war and yesterday we celebrated its 70th anniversary and the spirit of the British, Canadian and other Commonwealth aircrew who made this, indeed, the British Empire's finest hour.

I bless them all, the long, the short and the tall. *Per ardua ad astra.*

* * *

[Translation]

NUTRITION NORTH PROGRAM

Mr. Yvon Lévesque (Abitibi—Baie-James—Nunavik—Eeyou, BQ): Mr. Speaker, on October 3, the first stage of the Nutrition North program will be implemented, replacing the food mail program. The new program will be better and will cost less, according to officials with the Department of Indian Affairs.

Statements by Members

However, by abolishing the well-established system of “entry points”, the department is sweeping aside more than 30 years of success. Expertise will not count for much under the new program because the rules of the marketplace will prevail. A retailer as far away as Winnipeg could send foodstuffs to northern Quebec, if it has the quantities needed. The logic of flying in supplies from the nearest location will no longer apply. Not only could the new Nutrition North program have negative economic repercussions on entry points, but no one can demonstrate that the program's objective of making quality products available at a low cost will be met.

It is easy to understand why the people affected are concerned.

* * *

[English]

LOBBYING ACT

Mr. Harold Albrecht (Kitchener—Conestoga, CPC): Mr. Speaker, today, with the House back in session, Canadians have reason to celebrate. Today is the first day that parliamentarians will be subject to the rules and obligations of the Lobbying Act.

When this Conservative government brought in the Federal Accountability Act, we toughened up the lax Liberal rules and delivered greater accountability to government. As a result, Canadians now have a independent officer of Parliament with the tools, rules and independence needed to do the job. Anyone who lobbies public office-holders must register with the Lobbying Commissioner and report monthly on his or her lobbying activities with designated public office-holders.

By extending these rules to members of Parliament, senators and exempt staff in the opposition leader's office, we can ensure that all lobbying activities directed toward parliamentarians will be accounted for, fully transparent and fully available to Canadians.

As the House of Commons resumes today, we look forward to working together to ensure that Parliament is delivering results for and is accountable to Canadians.

* * *

• (1410)

MULTIPLE SCLEROSIS

Ms. Kirsty Duncan (Etobicoke North, Lib.): Mr. Speaker, today people living with MS are protesting across this country, including on Parliament Hill, for clinical trials for the new liberation procedure for chronic cerebrospinal venous insufficiency or CCSVI.

Over 1,500 liberation procedures have been performed worldwide, with researchers from Bulgaria, Italy, Kuwait and the United States showing similar results, namely that 87% to 90% of MS patients show venous abnormality. Of the 400 cases reviewed by Canada's Dr. MacDonald, 90% show a venous problem and, of the 381 patients angioplastied, the gold standard, by Dr. Simka in Poland, 97% show a problem.

We need evidence-based medicine in Canada. Again, I call on the government to collect the evidence through clinical trials and a registry. Time is brain and any delay in clinical trials possibly means more damage and may mean the difference between walking and not walking, living on their own or in care, or living and not.

[Translation]

THE ECONOMY

Mr. Bernard Généreux (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, CPC): Mr. Speaker, in this new session, the number one priority of Quebecers and Canadians, and therefore of our Conservative government, remains the economy.

Although the economic recovery is still tentative, our government is working to maintain jobs for families and communities. In the next few months, our actions will be guided by three bold principles: supporting job creation and economic growth; ensuring the safety of our communities, our streets and our families and protecting them against terrorism and crime; and leading the way to economic recovery, renewed growth and employment for Quebecers and Canadians.

In the next few months, our Conservative government will seek the wisdom and advice of the Canadian population in order to develop the next phase of the economic action plan.

We must remain vigilant and, more than ever, we must make good decisions that will set the long-term course for our economy.

* * *

[English]

STATUS OF WOMEN

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, I welcome the B.C. government's recent decision to undertake a public inquiry into the investigation of the downtown eastside's murdered and missing women. Families and friends deserve answers as to why the disappearance of their daughters, sisters, mothers and friends was overlooked for so long.

For decades, law enforcement policies played a real part in allowing over 60 women to go missing from the downtown eastside with little notice from authorities. Society failed these women at every turn. A public inquiry into the actions of law enforcement and the judicial system must rectify these failures and protect the most vulnerable in our society.

I call on the federal government and the RCMP to fully cooperate and assist in the inquiry. We must also engage in a community-led process that allows the downtown eastside to deal with the trauma and impact on so many lives. Mistakes, discrimination, racism, harmful laws and policies must be identified and then rectified.

Oral Questions

[English]

THE ECONOMY

Mr. Peter Braid (Kitchener—Waterloo, CPC): Mr. Speaker, the economy remains the number one priority of Canadians and of our Conservative government. At a time when our economic recovery is still uncertain, Canadians can count on this government and the Prime Minister to continue to focus on maintaining jobs, security and prosperity for Canadian families and communities.

Our government knows that Canada's long-term prosperity is driven by the creativity, ingenuity and the common sense of entrepreneurs, owners of small businesses and hard-working families across the country. In the coming months our actions will be guided by three bold principles: supporting job creation and economic growth; keeping our communities, our streets, our families safe from terrorism and crime; and mapping the path to economic recovery to ensure jobs and prosperity for all Canadians for years to come.

We urge all members to work together with us during this parliamentary session so we can continue to deliver for all Canadians.

* * *

● (1415)

[Translation]

THE CONSERVATIVE GOVERNMENT

Ms. Christiane Gagnon (Québec, BQ): Mr. Speaker, we have grown accustomed to the Conservatives' short-sighted, partisan, ideological decisions since they were elected in 2006.

We saw this when, because of partisan zeal, they refused to talk about abortion and access to contraception as part of the maternal and child health abroad file during the G8 and G20 summits. We saw it in connection with the gun registry, where, in their ideological blindness, the Conservatives lost sight of the fact that the registry, which has countless supporters in Quebec and Canada, saves lives. We saw it when they got rid of the mandatory long census form, which they claimed violated people's privacy. We have seen it in connection with climate change every time the Conservatives downplay the impact of human activities. That is what we in the Bloc Québécois call ideological obstinacy.

It seems clear that, as Manon Cornéliier of *Le Devoir* recently said, “the government has shown that it has a soft spot for self-serving ignorance”.

* * *

[English]

LIBERAL PARTY OF CANADA

Mr. Anthony Rota (Nipissing—Timiskaming, Lib.): Mr. Speaker, this summer the Liberal leader and the Liberal express team were met by enthusiastic crowds in all 13 provinces and territories in over 165 events, covering 56,000 kilometres.

[Translation]

Our leader was welcomed by people who simply wanted to meet him, talk to him and have their photograph taken with him. He took all the time he needed to listen carefully to each person. Everywhere we went, the message was clear.

We heard that the government's priorities of planes, prisons and photo ops were out of touch with what average Canadian families really needed: help with paying for post secondary education; strong and substantial public health care; help with caring for sick and aging loved ones; a secure retirement; and high-quality full-time jobs.

Liberals will keep fighting for hard-pressed Canadian families by focusing on their real priorities.

* * *

FIREARMS REGISTRY

Mr. Larry Miller (Bruce—Grey—Owen Sound, CPC): Mr. Speaker, today the member for Sackville—Eastern Shore announced that he was changing his vote on the long gun registry and he would be following his leader's orders to vote to save the wasteful and inefficient long gun registry. This sudden change of heart comes despite the member's clear record on this issue and that his constituents voted for him in the last election, believing his word that he would vote to scrap the registry.

As he said on August 30, less than one month ago, “If Bill C-391, as it is currently written, comes up for a vote, I will be voting in favour of it”. Last year he told the House, “In my 12 years in this place all I have ever asked is that the government bring in a bill that is very clear and ends the long gun registry. I would personally stand up and support that”.

On Wednesday, his constituents will see, once and for all, if he stands with them or with his out of touch Toronto leader. Why has the member turned away from his constituents when it matters?

Democracy has taken another hit. The Liberals have been whipped, while the NDP have flipped. What a sad day for democracy.

ORAL QUESTIONS

[Translation]

GOVERNMENT SPENDING

Hon. Michael Ignatieff (Leader of the Opposition, Lib.): Mr. Speaker, this summer, I listened to the concerns of Canadians. They are concerned about their mortgages, health care and pensions and about their children's education. The concerns of this government are fighter planes, prisons and an absurd battle against the census.

My question is for the Prime Minister. Why is he ignoring the real concerns of Canadians? They are the ones calling the shots, not him.

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, on the contrary, this government's main priority is Canada's economy. That is one reason Canada's economy is outperforming other economies.

Oral Questions

I toured the country as well and I saw 16,000 job-creating projects across Canada. A recent study by the OECD shows that Canada's national assets and the government's timely decisions are what minimized the financial and economic damages caused by the global recession. Canadians should be pleased about that.

• (1420)

[English]

Hon. Michael Ignatieff (Leader of the Opposition, Lib.): Mr. Speaker, if that is the case, he is going to have to explain the waste to Canadians, \$1 billion on a G8 and G20 summit photo opportunity and \$10 billion to \$13 billion on prisons when crime is actually declining.

The Prime Minister is going to have to explain these priorities to Canadians. He is going to have to explain why it is that it makes sense to give corporations a \$6 billion tax cut when we are in a \$54 billion deficit.

How does he explain those priorities to Canadians?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, I have no difficulty explaining that this government's priority when it comes to crime is having criminals in prison, not out on the street.

I have no difficulty explaining to Canadians that when we send our men and women into dangerous military situations, we are prepared to give them the equipment they need.

I have no difficulty explaining to Canadians that when we are in the middle of a recession, we do not talk about hiking taxes on businesses or anybody else.

Hon. Michael Ignatieff (Leader of the Opposition, Lib.): Mr. Speaker, the government is talking about jacking up payroll tax, which will cost Canadian jobs.

Everybody wants to keep Canada safe, but if the government is going to bid for \$16 billion worth of aircraft, it should at least have a competitive bid that gives regional economic business to all the aerospace industries in Canada. If it is going to spend \$13 billion on prisons, the government better have a better argument than the one we heard.

When will the government start listening to the real priorities of Canadians? Canadians make the law, not the Prime Minister.

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, let us be clear. It was the previous Liberal government that in 2002 participated in an international competition to select the next jet fighter. It spent \$150 million-plus on that competition.

We chose that jet because we will need to replace the jets at the end of this decade and not ground our air force.

On this side of the House, when it comes to the aerospace industry of the country and the men and women in uniform, we do not play politics with these decisions.

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, the air force expected a competitive process to take place.

[Translation]

Canadians are not faced with a choice between a party that spends and another that does not. The question is what type of spending should we be doing and what are the priorities.

The Conservatives are going to borrow \$6 billion a year to finance tax cuts for the wealthiest companies.

How will this help people to retire or take care of their aging parents?

[English]

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, we are proud of the tax relief that we have provided to Canadians; it is about \$3,000 per family across the country so far.

We have reduced taxes of all kinds in this country, including personal income taxes, helping, as I say, typical families get along in what has been a difficult recession.

The rest of the world looks at Canada as the way to handle an economic downturn. We are the model. We are the rising star, according to the OECD and *The Economist*. Canadians can be proud of the way their government has handled the recession.

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, thanks to the legacy of Jean Chrétien and Paul Martin.

The big corporation tax rate in Canada has already been slashed by more than 35%. It is already the lowest in the G7, except for the U.K. It is already 10 points lower than the American rate.

When this country is deep in a Conservative deficit, why borrow an extra \$6 billion every year to make those already competitive tax rates even more generous? Corporate tax cuts on borrowed money: what good is that for families, pensions, caregivers, or learning?

• (1425)

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, there are two clearly different approaches. One is to reduce taxes, help Canadians and help their families. We have done that for more than four years now.

The other approach is to raise taxes, which is what the official opposition plans to do. As the Leader of the Opposition said last year, "Federal taxes must go up; we will have to raise taxes". That is the position of the Leader of the Opposition: tax and spend.

Our position is to give Canadian families a break.

Oral Questions

[Translation]

FIREARMS REGISTRY

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, a few days ago, the Conservatives announced that, in this new session, law and order would once again be their priority. This morning, however, the President of the Treasury Board reiterated that he would continue to fight for the abolition of the firearms registry, no matter the outcome of Wednesday's vote. Yet, everyone agrees that the registry is a vital tool. That is what the RCMP, police chiefs and women's groups are saying.

Will the Prime Minister finally admit that his stubborn attempt to abolish the firearms registry is driven only by ideology?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, our position is clear. We support gun control, but the kind that targets criminals, not aboriginal peoples, duck hunters and farmers. Such a registry is obviously useless and ineffective. I even noticed that the Montreal *Gazette* said the same thing.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): In short, Mr. Speaker, the Conservative government wants to put more people in jail and have more guns in circulation. What a fine attitude. It is paradoxical, to say the least.

Will the Prime Minister admit that one of the objectives of his anti-gun registry campaign is to please his military supporters, and too bad for safety?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, on the contrary, our party supports effective and useful gun control. We do not support a registry that targets Canada's rural areas, duck hunters and farmers. We must have laws that target criminals and criminal activities.

Mrs. Maria Mourani (Ahuntsic, BQ): Mr. Speaker, the government's approach to dismantling the firearms registry has been inspired by policies proposed by the NRA in the United States. However, if there is one model not to follow, it would be that of the Americans. Homicide rates in the United States are three times higher than those in Canada and five times higher than in Quebec.

Instead of playing the NRA's game and adopting lax American-style gun control practices, why is the government not abandoning its plans to dismantle the firearms registry?

[English]

Hon. Vic Toews (Minister of Public Safety, CPC): Mr. Speaker, the long gun registry is wasteful, inefficient, and criminalizes hard-working farmers and hunters.

Our Conservative government knows that criminals do not want to register their guns. It is interesting that the Bloc says do not put criminals in prison, but register their guns. It is an amazing philosophy of crime.

The choice is clear for all MPs. They can either vote to keep the wasteful and inefficient registry, or vote to scrap it.

[Translation]

Mrs. Maria Mourani (Ahuntsic, BQ): Mr. Speaker, instead of negotiating with the NRA, the Conservative government should listen to the vast majority of Quebecers who are calling for the gun registry to be maintained. The National Assembly, police, families of

victims of crime and public health experts all want the control of long guns to continue.

Why does the government choose to listen to the NRA and not to Quebecers?

[English]

Hon. Vic Toews (Minister of Public Safety, CPC): Mr. Speaker, in fact, we are listening to victims, and victims want dangerous repeat criminals in prison. They want safe streets. They do not want the dangerous criminals on the streets. They want laws that target the criminals.

They do not believe that the long gun registry targets criminals. In fact, it targets law-abiding hunters, farmers and sportspeople right across this country. It is not a law we need in Canada.

● (1430)

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, making Parliament work is really going to require, and could benefit from, the co-operation of the Prime Minister. U.S.-style wedge politics does not have any place in this place, in Parliament. That is why I would like to ask a question about the gun registry and public safety.

Mr. LaVar Payne: You never co-operate, Jack.

Hon. Jack Layton: I see the new commitment to decorum is working out well on the government side, Mr. Speaker.

My question is very simple. The Prime Minister does not have the votes. Will he listen to both urban and rural Canadians who want to see a solution and fix the registry?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, obviously the smooth functioning of Parliament depends upon the willingness of all of its members.

In terms of the registry, our position has been very clear. I think on this side of the House members of Parliament can be very proud of the fact that they have gone out in elections and in their ridings and have said and done exactly the same things there that they are prepared to do here.

I would urge the leader of the NDP and the members of the NDP to expect to implement the same level of integrity.

* * *

[Translation]

EMPLOYMENT INSURANCE

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, I am going to give the Prime Minister another opportunity to work with us in a respectful manner. Let us talk about the middle class. Some 60% of Canadians are having a hard time making ends meet every month because of the recession. Many workers' pensions are in danger. The unemployment rate rose last month, and the government put an end to special employment insurance benefits.

Will the government work with us to extend those benefits in order to help the unemployed?

Oral Questions

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the government's economic action plan has created 16,000 projects across Canada to help combat the global recession. Employment insurance benefits are part of our temporary measures. These measures, such as the five additional weeks, will be available for unemployed Canadians until August 2011. I encourage the New Democratic Party to support the economic action plan and its measures for Canadians in the future.

* * *

[English]

FOREIGN TAKEOVERS

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, that is zero for two so far in working with other parties like us on trying to help out the unemployed. Let me try again.

What about protection of resource industries? We are talking here about key strategic industries in our country. We have seen the case of Xstrata. We have seen the case of Vale and the disastrous consequences that have flowed from the carte blanche approvals given by the government to those takeovers. Now we have the situation involving Potash.

Will the government work with us to make sure that the Potash takeover is not approved, or that it benefits the people of Saskatchewan who own the resource?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, once again, whether it is employment insurance or infrastructure projects, I would continue to urge the NDP to support the government when it actually does favour these measures that help the Canadian people.

Mr. Speaker, in terms of foreign takeovers, as you know very well, this government's position has not been to give a blank cheque to foreign takeovers. There is a law in place. I have spoken about the particular case that the leader of the NDP raises with the premier of Saskatchewan. Obviously, we will examine his concerns as we do the review that is required under the Foreign Investment Review Act.

* * *

CENSUS

Hon. Scott Brison (Kings—Hants, Lib.): Mr. Speaker, the Governor of the Bank of Canada has joined a growing list of voices opposed to the government's census changes. Mark Carney has said that the changes will make his data, the data he uses to make his decisions, less reliable. This will harm his ability to know where the economy is going.

Will the minister listen to the Governor of the Bank of Canada and restore the long-form census and give the chief architect of Canada's monetary policy the reliable information he needs to make good decisions to do his job?

Hon. Tony Clement (Minister of Industry, CPC): Mr. Speaker, what I can say to this House is that I have indeed spoken with the Governor about his concerns and am quite confident that we can find a way to work together so that his concerns are met.

What I do find shocking though is that the Liberal Party and its coalition partners so willingly are sanctioning the idea that we could

sanction Canadians with jail time or with fines to pursue what they think is right. We think there is a reasonable and balanced approach and that is what we are doing.

● (1435)

Hon. Scott Brison (Kings—Hants, Lib.): Mr. Speaker, fear-mongering is not a balanced approach.

[Translation]

Charitable organizations also object to the changes to the census. Those organizations use census information to ensure that their assistance reaches those who need it most.

Why are the Conservatives attacking the very organizations that work to help those who are most vulnerable?

Hon. Tony Clement (Minister of Industry, CPC): Mr. Speaker, as I have already said, we do not feel it is appropriate to force Canadians to provide personal and private information by threatening them with sanctions.

[English]

I have made it very clear. We believe that there is a better approach, a fairer approach, a balanced approach that can get the information that is useful and usable for Canadians and at the same time not threaten Canadians with the coercive power of the state with jail time or other sanctions.

* * *

NATIONAL DEFENCE

Ms. Siobhan Coady (St. John's South—Mount Pearl, Lib.): Mr. Speaker, in May the Conservative government promised there would be an open competition for Canada's next generation of fighter jets. Then over the summer, the Conservatives said it was not necessary. Then they said it had actually taken place in 2001, but in the United States.

Why is the Conservative government throwing the rule book, for fear of competition, out the window? Why would the government do it for Canada's largest military purchase, a \$16-billion purchase, instead of trying to save taxpayers' money and ensuring industrial benefits for Canadians?

Hon. Rona Ambrose (Minister of Public Works and Government Services and Minister for Status of Women, CPC): Mr. Speaker, it is great to be back in the House. It is good to see you, and it is good to be back representing the good people of Edmonton—Spruce Grove.

On the issue of a competition, there was an international competition. In fact, the Liberals were part of that competition, so they should know it very well. Holding another competition would risk the future of our aerospace industry because any delays, frankly, would be slamming the door shut on Canadian jobs and Canadian companies.

I would ask the member opposite, why would the Liberals take such a risk?

Oral Questions

Ms. Siobhan Coady (St. John's South—Mount Pearl, Lib.): Mr. Speaker, this is an open competition. On access to information requests by me, they uncovered a truth from the secretive Conservative government: a plan written by DND called for a competitive process that would run in 2010. It needed a competition to find a fighter jet that would suit its needs.

Instead, the Conservative government decided to proceed without competition, arbitrarily making this decision.

I ask the Minister of National Defence, when exactly did the open competition he promised change and who exactly made the decision to do so?

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, what the member opposite has said is patently false. That is absolutely not the position that was taken by the Department of National Defence.

However, let us take it out of the realm of the partisan. Let us take it away from individuals without credibility who are criticizing this. Let us listen to the chief of the air staff, Lieutenant-General André Deschamps, himself a pilot, himself a member of the Canadian Forces and the air force for many years. He said:

Analysis of our mandatory requirements for Canada's next fighter jet made it clear that only a fifth generation fighter could satisfy these requirements in the increasingly complex future security environment. The Lightning II is the only fifth generation aircraft available to Canada. Not only that, but the F-35 offers the best cost value—

The Speaker: Order. The hon. member for Chicoutimi—Le Fjord.

* * *

[*Translation*]

CENSUS

Mr. Robert Bouchard (Chicoutimi—Le Fjord, BQ): Mr. Speaker, the government is determined to get rid of the long-form census for ideological reasons. This decision will result in extra costs for Quebec, the provinces and businesses. What is more, the voluntary census is so unreliable that an American demographic database will refuse to use the data.

How can this government uphold a decision that compromises the reliability of the data and will run up extra costs?

Hon. Tony Clement (Minister of Industry, CPC): Mr. Speaker, as I said, our approach is quite fair and reasonable. It consists in finding a better balance between collecting necessary data and protecting Canadians' right to privacy. Our position is that a balance needs to be struck between rights and necessary data.

• (1440)

Mr. Robert Bouchard (Chicoutimi—Le Fjord, BQ): Mr. Speaker, the Fédération des communautés francophones et acadienne feels that the government's decision to abolish the long-form census violates the Official Languages Act because there will no longer be any reliable data on official languages to help properly serve francophone communities.

Why does this government not overturn its senseless ideological decision to abolish the long-form census?

Hon. Tony Clement (Minister of Industry, CPC): Mr. Speaker, last summer, we announced two additional mandatory questions in

the census. The purpose of this decision is to protect the rights of official language communities.

[*English*]

We have acted. We have done what is fair and reasonable in the circumstances, and we will continue to do so.

* * *

[*Translation*]

EMPLOYMENT INSURANCE

Mr. Yves Lessard (Chambly—Borduas, BQ): Mr. Speaker, the forestry crisis is far from over. The closure of the AbitibiBowater plants in Gatineau and Dolbeau-Mistassini shows us that workers in the regions need help to get through the crisis. But on September 11, this government put an end to the pilot project that provided an extra five weeks of benefits.

How can this government be so insensitive as to make cuts to the employment insurance program in the middle of a crisis?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, our government acted quickly by creating the economic action plan to help workers during the worldwide recession. We established temporary, targeted measures to help those who were hardest hit by the recession. We clearly indicated that these measures would be temporary, but we also made unprecedented investments to help workers get the training they need to find jobs.

Mrs. Josée Beaudin (Saint-Lambert, BQ): Mr. Speaker, when they were in opposition, the Conservatives criticized the Liberals for taking money from the employment insurance fund. Now they are doing the exact same thing.

They are about to pillage nearly \$20 billion from the EI fund, when the employment crisis is not over and there is a desperate need for help.

How can the government claim not to have money to help the workers who are losing their jobs, when it is about to pillage \$20 billion from the employment insurance fund?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, as I said, we wanted to help those who were hardest hit by the recession. Our efforts were targeted and temporary. It was very important to do what we did—the Bloc voted against these measures, I should add—to help those people by providing training so that they would have the necessary skills for the jobs of today and tomorrow.

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PUBLIC SAFETY

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, the Conservatives continue to insist on building new mega-prisons and keeping Canadians in the dark about their price tag.

Oral Questions

Kevin Page estimated the cost of implementing just one of the Conservatives' many crime bills to be "one billion dollars annually... at a time when we are still generating deficits."

What will these mega-prisons cost? Can the minister tell us?

[English]

Hon. Vic Toews (Minister of Public Safety, CPC): Mr. Speaker, our government has been very clear that our first priority is the safety and security of Canadians. We are prepared to put dangerous offenders in prisons.

We believe that the cost with respect to these prisons is justified in terms of the safety on the streets that it will create.

We would ask the member to support these initiatives to ensure that law-abiding Canadians can walk the streets and that prisoners remain in prison until it is time for them to come out.

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Mr. Speaker, the minister wants to spend \$13 billion on megaprison based on made-up statistics on unreported crime. It is no wonder that the government wants to abolish the long census. Facts and numbers are unimportant to the Conservatives.

Canadians are worried about their jobs, their pensions and the economy. Meanwhile, the government recklessly borrowed billions of dollars to give tax breaks to the wealthiest corporations and cut millions in funding for crime prevention programs. Why?

• (1445)

Hon. Vic Toews (Minister of Public Safety, CPC): Mr. Speaker, this has been the Liberal philosophy. The Liberals do not want dangerous criminals in prison but the Liberals want to register guns. They came up with the long gun registry, targeting law-abiding citizens and if they do not register their guns, send them to prison.

What a bizarre criminal justice philosophy: keep dangerous criminals on the street and send hard-working Canadians to prison. That is the Liberal philosophy

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GOVERNMENT ADVERTISING

Hon. John McCallum (Markham—Unionville, Lib.): Mr. Speaker, while Canadians struggle with rising debt, the Conservatives made an economic decision to install and track exactly 8,587 giant signs. Media reports say each one costs upwards of \$8,000 to buy and install.

Since the Conservatives have spent so much effort tracking each sign right down to the square metre where it was installed, can they tell Canadians just how much these signs cost down to the last penny?

Hon. Chuck Strahl (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, it is true there are a lot of signs out there and they are not just signs that we will find hanging on a wall or hanging on a signpost. They are signs of recovery, signs of hope, signs of opportunity.

Wherever we travel in the country taxpayers are saying, "What are you spending that money on? Are you sure it is a good investment?" We are being open and transparent. We are seeing the evidence of the

man who put the action in the economic action plan, the member for Ottawa West—Nepean, right here.

[Translation]

Hon. John McCallum (Markham—Unionville, Lib.): Mr. Speaker, last year, the Conservatives doubled their advertising expenses to \$89 million. A number of the ads looked like advertising for the Conservative Party.

When will the government implement a third-party review process to ensure that government advertising serves the interests of Canadians and not of the Conservative Party?

[English]

Hon. Chuck Strahl (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, of course, a lot of advertising goes to advertise things like awareness of H1N1 and so on.

However, it was interesting to read the quote from the Leader of the Opposition who was travelling this summer. He said, "We should prepare for 2017. What I want to see is ribbon cuttings everywhere. I want to see things opening. I want to see big banners".

There is no doubt about it. He knows how to spend money. Does he know how to spend it wisely? The answer of course is he knows how to spend it because he is going to get it out of taxpayers' pockets.

Our way is to spend it wisely, show Canadians transparently and openly how we are doing it, and that is what we have been doing since the beginning.

* * *

HEALTH

Mrs. Patricia Davidson (Sarnia—Lambton, CPC): Mr. Speaker, our government understands the difficulties of Canadians living with multiple sclerosis.

Can the Minister of Health share with the House her latest efforts with respect to research on the possibilities associated with CCSVI?

Hon. Leona Aglukkaq (Minister of Health, CPC): Mr. Speaker, my thoughts go out to all those who suffer from MS.

Our government, with the provinces and territories, is speaking with one voice. At last week's health ministers meetings my colleagues and I agreed on the importance of accelerating research so that families can make informed decisions about the MS treatment options.

We will move as quickly as possible based on the best available science. If the experts advise in favour of clinical trials, our government, working with the MS Society and provinces and territories, will ensure they are fully funded.

Oral Questions

[Translation]

GOVERNMENT SPENDING

Mr. Thomas Mulcair (Outremont, NDP): Mr. Speaker, Canada has lost 250,000 full-time jobs since October 2008. The deadline for economic stimulus spending is March 2011, and some municipalities will be penalized. At the same time, many cities are hoping for federal funding for sports infrastructure. Quebec City is bidding on the 2012 Olympics and wants to bring back the Nordiques. I see that my colleagues have forgotten their jerseys today.

Does the federal government plan to partner with the cities and provinces that want to build new sports and recreation infrastructure, yes or no?

• (1450)

[English]

Hon. Chuck Strahl (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, many Canadians are proud sports fans. They support their sports teams wherever they happen to be in all regions of this country and that is great to see. It brings not only cultural opportunities but also economic opportunities across the country.

These initiatives are primarily led by private sector interests. In the case of the NHL, these are wealthy owners along with wealthy hockey players who bring us a lot of fun, but they need to take the lead on this. We look forward to any leadership they might show in the private sector as we move forward with this kind of initiative.

Mr. Thomas Mulcair (Outremont, NDP): Mr. Speaker, our manufacturing sector continues to get hammered, bleeding off a further 25,000 jobs in August. Right now, we are looking at \$60 billion in tax decreases for Canada's most profitable corporations, \$15 billion in profits for the banks for the first nine months of the year, but do not worry, they are planning to share it with themselves, \$7.5 billion in bonuses for bank executives.

When is the government going to understand that billions for banks does not signal recovery for unemployed Canadians? What concrete measures are planned so that the economy does not stall further?

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, first of all, the member opposite should get his facts right. We went through a difficult time in Canada during the recession that came from outside this country.

We did lose almost 400,000 jobs, but as of today we have recovered 430,000 net new jobs in this country. We have recovered more than all the jobs that were lost during the recession. Why is that? Because of sound economic management which is admired around the world.

[Translation]

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Mr. Speaker, the Conservative government says that before investing any money in Quebec City's bid for the Olympic Games, the city must have confirmation that its bid has been selected for the games.

My question is simple: is this still the government's position?

Hon. Josée Verner (Minister of Intergovernmental Affairs, President of the Queen's Privy Council for Canada and Minister for La Francophonie, CPC): Mr. Speaker, the government has been very clear on this subject. Although we are big professional sports fans, the private sector must take the lead. That being said, if our government is to play a role in funding sports infrastructure within its means, it will do so fairly across the country.

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Mr. Speaker, the minister did not answer the question I just asked.

I will give another example. In 2001, Paul Martin and the current Minister of Finance, who was finance minister at Queen's Park at the time, each gave the City of Toronto \$500 million to support its bid for the 2008 Olympic and Paralympic Games, which failed. That is a double standard.

Why is the government refusing to invest in an important multi-purpose project like the Quebec City amphitheatre? This project has received the support of not only Quebec City, but also the Government of Quebec.

Hon. Josée Verner (Minister of Intergovernmental Affairs, President of the Queen's Privy Council for Canada and Minister for La Francophonie, CPC): Mr. Speaker, our position has not changed.

When it comes to bidding for Olympic games, the federal government has always invested in Canadian cities that qualify.

I would like to remind the member for Montmorency—Charlevoix—Haute-Côte-Nord that in October 1993, his Bloc colleague, the member for Québec, said in *Le Soleil* that public moneys should not be used to fund such projects.

* * *

[English]

PENSIONS

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, nine million Canadians do not have a retirement pension plan. In the private sector, the problem is particularly serious, where 73% of employees do not have any retirement savings.

The Conservative government seems to have plenty of money for planes and prisons, and three-day G20 photo ops, but why has it still done nothing to help with the pension crisis that is threatening so many Canadian families?

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, we are all committed to ensuring Canadians have the best possible retirement income system. We have been listening to Canadians in public consultations. Several of the provinces have gone out to listen to Canadians to ensure that we arrive at the correct solutions. Our officials have continued to work on this since we had the federal-provincial-territorial finance ministers meeting on Prince Edward Island in June.

Oral Questions

It is a complex issue. It has to be worked out between the federal government and the provinces, and we are working in that co-operative way.

• (1455)

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, I thank the minister for that answer, but we have been hearing those answers for at least 600 days or more.

Canadians continue to look for concrete action. We are more than willing on this side of the House to work with the government today, as we were yesterday, to improve pensions in a variety of ways. One is to implement a supplementary Canada pension plan. The second is a stranded agency to help companies going bankrupt. The third is to make changes to the bankruptcy law. We are willing to do that today.

Is the government willing to commit today to work with us to bring in real pension reform?

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, what the official opposition actually had suggested in the House was some sort of voluntary new CPP method. This was rejected unanimously by our partners in the federation when we met and discussed the issue because it would not work and because the CPP would be unable to administer it.

If the opposition is prepared to work with us on the constructive solutions that most of the provinces agree with, we are more than happy to work with it on those.

* * *

[Translation]

HEALTH

Ms. Megan Leslie (Halifax, NDP): Mr. Speaker, last year Canadians spent more than \$25 billion on prescription drugs. This cost could be cut in half with a national pharmacare program, but the federal government is showing no leadership on this issue. The minister did not attend the conference of the ministers of health or the Canadian Medical Association conference.

When will the government listen and take measures to reduce the cost of drugs?

[English]

Hon. Leona Aglukkaq (Minister of Health, CPC): Mr. Speaker, our government recognizes the importance of affordable access to drugs as part of the quality health care program. That is why we will continue to honour the 2004 health accord, which provides \$41.3 billion in additional funding to provinces and territories.

As part of the accord, our government agreed to a shared agenda with provinces and territories to improve our collective management of pharmaceutical products, recognizing our complementary roles in the sector. In addition, we have made investments in Health Infoway and a number of other projects that are important to provinces and territories, and we will continue to do that.

Ms. Megan Leslie (Halifax, NDP): Mr. Speaker, prescription drugs are the fastest growing part of health care costs and they are threatening the sustainability of our universal system, but there are solutions. France, Sweden, the U.K., Australia, New Zealand all have universal drug insurance programs. Their citizens spend up to 50% less for drugs than Canadians do for the same medications.

Why is the government sitting on its hands when Canadians are desperate for a workable solution to their unaffordable drug bills?

Hon. Leona Aglukkaq (Minister of Health, CPC): Mr. Speaker, again, our government continues to be a large player in pharmaceutical benefits, spending approximately \$600 million last year to cover pharmaceutical products, medical supplies and equipment for diverse populations and individuals, including first nations and Inuit. The responsibility is with the provincial and territorial governments to decide whether or not to provide their residents with publicly financed drug therapy.

* * *

VETERANS AFFAIRS

Mr. Scott Armstrong (Cumberland—Colchester—Musquodoboit Valley, CPC): Mr. Speaker, the Conservative government strongly supports our troops. Since we formed government in 2006, we have drastically increased support for our brave young men and women in uniform while they are abroad. We also provide more assistance to help them reintegrate in civilian society when they return home to Canada.

Could the Minister of Veterans Affairs please tell the House what our Conservative government has done to stand up for our young veterans?

[Translation]

Hon. Jean-Pierre Blackburn (Minister of Veterans Affairs and Minister of State (Agriculture), CPC): Mr. Speaker, I would like to thank the member for his question as well as for his concern for veterans. I would also like to thank him for his work as chair of the standing committee.

Yesterday we announced \$2 billion to help our veterans, including those returning from Afghanistan, who have been seriously injured, as well as those who are at the lower end of the income scale. We are introducing three measures to help our veterans. We want to show them the respect and dignity they deserve.

* * *

• (1500)

GOVERNMENT COMMUNICATIONS

Hon. Denis Coderre (Bourassa, Lib.): Mr. Speaker, it is becoming increasingly clear that the Conservative government wants to take us back to the dark days of the 1950s. Not only are the Conservatives muzzling anyone who disagrees with them, but even worse, they are keeping the public completely in the dark. We have learned that all media inquiries to scientists working for Natural Resources Canada must now be approved by the minister's office, without exception.

What is the minister so afraid of that he will not let his experts speak freely? What is he trying to hide?

Points of Order

Hon. Christian Paradis (Minister of Natural Resources, CPC): Mr. Speaker, first of all, we are not muzzling anyone. The previous Liberal government adopted a policy on government communications in 2002, and we improved that policy in 2006. We expanded the transparency criteria, in particular regarding marketing and public opinion research. These are false accusations, as my colleague knows very well.

We have been perfectly clear about the fact that we want to communicate, and it is only logical that the minister should be the main spokesperson for the department.

* * *

SHALE GAS

Ms. Paule Brunelle (Trois-Rivières, BQ): Mr. Speaker, the Minister of Natural Resources and Prime Minister's political lieutenant has in his possession notes concerning the exploitation of shale gas. The minister is not being asked to get involved in this issue, which falls under Quebec's jurisdiction.

However, does the minister plan on making public and transmitting to the BAPE the information he has on the potential effects of shale gas exploitation?

Hon. Christian Paradis (Minister of Natural Resources, CPC): Mr. Speaker, I have been looking forward to answering. It is odd to hear about unpublicized documents, when they are documents that were obtained through the Access to Information Act. Everything is there; the documents are already public.

I also asked experts from the Geological Survey of Canada whether they could provide additional information on what is going on in Quebec. I have spoken with my counterpart in Quebec. It is clear that we need information in order to raise the level of public debate, and the Geological Survey of Canada will certainly do its part.

* * *

[English]

INTERNATIONAL CO-OPERATION

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, world leaders are meeting this week to review progress on global poverty goals.

The U.K. and other countries are keeping their commitments despite tough economic times. Sadly, Canada has been called out as a laggard. Conservatives have frozen aid and decided not to honour our commitment to help end global poverty. It should not be this way.

The Prime Minister has an opportunity to change this trend at the UN this week. Will he lift the freeze on our foreign aid budget, or will he just cop out?

Hon. Jim Abbott (Parliamentary Secretary to the Minister of International Cooperation, CPC): Mr. Speaker, I am very proud of Canada's record on the international stage. Canada is playing a part in advancing the millennium development goals.

Canada met its commitment to double international assistance to Africa from 2003-04 levels to \$2.1 billion in 2008-09. We have forgiven more than \$1 billion in debt to the world's poorest country

and we are on track to make our commitment to double our international assistance from the 2001-02 levels.

This is a record that our government is proud of and I know all Canadians are, too.

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LOBBYING ACT

Mr. Paul Calandra (Oak Ridges—Markham, CPC): Mr. Speaker, today the President of the Treasury Board announced that members of Parliament, senators and staff in the opposition leader's office are no longer exempt from the lobbying rules that apply to ministers and senior public servants.

Could the minister tell the House why this is such good news for Canadian democracy?

Hon. Stockwell Day (President of the Treasury Board and Minister for the Asia-Pacific Gateway, CPC): Mr. Speaker, we brought changes into the Lobbying Act so Canadians can be assured that all members of Parliament and senators and the staff who go with the offices of the leader of the opposition in the Senate and the House of Commons are subject to the concerns and views of their constituents and not to the concerns of special interest groups. That is why the law now applies to everybody.

It is a new era of ongoing openness and transparency in this particular area. We brought this act in and we are continuing to improve it.

* * *

● (1505)

POINTS OF ORDER

MEMBER'S REMARKS ON FIREARMS REGISTRY

Mr. David Anderson (Parliamentary Secretary to the Minister of Natural Resources and for the Canadian Wheat Board, CPC): Mr. Speaker, I rise today on a point of order with regard to the question of privilege raised by the NDP member for Sackville—Eastern Shore on November 3, 2009, during the second session of the 40th Parliament and the subsequent finding of a prima facie case of privilege by you.

The case revolved around a ten percenter that was sent into the member's riding, which talked about the long gun registry. It has a picture of a duck hunter on it and it says, "The failed long-gun registry. Hard on farmers and hunters. Useless against real criminals". It talked about how the local MP had worked to support the registry. It asked the question, "Is that the support you expect you're your local MP?".

The House may recall that on November 3, 2009, the member for Sackville—Eastern Shore rose in the House with a great deal of indignation. On page 6568 of *Debates*, the member loudly protested the ten percenter that was sent into his riding that suggested, heaven forbid, that he might support keeping the wasteful and ineffective long gun registry. He called such a suggestion "outright fabrication of the facts", and—

The Speaker: Order, please. I need to hear—

Routine Proceedings

An hon. member: It was a question of privilege.

The Speaker: It was not a question of privilege. It was a point of order. I want to hear what this has to do with the rules of the House. I have heard absolutely nothing on that subject yet. This is a point of order that we are hearing. It has to have something to do with procedure. Householders may have been a question of privilege, but they are not procedure. I would like to hear what the procedural point is.

Mr. David Anderson: Mr. Speaker, I would like to lay out a bit of introduction and then I will certainly get to that.

The member positively stated that he had worked to get rid of the long gun registry for twelve and a half years. He claimed his reputation had been deliberately impugned and that the situation was intolerable. Based on his statements, Mr. Speaker, you found there was a prima facie case of privilege in regard to his question of privilege and referred the matter to the Standing Committee on Procedure and House Affairs.

At committee the member testified, and once again—

The Speaker: Order, please. The member is reviewing the history of a case that may have gone to a committee and may have made a decision. I have no recollection. It does not appear to me to be a point of order affecting the proceedings of the House. Accordingly, I do not think there is a point of order here. I will proceed with tabling of documents.

ROUTINE PROCEEDINGS

[English]

CONFLICT OF INTEREST AND ETHICS COMMISSIONER

The Speaker: Pursuant to section 28 of the Conflict of Interest Code for Members of the House of Commons, it is my duty to present to the House the report of the Conflict of Interest and Ethics Commissioner on an inquiry in relation to the hon. member for St. Catharines.

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LAND CLAIM AGREEMENTS

Mrs. Shelly Glover (Parliamentary Secretary to the Minister of Indian Affairs and Northern Development, CPC): Mr. Speaker, under the provisions of Standing Order 32(2) I have the honour to table, in both official languages, copies of three annual reports for 2007-08, including: the annual report of the implementation committee on the Gwich'in Comprehensive Land Claim Agreement; the annual report of the implementation committee on the Sahtu Dene and Métis Comprehensive Land Claim Agreement; and the 2007-08 annual report of the Inuvialuit Implementation of the Inuvialuit Final Agreement Coordinating Committee.

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GOVERNMENT RESPONSE TO PETITIONS

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, pursuant to Standing Order 36(8) I have the honour to table, in both official languages, the government's response to 64 petitions.

COMMITTEES OF THE HOUSE

PUBLIC ACCOUNTS

Hon. Shawn Murphy (Charlottetown, Lib.): Mr. Speaker, I have the honour to present, in both official languages, the following four reports of the Standing Committee on Public Accounts: the 15th report on selected departmental performance reports for 2008-09 Department of Industry and Department of Transport; the 16th report on chapter 2, "Risks of Toxic Substances" of the fall 2009 report of the Commission of the Environment and Sustainable Development; the 17th report on chapter 1, "Evaluating the Effectiveness of Programs" of the fall 2009 report of the Auditor General; and the 18th report of the committee on chapter 8, "Strengthening Aid Effectiveness - Canadian International Development Agency" of the fall 2009 report of the Auditor General of Canada.

Pursuant to Standing Order 109 of the House of Commons, the committee requests the government table a comprehensive response to these four committee reports.

● (1510)

PROCEDURE AND HOUSE AFFAIRS

Hon. Gordon O'Connor (Minister of State and Chief Government Whip, CPC): Mr. Speaker, there have been discussions among all parties and I believe you would find unanimous consent for the following motion. I move:

That the membership of the Standing Committee on Procedure and House Affairs be amended as follows: Mr. Rodney Weston, Saint John, for Mr. Guy Lauzon, Stormont—Dundas—South Glengarry.

The Speaker: Does the hon. minister of state have the unanimous consent of the House to propose this motion?

Some hon. members: Agreed.

The Speaker: Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

(Motion agreed to)

[Translation]

Mr. Marcel Proulx (Hull—Aylmer, Lib.): Mr. Speaker, there have been discussions among all parties and I believe you would find unanimous consent for the following motion:

That the list of members of the Standing Committee on Procedure and House Affairs be changed as follows:

The Member for Don Valley East (Ms. Ratansi) for the Member for Cape Breton—Canso (Mr. Cuzner); and

The Member for Random—Burin—St. George's (Ms. Foote) for the member for Notre-Dame-de-Grâce—Lachine (Ms. Jennings).

The Speaker: Does the hon. chief opposition whip have the unanimous consent of the House to move this motion?

Some hon. members: Agreed.

[English]

The Speaker: The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Routine Proceedings

(Motion agreed to)

[*Translation*]

Ms. Christiane Gagnon (Québec, BQ): Mr. Speaker, there have been discussions among all parties and I believe you would find unanimous consent for the following motion:

That the membership of the Standing Committee on Procedure and House Affairs be amended as follows: Mr. Laframboise (Argenteuil—Papineau—Mirabel) for Mr. Guimond (Montmorency—Charlevoix—Haute-Côte-Nord).

The Speaker: Does the hon. member for Québec have the unanimous consent of the House to move this motion?

Some hon. members: Agreed.

The Speaker: 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)

* * *

[*English*]

PETITIONS

MULTIPLE SCLEROSIS

Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP): Mr. Speaker, this petition calls for an act for equal access to CCSVI treatment for Canadians living with multiple sclerosis. We all know family and friends who are affected by this ravaging disease and the size of this petition made it possible for people to actually sign a petition on their own behalf. I am pleased and proud to present it here today.

HEALTH

Mr. Colin Mayes (Okanagan—Shuswap, CPC): Mr. Speaker, I have the pleasure to present two petitions signed in my constituency of Okanagan—Shuswap. Both petitions call upon Parliament and those of the G8 and G20 to provide a substantial amount of money and resources over the next five years to support workable healthcare systems, put in place the necessary structures to train and sustain sufficient numbers of front line nurses, midwives and healthcare educators and provide education on vital and appropriate maternal and child health policies.

CANADA POST

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Mr. Speaker, it is my pleasure to table a petition signed by hundreds of residents of Cardston, Alberta. They are petitioning the government to revisit the decision to close post offices. They say that the Liberals imposed a moratorium on post office closures in 1994 and they are concerned that the government is considering lifting that moratorium. The petitioners are concerned about the fate of their post office.

MULTIPLE SCLEROSIS

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, I would like to table a petition today on an issue that is gaining public momentum and is of critical interest to the over 55,000 Canadians living with MS.

In my home town of Hamilton, the recent publicity about Mary Jacobs' treatment in Costa Rica has done much to raise awareness about the potential of an endovascular surgical procedure first pioneered by Dr. Zamboni. Petitions are now flooding in urging the Government of Canada to accelerate pilot testing and treatment, increase research support, work with the provinces and territories to obtain advice and evidence-based information about CCSVI treatment and take a lead role on the basis of this evidence in encouraging the swift adoption of the procedure in the territories and provinces.

While I know that House rules do not allow me to explicitly endorse petitions, I will indicate how pleased I am to table this petition in the House today.

● (1515)

VISAS

Mr. Bill Siksay (Burnaby—Douglas, NDP): Mr. Speaker, I am very pleased to table a petition signed by over 300 residents of greater Vancouver, including many from my constituency of Burnaby—Douglas.

These petitioners note the over 50-year relationship between Canada and Taiwan, the over 150,000 Taiwanese tourists who visit Canada each year and the over 15,000 Taiwanese students studying here in this country. They point out that Canadians no longer require a visa to visit Taiwan and that the United Kingdom, Ireland and New Zealand have waived their visa requirements for Taiwanese tourists, resulting in increased tourism from Taiwan to those countries.

These petitioners therefore call for the passage of Motion No. 530 tabled by the member for Burnaby—New Westminster which calls upon the Canadian government to waive the visa requirement for Taiwanese visitors to Canada.

HEALTH CANADA

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, I am pleased to present a petition today that is a call against Health Canada's authorization of caffeine in all soft drinks.

Health Canada announced on March 19 that beverage companies will now be allowed to add up to 75% of the caffeine allowed in the most highly caffeinated colas to all soft drinks.

Soft drinks have been designed and marketed toward children for generations. Canadians already have concerns over children drinking coffee and colas, as they acknowledge that caffeine is an addictive stimulant. It is difficult enough for parents to control the amount of sugar, artificial sweeteners and other additives that their children consume, including caffeine from colas.

Therefore, the petitioners call upon the Government of Canada to reverse Health Canada's new rule allowing caffeine in all soft drinks and not follow the deregulation policies of the United States and other countries that sacrifice the health of Canadian children and pregnant women.

Routine Proceedings

MULTIPLE SCLEROSIS

Mr. Claude Gravelle (Nickel Belt, NDP): Mr. Speaker, it is a pleasure for me to rise in the House today to present a petition from hundreds of people from right across Canada.

The petitioners urgently call upon the Government of Canada to take immediate action to accelerate a greater and broader participation of MS sufferers in pilot testing and treatment by providing and fast-tracking funding for surveillance, research and dissemination of findings, including providing urgent pre-screening image services for MS sufferers, to work immediately with the provinces and territories through the Canadian Agency for Drugs and Technologies in Health, to obtain advice and evidence-based information about the effectiveness of chronic CCSVI treatment without delay, and to take a leading role on the basis of the evidence in encouraging the swift adoption of the procedure in the territories and provinces.

Ms. Kirsty Duncan (Etobicoke North, Lib.): Mr. Speaker, I am pleased to present a petition regarding chronic cerebrospinal venous insufficiency, CCSVI, for which the testing and treatment is safe, inexpensive and effective. The treatment of CCSVI is veinography followed by balloon venoplasty, a routine treatment for vascular disease made available to all Canadians with vascular disorders, except those with MS.

The petitioners are asking the government to plan and implement a nationwide clinical trial for the evaluation of veinography and balloon venoplasty for the treatment of CCSVI in persons diagnosed with MS.

Mr. Malcolm Allen (Welland, NDP): Mr. Speaker, I am pleased to present a petition today on behalf of MS sufferers.

I will personalize it by saying that I thank all these folks who have signed this petition in the name of my father who died of MS and for Dawn Shen from St. Catharines who has been leading this fight for the ability to have a pilot program in this country on CCSVI.

It is important to give MS sufferers hope and these petitioners are saying to the between 55,000 and 70,000 MS sufferers out there, "You deserve to have hope". I hope the government will hear that and not hide behind some obscure definition of what it means to actually go forward.

What the petitioners are saying is that we must give MS sufferers hope and we must give them hope today.

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, we have had hundreds of MS sufferers outside Parliament today and we are getting thousands and thousands of petitions from across the country. Some of my NDP colleagues stood in this House just a few moments ago. What all of these MS sufferers and their families are saying, 75,000 strong, is that the government must act on CCSVI treatment.

In my case, we are talking about petitioners from Newfoundland and Labrador right through to British Columbia. They are all saying that what the Government of Canada has to do is accelerate the whole pilot program and pilot testing around CCSVI treatment and that it must work immediately with the provinces in order to put into place these pilot programs and testing to help those MS sufferers.

Like my colleague, the member for Welland, my cousin Julie died of MS. I know that many members in this House support MS

sufferers across the country in saying to the government that it must act now on CCSVI.

* * *

● (1520)

QUESTIONS ON THE ORDER PAPER

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, as you can see, I will be answering a number of questions today. The following questions will be answered: Nos. 101, 246, 256, 259, 261, 262, 263, 266, 271, 275, 279, 280, 281, 282, 284, 286, 287, 291, 295, 296, 305, 306, 307, 308, 310, 314, 323, 326, 327, 329, 330, 333, 337, 338, 340, 343, 346, 347 and 353.

[Text]

Question No. 101—**Hon. Wayne Easter:**

Has Agriculture and Agri-Food Canada completed or contracted to have completed any economic impact analyses of removing barley from the jurisdiction of the Canadian Wheat Board on western grain farmers and, if so, (i) on what dates were the studies completed, (ii) what are the titles of the analyses, (iii) what are the names and positions held by the authors of the analyses, (iv) what are the names of the individuals or organizations the analyses were distributed to?

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, Agriculture and Agri-Food Canada has not, other than the two studies shown below, completed or contracted to have completed economic impact analysis studies on removing barley from the jurisdiction of the Canadian Wheat Board on western grain farmers.

Carter, C.A. March 31, 1993. An Economic Analysis of a Single North American Barley Market. Submitted to the Associate Deputy Minister, Grains and Oilseeds Branch, Agriculture Canada. 60 pp.

In response to (i), the study was submitted on March 31, 1993.

In response to (ii), the study was called "An Economic Analysis of a Single North American Barley Market".

In response to (iii), the author, Colin A. Carter, is Professor of Agricultural Economics, University of California, Davis, U.S.A.

In response to (iv), the study was submitted to the Associate Deputy Minister, Grains and Oilseeds Branch, Agriculture Canada, and distributed to interested persons.

The Western Grain Marketing Panel Report, July 1, 1996.

In response to (i), the study was submitted on July 1, 1996.

In response to (ii), the study was called "The Western Grain Marketing Panel Report".

In response to (iii), the panel consisted of W. Thomas Molloy, Q.C., Jack Gorr, Wally Madill, John Neufeld, Avery Sahl, Bill Duke, Jim Leibfried, Owen McAuley, and John Pearson.

In response to (iv), the report was submitted to the Minister of Agriculture and Agri-Food Canada and distributed to interested persons.

*Routine Proceedings***Question No. 246—Hon. Dominic LeBlanc:**

With respect to Nancy Greene Raine's position as Canada's Olympic Ambassador: (a) what was the total cost associated with the position, broken down by the amount spent on air travel, accommodations, per diem, meals, hospitality, gifts and all other expenses; (b) what government department or agency paid for these expenses; and (c) what were the hospitality expenses for Canada's Olympic Ambassador, including the names of all recipients of hospitality items or expenses?

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, in response to (a), Senator Greene Raine accepted the position with the agreement that the Government of Canada would pay her travel expenses. Senator Greene Raine submitted a travel claim for \$610.60 broken down as follows:

\$448.05 for a return trip from Kamloops to Whistler, B.C., in a private vehicle (\$0.515 per kilometre);

\$83.55 for one day of meal and incidental allowances; and

\$79.00 for taxis.

Senator Green-Raine was also provided accommodation in Whistler for 15 nights at a total cost of \$8,193.75. These rooms were prepaid by the Department of Canadian Heritage.

In response to (b), the Department of Canadian Heritage paid these expenses as the lead coordinating department for the 2010 Olympic and Paralympic Winter Games.

In response to (c), no hospitality claims were submitted.

Question No. 256—Hon. Navdeep Bains:

With regard to the Interdepartmental Working Group on Trafficking in Persons: (a) when was the last time this group met; (b) how many times has it met since 2005 and when were these meetings; (c) what were the agendas for these meetings; (d) how much has been budgeted for this group since 2005; and (e) what was the composition of this group at its founding and what is its current composition?

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, in response to (a), the federal Interdepartmental Working Group on Trafficking in Persons, IWGTIP, was formally mandated in early 2004 to coordinate all federal efforts to combat trafficking in persons. Prior to that time, the IWGTIP was an informal group of a few federal departments that focused primarily upon supporting the development of Canada's negotiating position for the United Nations' Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, under the Convention Against Transnational Crime and its subsequent implementation upon Canadian ratification. The IWGTIP last met on May 12, 2010.

In response to (b), the frequency of IWGTIP meetings has varied over the years, ranging from as often as monthly to the current approach of meeting at least quarterly, depending upon the nature and timing of activities being addressed by the IWGTIP. As well, informal subgroups of the IWGTIP may meet periodically, as and when required, to support IWGTIP efforts including, for example, to facilitate Canadian participation in the Forum to Fight Human Trafficking, held in February 2008 as part of the United Nations' Global Initiative to Fight Trafficking, "UN.GIFT".

In response to (c), the specifics of the agenda for IWGTIP meetings vary, depending on the current activities combatting human

trafficking. However, at their core, discussions are focused on the key pillars of the IWGTIP's mandate: the prevention of trafficking, e.g., the status of current public education/awareness initiatives; the protection of victims; the prosecution of offenders; and, more generally, to provide a vehicle for supporting the Government of Canada's ability to respond to trafficking in persons both domestically and abroad, and in conjunction with relevant partners. Toward this end, discussions generally revolve around current/completed or forthcoming federal activities, e.g., status updates on related parliamentary business; federal professional training and public awareness activities; federal input to or participation in domestic or international initiatives, member Departments updating the group on their new/ongoing/forthcoming anti-trafficking initiatives, and updates on initiatives/conferences/developments at the domestic and international levels. Many of these activities are noted on the government's Trafficking In Persons website <http://canada.justice.gc.ca/eng/fs-sv/tp>. Over the years, there have also been periodic opportunities for non-federal governmental groups to meet with the IWGTIP to mutually exchange/update each other on respective anti-trafficking efforts.

In response to (d), the IWGTIP does not have a budget. Its operation is supported by participating departments through their existing departmental budgets and operations.

In response to (e), the IWGTIP is currently chaired by the Department of Justice Canada and Public Safety Canada. Its current composition largely reflects its composition since 2004:

Canada Border Services Agency (CBSA)

Canadian Heritage (CH)

Canadian International Development Agency (CIDA)

Criminal Intelligence Service Canada (CISC)

Citizenship and Immigration Canada (CIC)

Department of Justice Canada (JUS)

Department of National Defence (DND)

Department of Foreign Affairs and International Trade (DFAIT)

Health Canada (HC) / Public Health Agency of Canada (PHAC)

Human Resources and Skills Development Canada (HRSDC)

Indian and Northern Affairs Canada (INAC)

Passport Office

Public Prosecution Service of Canada (PPSC)

Public Safety Canada (PS)

Royal Canadian Mounted Police (RCMP)

Statistics Canada

Status of Women Canada (SWC)

*Routine Proceedings***Question No. 259—Mr. Don Davies:**

With regard to the federal Task Force on Illicit Tobacco Products, which reported to the Minister of Public Safety in July 2009 on the contraband tobacco issue: (a) what is the rationale of the Task Force and of the government for rejecting the regulation of cigarette papers and acetate filter tow as a control measure worthy of further examination; (b) what specific recommendations has the Task Force made to the government other than that of rejecting the control of cigarette-manufacturing raw materials besides raw leaf tobacco; and (c) if the Task Force has recommended other actions or initiatives to control contraband tobacco that have not been adopted by the government, what are these actions or initiatives and what is the government's rationale for not adopting them?

Hon. Vic Toews (Minister of Public Safety, CPC): Mr. Speaker, in response to (a) and (b), in May 2008, the Minister of Public Safety announced the establishment of the Task Force on Illicit Tobacco Products. The task force is led by PS and includes departments and agencies that are involved in tackling the issue of contraband tobacco, including the Royal Canadian Mounted Police, RCMP, the Canada Border Services Agency, CBSA, the Canada Revenue Agency, Finance Canada, Agriculture and Agri-Food Canada, Health Canada and Indian and Northern Affairs Canada.

The task force is mandated to identify the facilitating circumstances for each source of illicit tobacco, scope out the issue and what is currently being done to address the problem, identify gaps in our collective efforts, and explore approaches to address the illicit trade in tobacco products.

In July 2009, after extensive consultation with federal partners and industry stakeholders, the task force completed its analysis in which it identifies several options to reduce both the supply of, and demand for, illicit tobacco products in Canada. A copy of the task force report is available on the PS website; however, there are several options that have not been released as they are still under consideration.

One of the options considered by the task force included the increased control of raw materials, including cigarette papers and acetate filter tow, which are used in the production of contraband tobacco products. Upon further examination of the potential control of raw materials, the task force came to the conclusion that, with the exception of tobacco itself, there is no raw material that is exclusively used in the manufacture of contraband tobacco products. For example, in addition to its application in contraband tobacco products, acetate filter tow is also used in the manufacture of gauze and feminine hygiene products. As such, raw materials would be very difficult to regulate without causing a significant negative impact on the operations of legitimate businesses, particularly those not involved in the manufacture of tobacco products.

In response to (c), in July 2008, the Government of Canada joined with all provinces in a landmark settlement concerning tobacco smuggling which saw two major Canadian tobacco companies agree to pay \$1.15 billion in fines. As a result of this settlement, the Minister of National Revenue announced a \$20 million investment to combat contraband tobacco and to reduce the amount of tobacco consumed.

As part of the \$20 million investment, the Government of Canada announced on May 28, 2010, several key initiatives that were developed by the task force to combat contraband tobacco:

\$7.41 million for the establishment of an RCMP-led Combined Forces Special Enforcement Unit—Contraband Tobacco Team, CFSEU-CTT, operating in Cornwall. The CFSEU-CTT will target criminal networks engaged in the manufacture and distribution of contraband tobacco products, complementing the current enforcement efforts in that region;

\$3.48 million for the CBSA to establish a detector dog service focused on detecting and seizing contraband tobacco at marine ports of entry in Montreal and Vancouver, which are the regions with the highest rate of contraband tobacco activity; and

\$4.97 million for the Canada Revenue Agency to implement a multimedia awareness campaign, comprised of television, print and radio ads, that will emphasize the link between buying contraband tobacco products and supporting the activities of organized crime groups. The campaign will be deployed throughout Canada with a focus on Ontario and Quebec, provinces with high rates of contraband tobacco consumption.

It is clear that any enforcement, awareness and/or control mechanisms for contraband tobacco requires the continued cooperation and partnership between federal, provincial and territorial governments, first nations governments, the law enforcement community and industry stakeholders.

Question No. 261—Hon. Shawn Murphy:

With regard to the Knowledge Infrastructure Program and the announcement on page 242 of Budget 2010 that “upgrades to infrastructure at the University of Prince Edward Island will create over 300 jobs and inject about \$30 million into the economy”: (a) what is the description, including the projected costs, of the upgrades to infrastructure that will take place at the University of Prince Edward Island; (b) what is the outline as to when these infrastructure upgrades will begin and when they will be completed; (c) what is the detailed breakdown of the financial commitments by the University of Prince Edward Island, the provincial government of Prince Edward Island and all other parties involved in funding the upgrades to infrastructure at the University of Prince Edward Island; and (d) what are the details of the process by which the figure of 300 jobs was calculated?

Hon. Tony Clement (Minister of Industry, CPC): Mr. Speaker, with regard to the knowledge infrastructure program, KIP, and the announcement on page 242 of budget 2010 that “upgrades to infrastructure at the University of Prince Edward Island will create over 300 jobs and inject about \$30 million into the economy”, and

In response to (a), the University of Prince Edward Island, UPEI, project constitutes an upgrade of essential physical infrastructure.

The project will provide upgrades to many campus buildings including many that support research and graduate studies. Specific areas for upgrading include heating and ventilation; fire panels; sprinklers; roof replacements; and elevator modernizations.

Included in this project will be the relocation of the campus aboriginal centre to a larger, more modern space in one of the updated halls. The infrastructure upgrades will also benefit space in which the university's School of Nursing operates its aboriginal support program.

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Federal funding for this project is \$2 million with the province contributing an additional \$2 million for a total project cost of \$4 million.

In response to (b), the most recent quarterly report received from the province indicates that work is under way on a variety of elements included in this project.

In June 2009, work began on some project components, including tendering and equipment procurement. As of the third quarterly progress report, submitted this February, the project remains on track to meet its anticipated July 2010 completion date.

In response to (c), federal funding for this project is \$2 million. The province is providing the \$2 million in required matching funding for a total project cost of \$4 million.

In response to (d), UPEI has received funding under KIP to upgrade essential physical infrastructure at several campus buildings. The total cost of these upgrades is \$4 million, of which the federal government is providing \$2 million.

KIP is also providing funding to Holland College to undertake a major renovation of the Charlottetown Centre and to construct a new centre for applied science and technology. The total cost of this project is \$17 million, of which the federal portion is \$8.5 million.

The job estimates provided by Holland College in its submission to the program were that the project would create or maintain 218 jobs by March 31, 2010, and 270 jobs between April 1, 2010 and March 31, 2011. The estimates submitted by UPEI were that 60 jobs would be created over the course of the essential physical infrastructure project.

Adding together the benefits of the two projects, 300 jobs is an estimate of the potential number of jobs to be created or maintained in Prince Edward Island as a result of KIP projects there. Final job figures are to be submitted by institutions in project close-out reports, which are due by June 30, 2011.

Question No. 262—**Hon. Shawn Murphy:**

With regard to the Advance Contract Award Notice files nos. D1120-09-1116, D1120-09-1120, D1120-09-1121 and D1120-09-1122 of the Public Service Commission of Canada: (a) what are the reasons for changing the contracts into multi-year options; and (b) have Public Service Commission officials consulted with the designated consultants to tailor the contracts to the concerned individuals?

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, in response to (a), the Public Service Commission, PSC, did not change the contracts into multi-year options; the original periods of the contracts were for one year with the option to renew for up to three additional one-year periods under the same terms and conditions. The proposed periods of the contracts were posted in the ACANs.

In response to (b), designated consultants were provided a copy of their respective ACAN document in advance in order to inform them of our intention to post information related to them on MERX, the government public contracting system. The PSC also has the obligation to verify that the proposed contractors meet the minimum requirements identified in the ACANs. The PSC did not consult with the contractors to tailor the contracts.

Question No. 263—**Hon. Shawn Murphy:**

With regard to the development of Prosperity Mine by Taseko Mines Ltd., will Schedule 2 of the Metal Mining Effluent Regulations, under the Fisheries Act, be amended to include Fish Lake, also named Tatzan Bay, located on the list of admissible tailing impound areas?

Hon. Christian Paradis (Minister of Natural Resources, CPC): Mr. Speaker, the use of a natural fish-bearing water body for tailings and waste rock disposal can only be authorized when it has been determined that there are no other reasonable alternatives and when certain conditions are met, including the development and implementation of compensation measures to ensure that there is no net loss of fish habitat associated with the creation of the proposed tailings impoundment area. Such compensation is a regulatory requirement of the Metal Mining Effluent Regulations and it must be determined that it is possible to compensate in order for the amendments to proceed.

No decision can be made on the initiation of the MMER amendment process until the completion of the federal environmental assessment process for the Prosperity Project. Given the potential for environmental effects and the need for full public participation, the Prosperity Project was referred to a review by a federal panel on January 19, 2009 which represents the highest level of environmental assessment.

Question No. 266—**Ms. Linda Duncan:**

With regard to the \$1 billion over five years for the Clean Energy Fund to support research, development and demonstration of clean energy technologies, included in the Economic Action Plan: (a) for how much of the total Clean Energy Fund have contribution agreements been signed and with whom, (i) for research and development, (ii) for deployment of technology, (iii) for research; (b) which departments or agencies are administering each aspect of the fund; (c) what is the total amount allocated to date for carbon capture and sequestration projects and with whom are contribution agreements signed; (d) if the contribution agreements for the above projects do not include terms for intellectual property for any technologies developed or tested, are any separate agreements signed in that regard and what percentage is allocated to the government for any future sale of such; and (e) are there any other technologies receiving funding for development and deployment from the fund, and how much funding have they received, distributed by technology?

Hon. Christian Paradis (Minister of Natural Resources, CPC): Mr. Speaker, the clean energy fund, part of the Government of Canada's economic action plan, will invest \$795 million over five years in research, development and demonstration projects to advance Canadian leadership in clean energy technologies. This includes large-scale carbon capture and storage demonstration projects as well as these smaller-scale demonstration projects of renewable and alternative energy technologies. Three carbon capture and storage projects have already been announced, totalling \$466 million from the fund.

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Nineteen successful projects have been selected in response to a call for proposals under the renewable and clean energy portion of the clean energy fund. Up to \$146 million will be invested over five years in these projects to support renewable, clean energy and smart grid demonstrations with evidence of collaboration among partners and the potential to reduce barriers to technology implementation. For more information on the proposals under the renewable and clean energy portion of the clean energy fund, please see the following website:

<http://www.nrcan-mcan.gc.ca/media/newcom/2010/201001a-eng.php>

For more information on large-scale carbon capture and storage demonstration projects, please see the following website:

<http://www.nrcan.gc.ca/eneene/science/ceffep/lssddgp-eng.php>

Question No. 271—**Mrs. Bonnie Crombie:**

With regard to the closing of Canada Post call centres: (a) how many call centre jobs will be lost in Canada; (b) what has been done to replace call centre services in Canada; (c) is Canada Post looking outside of Canada to replace these services; (d) is there a tendering process in effect to replace these services and, if so, what companies have submitted bids; and (e) if (d) is answered in the negative, why is there no tendering process in effect?

Hon. Rob Merrifield (Minister of State (Transport), CPC):

Mr. Speaker, in response to (a), there are 195 full- and part-time permanent employees working at Canada Post call centres. All of these permanent employees will continue to have a job at Canada Post. Canada Post will adhere strictly to the terms of its collective agreements and fully respect all job security and staffing provisions.

The number of contract employees fluctuates depending upon staffing requirements and call volumes. All term contracts will be ended in early 2011 providing close to a year of notification as well as pay and benefits.

In response to (b), the Ottawa and Edmonton call centres will close in 2011. Over time, as full- and part-time permanent call centre employees in Winnipeg, Fredericton and Antigonish retire, leave or find other positions within the company, call center work will be transitioned to the new service provider. Canada Post is outsourcing a significant portion of its external call centres operations to an outside service provider. The request for proposal, RFP, will help Canada Post find an appropriate outside service provider to begin managing its call centres.

Canada Post will work closely with the new service provider to ensure that service levels remain intact.

In response to (c), Canada Post issued a request for proposal concerning its external call centre business in order to find appropriate service provider to manage its call centre business. The terms of the request for proposal ensure that customers will continue to call the same phone number, and that their calls will be answered in Canada by Canadian workers.

In response to (d), Canada Post issued a request for proposal concerning its external call centre business in order to find an appropriate service provider to manage its call centre business. The request for proposal was posted on MERX on June 17, 2010. At the

end of the process Canada Post will announce the chosen service provider.

In response to (e), this is not applicable

Question No. 275—**Hon. Anita Neville:**

With regard to the Canadian International Development Agency (CIDA): (a) did the agency conduct a gender-based analysis (GBA) of its new Aid Effectiveness Agenda before its announcement in September 2008; (b) has the agency conducted ongoing GBA of the Aid Effectiveness Agenda; (c) is the 1999 Policy on Gender Equality incorporated in the Aid Effectiveness Agenda and, if so, in what way; (d) is there a statement of intent or policy concerning GBA at CIDA; and (e) what steps, if any, were taken between 2006 and 2010 to ensure the full implementation of GBA and the 1999 Policy on Gender Equality?

Hon. Bev Oda (Minister of International Cooperation, CPC): Mr. Speaker, in response to (a), a gender-based analysis, GBA, was not conducted on the overall agenda prior to its announcement; however, gender based analyses are being conducted on components of the Agenda as they are developed.

In response to (b), gender equality is an integral part of the agency's aid effectiveness agenda as a crosscutting theme, and as such, has been integrated into its operationalization.

In response to (c), yes. The 1999 Policy on Gender Equality guides CIDA's gender-based analysis and promotes the integration of gender equality into all of CIDA's policies, programs and projects.

As a part of its aid effectiveness agenda and in order to improve the focus of aid, the Canadian International Development Agency, CIDA, has selected three thematic priorities. Strategies for two out of three priorities have been developed and announced. A GBA was a key part of the development process for both strategies and as such, gender equality has been integrated throughout the strategy. The third strategy, which is currently in development, is also being informed by a GBA.

Internationally, Canada is an active member of the Organisation for Economic Co-operation and Development, OECD, Development Assistance Committee, DAC, GenderNet working group on Gender Equality and Aid Effectiveness to promote the integration of gender equality into the international aid effectiveness framework.

Canada has been engaged in bilateral efforts with developing countries that integrate gender equality into new aid modalities and other frameworks that implement the international aid effectiveness framework, e.g., the Paris Declaration on Aid Effectiveness and the Accra Agenda for Action. For example, Canada is chair or a member of a number of in-country donor working groups dedicated to gender equality and/or women's issues.

The agency has also produced tools to help officers in the field to better integrate gender equality into aid effectiveness funding modalities, such as program-based approaches.

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In response to (d), yes, the 1999 Gender Equality Policy indicates “Gender analysis is required for all CIDA policies and programs and projects. Application of gender analysis will vary according to the nature and scope of initiatives”.

In response to (e), 2006

The Minister of International Cooperation commits to increasing CIDA’s investments in specific programming for equality between women and men. The use of specific programming to target inequalities between women and men is a principle in CIDA’s 1999 Gender Equality Policy.

2007—CIDA’s 2007-2008 Report on Plans and Priorities identifies equality between women and men as one of two areas for enhanced Agency focus.

2007—CIDA makes equality between women and men the central theme in engaging the Canadian public through International Development Week. Engaging Canadians is a means to further advance the objectives of the 1999 Gender Equality Policy.

2008—Evaluation of CIDA’s Implementation of its 1999 Policy on Gender Equality and a management response to its recommendations are completed.

2008—The Minister for International Cooperation accepts to become a champion on behalf of the Government of Canada and as part of the Global Campaign for Millennium Development Goal 3, MDG, to promote gender equality and empower women, which was launched by the Government of Denmark as a means to increase attention and support to MDG 3.

2008—The agency introduces a new mandatory gender equality coding system that measures the level of gender equality integration in every CIDA investment. The coding system is a means to better track how well the agency is implementing its 1999 Gender Equality Policy.

2008—As chair of the Advisory Group on Civil Society and Aid Effectiveness, CIDA hosts an international consultation with women’s groups in order to better integrate gender equality into the international aid effectiveness agenda. As a result, gender equality is explicitly mentioned in the 2008 Accra Agenda for Action, an internationally-agreed commitment to improve aid effectiveness.

2009—As a result of a gender-based analysis, gender equality is integrated into CIDA’s Food Security Strategy, with a focus on smallholder female farmers, and CIDA’s Children and Youth Strategy, with an emphasis on maternal health and girls.

2010—The Minister of International Cooperation announces support to the United Nations Development Fund for Women, UNIFEM, as a means to support the rights of women and girls, a key objective of CIDA’s Gender Equality Policy.

Question No. 279—**Hon. Carolyn Bennett:**

With respect to Employment Insurance (EI) benefits: (a) does the sick leave provision of EI allow for a full 65 weeks for sickness benefits before or after the birth of a child of the EI recipient; (b) is there a policy in existence which states that a claimant is only granted the full 65 weeks if the 15 weeks of benefits is taken before the birth of a child of the EI recipient; and (c) does the government plan to issue a

policy directive stating that Canadians who become sick while receiving their maternity or parental benefits are entitled to the full 65 weeks of benefits regardless of the illness occurring before or after pregnancy?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, when a claimant qualifies for benefits, a benefit period of 52 weeks is established, which is the window of time within which all available benefits may be paid. This applies to all benefit types, including regular, sickness, maternity, parental, and compassionate care. The benefit period ensures that EI benefits are paid within a reasonable proximity relative to the earnings they are designed to replace.

The Employment Insurance Act, EI Act, does provide for some exceptions when specific circumstances arise. In particular, subject to eligibility requirements, 15 weeks of sickness benefits may be combined with 50 weeks of entitlement that maternity and parental provide, resulting in an extension of the 52-week benefit period to 67 weeks, including the two-week waiting period. A claimant may receive sickness benefits before or after receiving maternity or parental benefits; however, the EI Act requires that to obtain an extension to the benefit period beyond 52 weeks, maternity, parental and sickness benefits must start during the original 52-week benefit period. As such, in most cases where the claimant is expected to take the full 50-week combined maternity and parental benefits, sickness benefits must be received prior to maternity and parental benefits.

The provision for combining sickness benefits with maternity/parental benefits was originally included to address situations where women needed to leave work for health reasons prior to the birth of the child. This was to ensure that they did not lose entitlement to parental benefits provided for parental bonding with a newborn child in its first year.

Claimants who have used their full 52 week benefit period before receiving any sickness benefits, are treated like any other EI claimant, and are not entitled to an extension. No benefits are payable once the benefit period has ended and there are currently no provisions in the EI Act to extend a benefit period after it has ended, and their claim has terminated. This applies to claims for regular benefits and all types of special benefits. Once a claim has terminated, an individual would require recent labour force attachment to re-qualify before they could again claim benefits. In the case of sickness benefits, the individual would require an additional 600 hours.

Any proposed change to the administration of EI sickness benefits or the creation of any new program would require careful consideration as to the potential effects on other income supports and on employer-employee relationships.

*Routine Proceedings***Question No. 280—Mr. Jim Maloway:**

With regard to the announcement made by Health Canada on March 19, 2010, that beverage companies will now be allowed to add to all soft drinks up to 75% of the caffeine allowed in the most highly caffeinated colas: (a) who made the decision; and (b) will the Minister of Health reverse Health Canada's decision allowing caffeine in all soft drinks?

Hon. Leona Aglukkaq (Minister of Health, CPC): Mr. Speaker, in response to (a), as a food safety regulator, Health Canada is responsible for setting regulations and policies that help ensure the safety of Canada's food supply. The Food and Drug Regulations require certain substances used in food, such as food additives, to undergo a thorough safety and efficacy assessment, before they can be added to foods allowed for sale in Canada. It is only when Health Canada scientists are satisfied that food additives would not pose a risk to Canadians' health, that Health Canada would recommend their use under specified conditions.

As a result, Health Canada issued an Interim Marketing Authorization on March 20, 2010 permitting the possible use of caffeine as a food additive in non-cola type carbonated soft drinks to a maximum level of use of 150 milligrams per litre, or parts per million. Health Canada maintained its approval of the use of caffeine as a food additive in cola-based carbonated soft drinks at a maximum level of 200 milligrams per litre, or parts per million. This Interim Marketing Authorization was signed by the Assistant Deputy Minister of Health Canada's Health Products and Food Branch through the delegated authority and approval of the Minister.

In response to (b), Health Canada scientists will continue to review the scientific data on caffeine and research findings as they become available to ensure that recommended maximum daily caffeine intake levels are based on the results of the most up to date scientific evidence.

At this time, the scientific evidence available supports the absence of health risks for the expanded authorization for caffeine use in other carbonated soft drinks.

Question No. 281—Mrs. Michelle Simson:

With regard to the Department of Veterans Affairs and, more specifically, the Veterans Independence Program (VIP) and VIP expansion: (a) how many individuals received benefits from the VIP during the 2008-2009 fiscal year; (b) how many individuals received benefits from the VIP expansion during the 2008-2009 fiscal year; (c) why is the VIP expansion limited to survivors of those who had accessed the program prior to passing away; (d) how many individuals are currently excluded from the VIP expansion; and (e) what is the cost associated with allowing all survivors of Canadian veterans to access the program expansion?

Hon. Jean-Pierre Blackburn (Minister of Veterans Affairs and Minister of State (Agriculture), CPC): Mr. Speaker, in response to (a), Veterans Affairs Canada estimates that there were about 106,076 veterans independence program recipients in the 2008-09 fiscal year.

In response to (b), there were an estimated 1,812 veterans independence program expansion clients.

In response to (c), 2005 amendments provided authority which allowed for lifetime continuation of housekeeping and grounds maintenance services to primary caregivers of all veterans who once received those specific services. However, with the 2008 expansion, veterans independence program housekeeping and grounds maintenance benefits were extended to a specific group of survivors of

individuals who were income qualified civilians, income qualified veterans, veteran pensioners, or civilian pensioners who were not in receipt of these benefits at the time of their death.

In response to (d), Veterans Affairs Canada estimates that there were approximately 192,000 survivors who did not qualify for the veterans independence program expansion because, for example, their income exceeded the eligibility criteria.

In response to (e), the cost associated with allowing all survivors of Canadian veterans to access the program expansion is estimated at \$488 million in the first year.

Question No. 282—Mrs. Michelle Simson:

With respect to the Buffalo fixed-wing search and rescue aircraft which entered into service with the Canadian Armed Forces in 1967: (a) what was the original estimated operational lifespan of the aircraft; (b) how many aircraft are currently operational; (c) what is their current estimated operational lifespan; (d) what is the cost associated with maintaining the fleet for the previous fiscal year; (e) what measures are being taken to extend the operational life of the Buffalo; and (f) what are the operational capabilities of the current fleet?

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, in response to (a), the original estimated operational lifespan of the Buffalo aircraft was from 1967-1982, 15 years.

In response to (b), six aircraft are currently in use.

In response to (c), the current operational lifespan of the Buffalo aircraft ends in 2015.

In response to (d), the cost of maintaining the fleet for the fiscal year 2009-10 was \$19.6 million Canadian. This figure includes spare parts, the repair and overhaul of the aircraft parts or systems, contracted maintenance services and engineering services. This figure does not include the salaries of military personnel who conduct maintenance on the aircraft or operational costs, such as fuel.

In response to (e), there are currently no initiatives in place to extend the operational life of the Buffalo aircraft.

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In response to (f), the CC115 Buffalo aircraft provides fixed-wing search and rescue response for the Victoria search and rescue region on Canada's west coast. It has an operational range of 2,240 kilometres, a maximum cruising speed of 407 kilometres per hour, and a maximum payload of 2,727 kilograms. The Buffalo can search for survivors of search and rescue incidents at low altitudes, and can render assistance to survivors on the ground or in the water by dropping life-saving equipment and medical supplies as well as dispatching search and rescue technicians via parachute to provide medical care. The Buffalo aircraft is part of Canada's combined fleet of search and rescue aircraft. The Government of Canada is currently looking at options to replace fixed-wing search and rescue assets and equip our forces with new aircraft.

Question No. 284—**Mrs. Michelle Simson:**

With regard to the public office holders who have applied for exemptions under the Lobbying Act since its coming into force on July 2, 2008, and who were denied an exemption: (a) on what date did each individual apply for the exemption; (b) with which office was each individual employed at the time of the application; (c) on what date was each individual notified of the refusal; and (d) what was the reason for each refusal?

Hon. Stockwell Day (President of the Treasury Board, CPC): Mr. Speaker, the Commissioner of Lobbying has the authority to grant to designated public office holders an exemption from the five-year prohibition on lobbying the federal government after they leave office, if to do so is not contrary to the purposes of the Lobbying Act. The five-year prohibition and the authority of the commissioner to grant exemptions are set out in sections 10.11 and 10.12 of the Lobbying Act.

The Lobbying Act requires that every exemption granted by the Commissioner of Lobbying be made public. As such, the names of all persons granted exemptions from the five-year prohibition and the reasons for the exemption are posted on the website of the Office of the Commissioner of Lobbying of Canada at http://www.ocl-cal.gc.ca/eic/site/lobbyist-lobbyiste1.nsf/eng/h_nx00331.html. The Lobbying Act makes no provision for the publication of information regarding applications for exemptions that are not granted. As a federal government institution, the Office of the Commissioner of Lobbying of Canada applies the Access to Information Act and the Privacy Act in responding to requests regarding exemptions that are not granted.

Question No. 286—**Ms. Megan Leslie:**

With regard to the Pre-1986/Post-1990 Hepatitis C Settlement Agreement administered by Crawford Class Action Services: (a) how many claims were approved for compensation under the Loss of Income and Dependents Fund; (b) what is the total amount Class Members are entitled to under the Loss of Income and Dependents Fund; (c) how many Class Members have had their payment under the Loss of Income and Dependents Fund withheld; (d) what is the total amount of these withheld payments; (e) how many claims under the Loss of Income and Dependents Fund remain to be processed; (f) what is the average compensation Class Members are entitled to under the Loss of Income and Dependents Fund; (g) how many claims were approved for compensation under the general compensation fund; (h) what is the total amount Class Members are entitled to under the general compensation fund; (i) how many Class Members have had their payment under the general compensation fund withheld; (j) what is the total amount of these withheld payments; (k) how many claims under the general compensation fund remain to be processed; (l) what is the average compensation Class Members are entitled to under the general compensation fund; (m) how many people did the government estimate they would have to compensate under the Loss of Income and Dependents Fund when the settlement agreement was signed; (n) what did they estimate the average claim under the Loss of Income and Dependents Fund would amount to; (o) how many people did the government estimate they would have to compensate under the

general compensation fund when the settlement agreement was signed; (p) what did they estimate the average claim under the general compensation fund would amount to; (q) has Crawford Class Action Services advised the government that the Loss of Income and Dependents Fund would be insufficient to cover all approved claims and, if so, (i) when, (ii) by what amount did they indicate the Loss of Income and Dependents Fund would fall short; (r) has Crawford Class Action Services requested the courts authorize a transfer of funds from the general compensation fund to the Loss of Income and Dependents Fund and, if so, (i) when, (ii) what was the amount they requested be transferred; and (s) has Crawford Class Action Services advised the government that the general compensation fund might not be sufficient to cover all filed claims and, if so, (i) when, (ii) what was the amount by which they felt the compensation fund would fall short?

Hon. Leona Aglukkaq (Minister of Health, CPC): Mr. Speaker, it is not possible to give a detailed response to each question for the following reasons: the confidential nature of the information, the terms of the court supervised settlement agreement, and the nature of how data is collected. The following provides information on the settlement agreement and the administrator's most recent update on the funds.

On compassionate grounds, the federal government set aside \$1.023 billion (\$962 million for compensation, the balance for administration, legal fees and disbursements). Of the compensation amount, \$93.1 million was designated for the Past Economic Loss and Dependents (PELD) fund.

The Pre-86/Post-90 class action settlement is a court supervised administration. The administrator, Crawford Class Action Services, was appointed by the courts, is supervised by the courts, and reports to the courts. The administrator is not permitted to release any information about the administration of the settlement unless authorized by the court. Authorized information about the status of claims is posted monthly on the administrator's website: <http://www.pre86post90settlement.ca/index.htm>.

Compensation to eligible class members is provided for both general and economic damages. Payments to individual claimants will vary. The amounts paid reflect the disease state of class members at the time of their application, their age, any lost income, and the probability of disease progression. The agreement is designed so that those who are most sick and have suffered the most from their hepatitis C infection will receive the highest amounts of compensation, as was the case with the 1986-1990 agreement. Hepatitis C has varying effects on the human body, and the compensation plan is structured to reflect this fact.

The agreement includes schedules for calculating the amount of compensation for infected persons, their estates, family members and dependants, both for general compensation and for past loss of income. These documents are available on the administrator's website under the heading Settlement Agreement—Appendices.

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Persons infected with hepatitis C are entitled to general damages from under \$10,000 to more than \$400,000. The lowest amount of payment is for those who have essentially cleared hepatitis C from their blood, while the higher amounts are for those suffering from serious health effects.

Economic damages include payments for loss of income and services, uninsured medication and treatment costs, care costs and out-of-pocket expenses, compensation for funeral costs, and payments to estates and surviving family members. Subject to certain provisions and limits, eligible class members are entitled to compensation for loss of income in an amount equal to 8/11ths of 70% of their past loss of net income, indexed to inflation, for each year until they attain the age of 65 years.

The administrator's most recent update, dated August 26, states that, as of mid-August, 15,584 claims have been received, of which 11,695 (75%) have been approved and 1,241 (8%) have been rejected, leaving 2,648 still being processed. These figures concern the total number of claims and are not separated into compensation fund and PELD fund categories. Of the \$962 million set aside for compensation, \$779,057,986 has been approved for payment, leaving approximately \$183 million, not counting accrued interest.

The amounts designated for the PELD fund and for the main compensation fund, as well as an estimate of the number of individuals who would be compensated, were the result of a complex negotiation process between a group of lawyers representing the class members and counsel for the government, based upon underlying estimates of class size provided by class counsel.

The settlement agreement was approved by the courts of the provinces where the class actions were filed. The settlement agreement contemplates that, if the take-up rate for claims to the PELD fund is high, the administrator may exhaust the original \$93.1 million. Therefore, the settlement contains a mechanism to top up the PELD fund if approved by the Court.

It is the responsibility of class counsel, not of the administrator, nor of the government, to apply to the courts to transfer money from the compensation fund to the PELD fund.

The settlement agreement sets out the requirements for the application, as well as the criteria the courts must consider in deciding whether to approve the request to transfer funds. Class counsel must demonstrate to the courts, through actuarial evidence that will be reviewed by the government, that the compensation fund is sufficient to cover all the claims, as defined in the settlement agreement, prior to transferring funds to the PELD fund. This process ensures that all claimants' interests are protected and the federal government is following that process.

Class counsel have advised that work with their expert to conduct the necessary actuarial analysis has begun and they will be filing a motion for the transfer of funds in due course.

Question No. 287—Mr. Robert Oliphant:

With regard to the Canada Post facility located at 2 Laird Drive in Toronto: (a) has this property been sold by Canada Post, (i) if so, on what date and what was the price Canada Post received, (ii) if not, have steps been taken to place it on the real estate market; (b) what is the current zoning for the facility; (c) besides Canada Post operations, are there any current tenants in the facility; and (d) what is the current

status of the leases held by any current tenants in the facility and, if a sale takes place, (i) what changes will take place regarding their lease agreements, (ii) what notice will be provided to the current tenants?

Hon. Rob Merrifield (Minister of State (Transport), CPC):

Mr. Speaker, with regard to the Canada Post facility located at 2 Laird Drive in Toronto, in response to (a), Canada Post has not sold the facility located at 2 Laird Drive in Toronto.

In response to (i), since the property was not sold, this question is not applicable.

In response to (ii), no steps have been taken to place it on the real estate market.

In response to (b), the current zoning for the facility is CR2.2, commercial/retail zoning.

In response to (c), there are no other tenants in the facility.

In response to (d), since there are no other tenants in the facility, these questions are not applicable.

Question No. 291—Mr. Derek Lee:

What steps would Canada take or require as part of a process leading to its recognition of Somaliland as an independent state among the United Nations following Somaliland's third self-governing democratic election in June 2010?

Hon. Lawrence Cannon (Minister of Foreign Affairs, CPC):

Mr. Speaker, Canada recognizes the state of Somalia. The question of Somaliland's status is primarily one for Somalis to determine through peaceful processes.

Question No. 295—Mr. Glenn Thibeault:

With respect to the Credit and Debit Card Industry Code of Conduct: (a) who from the financial services industry has the Minister of Finance met with in his capacity as Minister since November 2008; (b) who from the consumer advocacy groups has the Minister of Finance met with in his capacity as Minister since November 2008; (c) who from the retailer and merchant advocacy groups has the Minister of Finance met with in his capacity as Minister since November 2008; and (d) for each meeting in (a), (b) and (c), (i) what were the dates and locations, (ii) what was discussed, (iii) which funds or programs were discussed, (iv) what were the names of all individuals present?

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, the government recently released the finalized version of the Code of Conduct for the Credit and Debit Card Industry in May 2010. For more information, please visit www.fin.gc.ca/n10/10-049-eng.asp.

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Businesses voiced real concerns about the lack of choice they have had in accepting debit and credit card payments, and about the costs involved. These added business costs are borne by merchants and may be passed on to consumers, which makes this an issue of importance to all Canadians. The code of conduct encourages choice and competition. It gives merchants the freedom to choose which card networks they use, helps them control their costs, allows them to pass on savings to their customers, and much more.

The government is particularly pleased that it was able to work constructively and cooperatively to launch this code with the financial service industry, consumer advocacy groups, retail / merchant advocacy groups, and other public interest groups. Prior to the release of the finalized code, the Minister of Finance met with a wide range of groups and organizations to discuss the state of the credit and debit card industry in Canada. Discussions focused on key issues such as transparency, disclosure, payment card branding and co-branding, as well as business practices in the industry.

Indeed, a draft code of conduct was released for a 60-day public comment period in November 2009. For more information, please visit www.fin.gc.ca/n08/09-109-eng.asp. During that period, all Canadians were invited to submit their views on how best to monitor compliance with the proposed code. Their views were taken into account when developing the revised code of conduct, which was released in April 2010. For more information, please visit www.fin.gc.ca/n10/10-029-eng.asp, and the aforementioned finalized version in May 2010.

Following is a small sampling of the reaction to the Code of Conduct:

Retail Council of Canada: "This is a solid victory for merchants across the country and a major step toward addressing imbalances in the Canadian payments system."

Canadian Council of Grocery Distributors: "[The Code] is an important win for both merchants and customers ... the Government of Canada deserve a great deal of credit for taking critical steps towards developing a Canadian payments system that is competitive, fair and provides clarity for both merchants and customers."

Canadian Federation of Independent Grocers, CFGI: "The Code of Conduct is a very positive step and we are very pleased to note that many of the concerns CFGI has raised on behalf of independent retail grocers, such as negative option billing practices, have been heard and responded to, by the government." Canadian Federation of Independent Business, CFIB: "the[CFIB] welcomes today's announcement ... This Code, which very closely resembles the Code put forward by CFIB in mid-2009, will help increase transparency and restore fairness to small businesses and consumers in their credit and debit card transactions ... Today's announcement of a finalized Code constitutes an important step and is timely as we enter the summer season that is so vital to so many businesses, especially coming out of a recession ... These developments will create a better future for merchants and help ensure a fair and transparent credit and debit card market instead of just letting large industry players call all the shots. Our organization applauds the implementation of this Code which will provide merchants with

greater clarity and clout in changes to the debit and credit card market."

Option consommateurs: "enthusiastically welcomes ... the new Code of Conduct for Debit and Credit Cards by the Minister of Finance. [The Finance Minister] has listened to consumers and incorporated their interests in this new code ... The new code guarantees consumer choice."

Consumers Association of Canada, "welcomed the Code."

Interac Association: "After a comprehensive consultation period with stakeholders, the Minister has developed meaningful and practical solutions that will effectively address significant concerns that have been raised by merchants and consumers about changes taking place in Canada's debit marketplace ... It is clear that (the Finance Minister) has heard the concerns of merchants and consumers, concerns that we share, and has responded with an appropriate and pragmatic Code of Conduct ... Without question, the Code helps build that by re-establishing choice and transparency in the marketplace for merchants and consumers, which we support."

TD Bank Financial: "We believe that this Code will give merchants a greater voice in the payments market, while also balancing the interests of the other participants in this industry. This Code will provide greater pricing transparency for merchants and that's a great outcome."

Desjardins Group: "welcomes the Code of conduct for the credit and debit card industry ... Merchants will now be better informed of costs associated with accepting credit and debit card payments and will be able to freely choose which payment options they will accept ... These rules will foster healthy competition among service providers in the Canadian debit and credit card market."

Vancouver Sun editorial: "We were pleased to see the code of conduct for credit and debit card markets introduced this month by federal Finance Minister ... the voluntary code is an important step toward allowing merchants to have some control over costs and to maintaining a relatively low-cost cashless purchasing alternative that benefits consumers and retailers alike while still allowing for competition between providers."

*Routine Proceedings***Question No. 296—Mr. Brian Masse:**

With respect to Canada's foreign policy: (a) what is the government's explanation for its refusal to recognize as a genocide the murder of more than 8,000 Bosnian Muslim civilians by Serbian forces and the displacement of more than 25,000 other civilians in Srebrenica, Bosnia, in 1995; and (b) will the government revisit its decision with respect to recognizing the events in (a) as a genocide and, if so, has it put in place plans to meet with members of the Bosnian Muslim diaspora?

Hon. Lawrence Cannon (Minister of Foreign Affairs, CPC):

Mr. Speaker, it is inaccurate to say that Canada has refused to recognize the massacre at Srebrenica in 1995 as genocide. Canada has consistently supported the work and findings of international judicial institutions in relation to the crimes committed at Srebrenica. These include the decisions of the International Criminal Tribunal for the former Yugoslavia, ICTY, in Krstic (2001) and Popovic (2010) and the decision of the International Court of Justice in Bosnia and Herzegovina v. Serbia and Montenegro (2007), all of which held that the events that occurred in Srebrenica in 1995 constituted genocide.

The Government of Canada has referred to the Srebrenica massacre as genocide, specifically in a press release from the Minister of Foreign Affairs on July 10, 2010 commemorating the 15th anniversary of the massacre and explicitly referring to it as genocide (<http://www.international.gc.ca/media/aff/news-communications/2010/217.aspx?lang=eng>).

The government would support a parliamentary resolution recognizing and commemorating the Srebrenica genocide.

Question No. 305—Mr. Brian Murphy:

With respect to tax evasion: (a) after receiving the names of Canadians with bank accounts in Liechtenstein from German authorities, what action has been taken by Canadian officials to recover unpaid taxes associated with undeclared bank accounts in Liechtenstein; (b) how many Canadians have been identified as having undeclared bank accounts in Liechtenstein; (c) how many identified Canadians with accounts in Liechtenstein have availed of the voluntary disclosure program with the Canada Revenue Agency (CRA); (d) how many identified Canadians with accounts in Liechtenstein have settled with the CRA; (e) how many Canadian account holders have been charged with tax evasion; and (f) how much money, including unpaid taxes, fines, etc., has the CRA recovered as a result of investigating these secret bank accounts in Liechtenstein?

Hon. Keith Ashfield (Minister of National Revenue, Minister of the Atlantic Canada Opportunities Agency and Minister for the Atlantic Gateway, CPC): Mr. Speaker, the response from the Canada Revenue Agency, CRA, is as follows: In response to (a), since receiving the names of the residents of Canada identified as having bank accounts in Liechtenstein, the CRA is continuing compliance actions on all originally identified taxpayers related to the Liechtenstein accounts. Twenty-six audit cases have been completed.

The CRA is continuing to work collaboratively with other countries to address the abusive use of tax havens, aggressive tax planning and many other instances where taxpayers may be conducting affairs aimed at tax avoidance and evasion. As part of this work, the CRA continues to exchange information with other countries as permitted by legislation and tax treaties.

As a participating member of the Organisation for Economic Co-operation and Development, OECD, Canada actively seeks ways to effectively deal with the abusive use of tax havens.

The CRA is also an active member of the Joint International Tax Shelter Information Centre, JITSIC, and the Seven Country Working Group on Tax Havens.

In response to (b), based on information provided to the CRA, as of June 10, 2010, 106 residents of Canada who have accounts in Liechtenstein had been identified.

In response to (c), as of June 10, 2010, 20 residents of Canada who have accounts in Liechtenstein had availed themselves of the CRA's voluntary disclosures program.

In response to (d), up to June 10, 2010, of the 106 identified residents of Canada with accounts in Liechtenstein, 26 cases have been completed involving 68 individuals.

In response to (e), no Canadian account holders have been charged with tax evasion.

In response to (f), as of June 10, 2010, the CRA had reassessed 26 cases involving 68 individuals for a total of approximately \$5.2 million in federal tax, interest and penalties. With the exception of files under appeal, all taxpayers have paid in full or made substantial payments against outstanding balances.

Question No. 306—Mr. Brian Murphy:

With respect to Free Trade Agreements: (a) how many negotiators, if any, have been retained from outside of the government to represent Canada in current trade negotiations; and (b) has the government considered or implemented plans to undertake a review of the Canada-Peru Free Trade Agreement in 2014 to evaluate the trade implications for Canada?

Hon. Peter Van Loan (Minister of International Trade, CPC): Mr. Speaker, in response to (a), no negotiators have been retained from outside the federal government to represent Canada in current trade negotiations.

In response to (b), the Government of Canada has neither considered nor implemented at this time any plan to undertake a review of the Canada-Peru Free Trade Agreement to evaluate its trade implications for Canada.

Question No. 307—Mr. Brian Murphy:

With respect to the First Report of the Standing Committee on Veterans Affairs from the 2nd Session of the 40th Parliament and recommendation number nine found therein: (a) what criteria did the government use in its decision to not implement this recommendation; (b) what was the policy rationale for the decision; and (c) is the government considering any similar information sharing arrangements to better identify veterans and their families?

Hon. Jean-Pierre Blackburn (Minister of Veterans Affairs and Minister of State (Agriculture), CPC): Mr. Speaker, Veterans Affairs Canada fully supports efforts to ensure that Veterans and their families have access and information to Veterans Affairs Canada's programs, services, eligibility, and application processes.

When the parliamentary committee report entitled "Shared Experiences: Comparisons of Veterans Services Offered by Members of the Commonwealth and the G8" was received by Veterans Affairs Canada, consultations were held with the Canada Revenue Agency. These consultations resulted in Canada Revenue Agency's confirmation that the focus of Canada Revenue Agency forms is on tax and benefit programs administered by the Canada Revenue Agency only.

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In response to (a), the criteria used in the decision not to pursue the inclusion of a veteran identifier on tax forms were: privacy, legal authority, effectiveness, and sustainable development commitments.

In response to (b), the inclusion of non-tax questions, or requests for information not related to benefits administered by the Canada Revenue Agency, may result in breaches of privacy. Veterans Affairs Canada offers many services and benefits to veterans which are based on various eligibility criteria. While some benefits, including war veterans allowance and earnings loss benefits, are dependent upon an individual's income, there are other eligibility criteria for these programs which would not be captured on tax forms, and are still required by Veterans Affairs Canada.

The majority of Veterans Affairs Canada benefits are not dependent upon income. To collect information about individuals where it is not required for an operational program may be a breach of the individual's privacy.

In addition, the increase of information in Canada Revenue Agency forms and guides may result in larger documents, which run contrary to the paper burden reduction initiative, and other sustainable development commitments.

The identification of an individual as a veteran and information about income levels is not sufficient to meet the eligibility criteria for Veterans Affairs Canada programs and services. The Canada Revenue Agency web site currently links to the Veterans Affairs Canada web site to facilitate information sharing on benefits and services offered by Veterans Affairs Canada.

In response to (c), the identification alone of a veteran to Veterans Affairs Canada does not automatically result in the veteran's eligibility for Veterans Affairs Canada programs and services. The department has outreach activities to provide information to Canadian Forces members, veterans and their families about the services and benefits available from the department. The outreach describes eligibility to all programs and services including the New Veterans Charter programs.

This outreach is accomplished in various ways including the distribution of printed materials, the publication of articles in periodicals, Veterans Affairs Canada's own Salute! newsletter, briefings with Canadian Forces members, veterans, family members, and the general public. Outreach also includes the use of social networking sites on the internet, and Veterans Affairs Canada staff co-located with the Department of National Defence case managers on major bases in integrated personnel support units.

The department also partners with veterans organizations and other groups to provide information to individuals about benefits and application processes. An expanded outreach on the New Veterans Charter programs is currently under way.

Question No. 308—Mr. Claude Bachand:

With respect to Quai Richelieu in Lacolle, under the responsibility of the Canada Border Services Agency, and the risks it poses to the safety of ships and boaters: (a) does the Minister of Public Safety intend to intervene so that safe and lasting solutions are taken together with boaters and users of the facilities in the near future; (b) is work planned or scheduled to (i) improve the safety of ladders, railings and handrails, (ii) take protective measures to prevent falls on the hard surfaces leading to the office, (iii) make contrasting strips by painting the steps and landings of the Quai

Richelieu; and (c) what is, if applicable, the deadline for each of the projects described in (b)?

Hon. Vic Toews (Minister of Public Safety, CPC): Mr. Speaker, in response to (a), on May 12, 2010, CBSA officials met with representatives of the Association des plaisanciers du Québec, CONAN (amateur builders and navigators), Gosselin Marina, and a member of the public. They discussed the options examined to address the issues at the Quai Richelieu, related primarily to docking certain boats in high winds. In the short term, the CBSA has implemented appropriate measures to address the public and employee safety issues: boaters will no longer have to dock in high wind conditions. If necessary, CBSA officers will examine boats and their passengers at nearby marinas.

In response to (b)(i)(ii)(iii), CBSA and Public Works and Government Service Canada are undertaking a wind and water current study to formulate an acceptable, complete and permanent solution to address the risk related to boat damage, the safety of boaters and employees that may be caused by the Quai Richelieu. The final report will formulate recommendations for the possible installation of a pontoon to facilitate docking, with or without a breakwater, and other measures that may be necessary.

In response to (c), the plan is to implement a final, complete and permanent solution prior to the 2011 boating season.

Question No. 310—Mr. Malcolm Allen:

With respect to the Canadian Food Inspection Agency's (CFIA) animal transportation inspection system and review of the animal transport regulations under the Part XII of the Health of Animals Regulations: (a) how many full-time CFIA inspectors are stationed across the country to inspect animal welfare and ensure compliance with Part XII of the Health of Animals Regulations; (b) what positions and titles do these inspectors hold; (c) how many of these inspectors hold the title or position of animal health inspector; (d) how many of these inspectors hold the title or position of multi-program inspector; and (e) do draft amendments or proposals to the animal transport regulations under the Health of Animals Regulations, Part XII, exist and, if so, what is the Agency's timeframe for publishing those proposed changes in Part I of the Canada Gazette?

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Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, in response to (a), the Canadian Food Inspection Agency, CFIA, has not specifically tracked the number of inspectors who ensure compliance to Part XII of the Health of Animals Regulations. Many CFIA inspectors are cross-utilized in other programs. This includes inspectors that work in animal health and for this reason it is not possible to identify the exact numbers of inspectors dedicated to ensuring compliance to the Health of Animals Regulations.

In response to (b), there may be some variation in position titles across the country for inspectors who carry out animal transportation inspections. However, the vast majority of these inspectors hold the following titles: Animal Health Inspector, Veterinarian, District Veterinarian, Meat Hygiene Inspector and Veterinarian-in-Charge.

In response to (c), as previously described, the titles may vary among regions.

In response to (d), the activities required to inspect animal transportation may be carried out under a variety of position titles and by inspection staff cross-utilized in other programs, depending on regional resources, industry demographics and operational requirements.

In response to (e), in consultation with stakeholders, the CFIA has been examining possible enhancements to the Health of Animals Regulations, specifically Part XII which is related to the humane transportation of animals. The stakeholder input received to date, which includes response from a wide range of producer organizations, processors, transporters, animal welfare organizations, and the general public, indicates that there is agreement that the regulations should be reviewed and updated to reflect modern industry transportation standards and practices, as well as current scientific knowledge about animal transportation.

The CFIA has been analyzing the input received and recent scientific research to determine what improvements could be proposed. It is therefore anticipated that a proposed regulatory amendment will be published in the Canada Gazette, Part I, for public comment.

Question No. 314—Hon. Bob Rae:

With regard to Canadian International Development Agency (CIDA) funding for groups which focus on women's rights advocacy or strengthening civil society, since 2006: (a) how many groups have had their funding cut or reduced by CIDA; (b) what are the names of the groups that have been affected; (c) in total, how much money has been cut or redirected away from the groups mentioned in (b); (d) where has the money been redirected; and (e) what are the details of any correspondence or minutes of meetings that took place regarding the funding of women's advocacy groups?

Hon. Bev Oda (Minister of International Cooperation, CPC): Mr. Speaker, in response to (a), among the organizations funded by Partnerships with Canadians Branch, PWCB, four organizations have not had their program applications approved and one organization has seen its program support reduced from the level of its previous program agreement.

In response to (b), the Canadian Bureau for International Education, MATCH International Centre (MATCH) and KAIROS (Canadian Ecumenical Justice Initiatives) have had their program renewal or extension applications turned down. Program support for

Alternatives Inc. was reduced to cover only its programming in Afghanistan, Iraq and Haiti.

In response to (c), the total cumulative amount of the proposals that were turned down or reduced is approximately \$21.7 million over five years. This represents approximately 0.02% of PWCB expected grants and contributions over the next five years.

In response to (d), partnership proposals are assessed on their merits. Funding is allocated to high value initiatives.

In response to (e), MATCH is the only organization that CIDA has funded that focuses on "women's advocacy". Discussions leading to the decision to end funding for this group focused on the increasing dependency of the organization on CIDA funding and its diminishing capacity to effectively deliver and report on projects. CIDA and MATCH met twice, on April 15 and on July 8, 2010, to discuss funding. In addition, a letter from CIDA to MATCH was sent on April 30, 2010 explaining the decision not to extend the current MATCH program.

Question No. 323—Mr. Alex Atamanenko:

With regard to the sale, financing and ownership of Canadian farmland: (a) what is the amount of funding that Farm Credit Canada (FCC) has advanced to non-farming corporations for the purpose of purchasing farmland; (b) what are the names of the non-farming corporations to which FCC has provided funding for the purchasing of farmland; (c) what is the total amount of farmland acres that have been purchased with FCC funding by non-farming corporations; (d) what is the total amount of farmland that is owned by non-farming corporations; (e) what is the total amount of farmland that is owned by foreign investment companies; (f) what is the total amount of farmland that is owned by domestic investment companies; (g) what is the total amount of farmland that is owned by non-Canadian individuals and corporations; (h) what is the percentage of total Canadian farmland that is owned by non-Canadian individuals and companies; (i) what is the government's policy regarding the acquisition of Canadian farmland by foreign individuals and corporations; (j) is it the government's intention to institute policies that will limit the acquisition of Canadian farmland by foreign individuals and corporations; and (k) what is the government's policy in regards to foreign ownership of farmland as it relates to national security?

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, in response to (a), (b) and (c), Farm Credit Canada's systems do not track this type of information.

In response to (d), (e), (f), (g) and (h), there are currently no statistics available at the provincial or national level regarding the ownership of farmland by non-farmers, i.e., corporations or individuals, and non-Canadians.

In response to (i), (j) and (k), in Canada, private farmland use and ownership fall under the jurisdiction of provincial governments.

*Routine Proceedings***Question No. 326—Ms. Irene Mathysen:**

With regard to the \$10 million promised in Budget 2010 to begin to address cases of missing and murdered aboriginal women: (a) how will this \$10 million be spent; (b) what concrete actions is the government pursuing with these funds in order to address this problem; (c) which governmental and non-governmental organizations does the government intend to consult and work with in order to effectively address the issue of missing and murdered aboriginal women, (i) will these governmental and non-governmental organizations receive any of the \$10 million, (ii) if so, which organizations will receive money and how much will each receive; and (d) will Sisters in Spirit receive any funding from the \$10 million?

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, as indicated in the 2010 Speech from the Throne, the government is committed to ensuring that all women in Canada, including aboriginal women, are safe and secure regardless of the community in which they live. Budget 2010 invests \$10 million over two years to address the disturbingly high number of missing and murdered aboriginal women. Aboriginal women remain particularly vulnerable to violence and can face challenges in accessing the justice system.

The government will continue working in partnership with provincial and territorial governments, aboriginal people, and other stakeholders to develop more effective, appropriate, and collaborative solutions and responses that cut across many different sectors, including the justice system; public safety and policing; gender issues and women's rights; and aboriginal affairs.

Concrete actions will be taken to ensure that law enforcement and the justice system meet the needs of aboriginal women and their families. Further details will be announced in due course.

Question No. 327—Ms. Irene Mathysen:

With respect to the development of an Action Plan to advance the equality of women across Canada mentioned in the Budget Plan 2008: (a) what is the Action Plan; (b) what organizations were consulted on the Action Plan; (c) when did consultations on the Action Plan take place; (d) where did consultations on the Action Plan take place; (e) what is the timeline for the Action Plan; (f) when was the Action Plan announced; (g) where was the Action Plan announced; (h) what fiscal resources will be allocated to the Action Plan; and (i) was a gender-based analysis conducted on the Action Plan?

Hon. Rona Ambrose (Minister of Public Works and Government Services, CPC): Mr. Speaker, in response to (a), budget 2008 referenced an action plan to advance the equality of women and in particular to improve women's economic and social conditions and their democratic participation across Canada. Work towards the development of an action plan to advance equality for women focused on three areas which were made public in 2008 and reconfirmed in 2009: improving women's economic security and prosperity; ending violence against women; and encouraging women's leadership and democratic participation.

In response to (b), a diversity of organizations and individuals were engaged in discussions from across Canada including provincial and territorial governments. In accordance with the Privacy Act, the names of individuals cannot be disclosed without their consent. While some individuals present were associated with organizations, they were not necessarily present representing those organizations.

In response to (c), engagement sessions and meetings took place in 2008 and 2009.

In response to (d), engagement sessions were held in: Halifax, Summerside, Gagetown, Montreal, Ottawa, Toronto, Barrie, Collingwood, Markham, Red Deer, Yellowknife and Vancouver.

In response to (e), initiatives to advance equality for women are supported through a variety of federal programs and time frames.

In response to (f), an action plan to advance equality for women was announced in the 2008 budget plan in March 2008.

In response to (g), an action plan to advance equality for women was announced in Ottawa through the release of the 2008 budget plan.

In response to (h), initiatives to advance equality for women are supported through a variety of existing funding sources.

In response to (i), the action plan announced in the 2008 budget plan was a woman-centered initiative. A variety of circumstances affecting women are considered in development and funding of initiatives.

Question No. 329—Mrs. Alexandra Mendes:

With respect to Objective 8 for the Jacques Cartier and Champlain Bridges Incorporated (JCCBI) in the 2008-2009 Annual Report of the Federal Bridge Corporation Limited: (a) who was awarded the contract for the feasibility study to construct a new bridge along the Champlain Bridge Corridor; (b) what is the cost sharing agreement between JCCBI and the Ministère des Transports du Québec; (c) what is the financial summary of the agreement in (b); and (d) what is the timeline for the completion of the study?

Hon. Rob Merrifield (Minister of State (Transport), CPC):

Mr. Speaker, following is the response with respect to Federal Bridge Corporation Limited. In response to (a), the contract was awarded to Consortium BCDE which is comprised of BPR, Cima+, Dessau and Egis (France).

In response to (b), the cost-sharing agreement is as follows: the Jacques Cartier and Champlain Bridges Incorporated will contribute 60 per cent and the ministère des Transports du Québec will contribute 40%. Of note; the ministère des Transports du Québec must obtain a government decree from Quebec allowing the ministère des Transports du Québec to enter into a formal agreement with Jacques Cartier and Champlain Bridges Incorporated to undertake the study that is currently under way (about 50% advancement).

In response to (c), the contract awarded to Consortium BCDE is for \$1.397 million before taxes; \$559,000 from the ministère des Transports du Québec and \$945,000, including the taxes, from the Jacques Cartier and Champlain Bridges Incorporated.

In response to (d), the study will be completed in December 2010.

Question No. 330—Hon. Marlene Jennings:

With respect to the health effects and stress response to airport noise, from 2003 to present: (a) what specific research has been conducted by Health Canada; (b) what advice has Health Canada provided to Transport Canada; (c) what specialist information has Health Canada provided to (i) Montréal-Pierre Elliott Trudeau Airport, (ii) any other Canadian airport; and (d) when does Health Canada intend to update the January 2010 version of the document entitled "It's Your Health: Aircraft Noise in the Vicinity of Airports"?

Routine Proceedings

Hon. Leona Aglukkaq (Minister of Health, CPC): Mr. Speaker, in response to (a), from 2003 to present, the only published study with a specific focus on aircraft noise, was a review of the scientific literature on aircraft noise-induced sleep disturbance. This was published as a peer reviewed journal article in 2007. In this review, it was found that people living around airports show disturbed sleep in the form of awakenings and increased body movement.

Aircraft noise is one reason, but it is responsible for less sleep disturbance than spontaneous awakenings and other indoor noise events. Aircraft noise appeared in a very preliminary field study conducted by Health Canada from November 2006 to February 2007, designed to examine possible relationships between noise annoyance and stress. This was presented only in a poster at a 2007 University of Ottawa fourth year honours thesis symposium. Where exposure to aircraft noise occurred, the number of subjects was too small to obtain reliable conclusions about any possible relationships between stress hormone responses and annoyance level.

Aircraft noise annoyance was also used as an example in a 2008 peer reviewed journal article which provided an analysis of how noise annoyance can be used as a health impact in environmental assessments. In the review of the scientific literature on noise annoyance in this study, it was found that there was some evidence to suggest an association between road traffic and neighbourhood noise levels and some stress related adverse effects, e.g., hypertension and migraines. It was also found that on average a given long term exposure to aircraft noise makes a greater percentage of a population highly annoyed than would road traffic noise.

Health Canada has also published a total of three laboratory studies on the potential for noise-induced stress in either rats (two studies, one published in 2003 and the other in 2005) or people (one published in 2006) using noise sources other than aircraft noise. In the 2006 publication of the laboratory study where people were exposed to noise, it was found that the exposure of people to noise events during sleep did not appear to create a stress response. It was also inconclusive as to whether there were adverse effects on their sleep. The laboratory studies of rats showed inconsistent stress responses to noise, indicating that assessing the biological plausibility of noise-induced stress in humans from animal studies appears to require further investigation.

In response to (b), advice Health Canada has provided to Transport Canada – the department, as a member of Transport Canada's Domestic Aircraft Noise and Emissions Committee, D-ANEC, has provided advice on a number of occasions since 2003. Health Canada specialists have contributed information about the health effects of noise in discussions at D-ANEC meetings and to requests for input, outside of meetings, on D-ANEC issues. Examples include (i) the proposed changes to the Transport Canada document TP 1247—Aviation—Land Use in the Vicinity of Airports—Part IV Aircraft Noise and (ii) the use of chapter 2 jet aircraft.

Departmental scientists publish peer-reviewed journal articles related to the health effects of aircraft noise, and ensure that the Committee is made aware of these documents e.g., the two major reviews on noise-induced sleep disturbance and noise annoyance,

published in 2007 and 2008, respectively and described in the answer to part (a) above.

A 2003 summary analysis of annoyance and sleep disturbance health effects from aircraft noise in the vicinity of airports was sent to Transport Canada regional staff that is responsible for Toronto—Lester B. Pearson International Airport.

In response to (c) (i), the department has no record of having provided specialist information directly to Montréal—Pierre Elliott Trudeau International Airport since 2003.

In response to (c) (ii), the department provides advice, on request, to responsible authorities (federal authorities specified in regulation) designated under the Canadian Environmental Assessment Act, for airport projects regarding the health effects of noise. This advice is not provided directly to the airport authorities but to the responsible authorities under the act. Comments were provided on the health impacts for several environmental assessments for airport projects since 2003 such as: Jean Lesage International Airport in Quebec City in 2006, a ground transportation infrastructure project concerning Montréal-Pierre Elliott Trudeau International Airport from 2004 to 2006 and a runway extension at the Kamloops airport in 2008.

There is only one record of having provided specialist information directly to an airport in Canada since 2003. Health Canada provided publicly available information to a consulting firm engaged by the Calgary Airport Authority in September 2009; specifically, the 2008 review on noise annoyance as a health impact for use in environmental assessments.

In response to (d), an update for the It's Your Health relevant to aircraft noise is intended for the fall of 2010.

Question No. 333—Hon. Marlene Jennings:

With respect to the final report of the Commission of Inquiry into Certain Allegations Respecting Business and Financial Dealings Between Karlheinz Schreiber and the Right Honourable Brian Mulroney: (a) what specific recommendations does the government intend to implement; (b) when does the government intend to implement each of these recommendations; and (c) does the government intend to pursue legal action against the Right Honourable Brian Mulroney in order to recuperate the \$2.1 million awarded by the government in a 1997 settlement?

Routine Proceedings

Mr. Jacques Gourde (Parliamentary Secretary to the Minister of Public Works and Government Services and to the Minister of National Revenue, CPC): Mr. Speaker, with respect to parts (a) and (b) of the question, the Government welcomes the final report of the Commission of Inquiry into Certain Allegations Respecting Business and Financial Dealings between Karlheinz Schreiber and the Right Hon. Brian Mulroney. As noted in that report, the current conflict of interest and post-employment regime for public office holders in the Conflict of Interest Act is among the most rigorous of the jurisdictions scrutinized by the commission. The government is carefully reviewing the commission's findings and recommendations to determine whether additional refinements to this regime would be appropriate. The government is also reviewing the commission's findings and recommendations on the management of prime ministerial correspondence. With respect to part (c) of the question, as a matter of general policy the government does not disclose its litigation options or strategies

Question No. 337—**Mr. Yvon Godin:**

With regard to the Supreme Court decision of December 11, 2008, in *Confédération des syndicats nationaux v. Attorney General of Canada* and the conclusion contained therein, how does the government intend to address the consequences of the invalid provisions of the Employment Insurance Act?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, the Supreme Court of Canada, in its decision dated December 11, 2008, declared that EI premiums for the years 2002, 2003 and 2005 were collected unlawfully. In its decision, the court found that EI premiums for those years did not constitute a regulatory charge but rather represented a payroll tax. Since no delegation of taxing authority was provided for in the legislation, the premiums constituted an unlawful tax. The court suspended the declaration for one year in order to give the government time to rectify the invalidity.

Through sections 227 and 228 of the Budget Implementation Act, 2009, which came into force on March 12, 2009, Parliament set the premium rates for 2002, 2003, and 2005. This responded to the Supreme Court's decision and provided authority for the collection of premiums for those years, rectifying the invalidity.

Question No. 338—**Mr. Yvon Godin:**

How many jobs will be moved out of the riding of Acadie—Bathurst as a result of the restructuring of Service Canada offices?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, in Acadie-Bathurst, as in other locations, departmental employment levels fluctuate depending on governmental and departmental priorities. Automation, process re-design and changes in government policy and priorities all have the potential both to increase and to decrease the nature and volume of work and the number of employees required in specific locations throughout the country. Service Canada delivers fifteen national specialty programs and services in Acadie-Bathurst, drawing on a mix of indeterminate, term and casual employees. Due to the diversity of these operations, employees in Acadie-Bathurst are well-positioned to take advantage of a variety of employment opportunities within the department, both now and into the future.

Question No. 340—**Mr. Bruce Hyer:**

With respect to the Canadian Tourism Commission (CTC) during the 2006-2007, 2007-2008, 2008-2009 and 2009-2010 fiscal years: (a) what was the total of

government expenditures for advertising services, communications services, or marketing services for each fiscal year, listed by contract and contracted firm, agent, or individual; (b) with respect to the above figures, how much was spent on advertising each province, territory, or region, listed by fiscal year; (c) what services have subsidiaries of the Omnicom Group been engaged to perform for the CTC, and when were they contracted; (d) with respect to Omnicom Group contracts, how much has each subsidiary company been awarded, by contract and fiscal year; (e) for each contract awarded to subsidiaries of the Omnicom Group, which other firms, agents or individuals submitted bids or tendered proposals, and when; and (f) what advertising has been purchased in official language minority newspapers, listed by fiscal year, price, and province?

Hon. Tony Clement (Minister of Industry, CPC): Mr. Speaker, with respect to the Canadian Tourism Commission, CTC, during the 2006-07, 2007-08, 2008-09 and 2009-10 fiscal years, in response to (a), the CTC is a partnership-based national marketing organization. As such, expenditures amounts for marketing and communications services include partnership contributions specific to partnership agreements. Due to limitations on the information that can be retrieved from information systems, the CTC cannot provide the level of detail requested.

In response to (b), the CTC has engaged in domestic marketing for 2009 and 2010 only. Budget 2009, Canada's Economic Action Plan, included \$20 million for the CTC over two years for domestic marketing to stimulate Canada's tourism industry. The CTC's Locals Know campaign, aimed at encouraging Canadians to explore Canada, is in its second and final year. Marketing content for this campaign was media-based, including national television, national newspapers and magazines. For regional media buys, all provinces, territories and regions of Canada had the opportunity to buy-in, and some provinces did participate in this campaign. As in response to part (a), records include partnership contributions and, given limitations on the information that can be retrieved from information systems, it is not possible to extract the exact amount spent by the CTC on advertising in each province, territory or region.

Routine Proceedings

In response to (c), in March 2007, the CTC launched a two-phase competition for a full range of marketing communications services. The bid documents stipulated that the successful firm must be able to provide and manage all services through its corporate entities or approved affiliates. The opportunity was posted on MERX in both French and ... Fifty-seven firms requested the bid documents: nine firms submitted proposals, five formally declined and the remaining 43 did not respond. Of the nine responses, three were found to be inadequate for further consideration. The four top-rated firms were invited to make presentations to an evaluation panel that included CTC marketing specialists, legal and financial advisors, as well as an independent industry expert. Throughout each step, the firms and their proposals were evaluated against published criteria. Following the final assessment and a period of due diligence, the panel recommended that a contract be awarded to DDB Canada, the top-rated firm. On November 7, 2007, a contract was issued to DDB Canada for a period of four years with a one-year renewal option.

In response to (d), the contract with DDB Canada does not stipulate an amount nor does it stipulate a commitment to a minimum annual value. The contract stipulates a fee structure, hourly rates, terms of service and a process for planning, estimating and pre-approving all work. The amount that the CTC spends with DDB Canada and its affiliated agencies is limited by the annual budgets established and approved by CTC executives. As noted in part (a), the CTC is a partnership-based organization. Its systems identify payments made to DDB Canada, but these payments also include partnership contributions toward services rendered by DDB Canada. To break down these payments based on CTC contributions versus partnership contributions would necessitate a review of each partnership agreement and would take much longer than the time allotted to respond to this question.

In response to (e), this is confidential third-party information pursuant to section 20(1) of the Access to Information Act.

In response to (f), for the period in question, the CTC has not purchased advertising in official language minority newspapers. For the Locals Know campaign, however, the CTC purchased media buys in French and English national newspapers.

Note that for statutory reporting purposes, the CTC's fiscal year is January 1 to December 31. The CTC's response, therefore, is based on its fiscal years ending December 31, 2006, to December 31, 2009.

Question No. 343—Ms. Judy Foote:

With respect to the new Aquatic Science Research Laboratory, officially opened at the Northwest Atlantic Fisheries Centre by the Minister of Fisheries and Oceans on June 11, 2010: (a) how many of the scientists who have retired over the past 10 years at Northwest Atlantic Fisheries Centre have been replaced; (b) has the Department of Fisheries and Oceans replaced any of the research specialists for cod, shrimp, lobster, yellowtail, capelin, scallops and turbot who have retired from the Centre over the past 15 years and, if yes, how many and which specialists have been replaced; (c) when will the Science Library at the Northwest Atlantic Fisheries Centre reopen; (d) when will the Newfoundland-based research trawl vessel the Templeman be returned to use; (e) which research programs have been cut because of a shift in priorities by the Department of Fisheries and Oceans to the new ecosystem-based approach; (f) how many researchers and scientists are working on the ecosystem-based approach to management; (g) how many trained technicians are currently employed to go to sea to collect data; (h) what is being done to replace the technicians who were originally hired at extension of jurisdiction and who are now reaching retirement age; and (i) are scientists at the Northwest Atlantic Fisheries Centre permitted to speak to the media without prior permission from the Department of Fisheries and Oceans?

Hon. Gail Shea (Minister of Fisheries and Oceans, CPC):

Mr. Speaker, in response to (a), over the last 10 years, 19 research scientists and biologists have left the department. The science branch has hired 14 new research scientists and biologists in the last five years and is conducting staffing processes or has created pools of qualified candidates for further hiring this fiscal year. Of the 19 departures in the last 10 years, 11 were research scientists (SE-RES classification group) one research manager (SE-REM classification group) and six biologists retired.

In response to (b), in addition to new hiring in marine mammals, aquaculture, ecological science and physical and biological oceanography, research specialists have also been hired in the areas of groundfish, pelagic fish, shellfish and salmonids to replace staff that have left the department. In total, 28 research specialists and technical staff have been hired in the last five years to continue all aspects of the delivery of the science program in the DFO Newfoundland and Labrador region.

In response to (c), the library collection was relocated to an offsite location in 2008. Since that time, staff have been able to access materials in the collection through the librarian at the offsite location. DFO has been working with PWGSC, the building owner, to renovate a ground level space within the NAFC to house the library which is expected to reopen in fiscal year 2011-12.

In response to (d), at this time, the research trawler Wilfred Templeman is in "cold-layup" in St. John's harbour. The Newfoundland region science program is being fully supported by the Teleost and Alfred Needler, the sister-ship of the Wilfred Templeman. There have been no reductions in the at-sea research program in the NL region as a result of the Templeman being in cold-layup. Cold lay-up of the Wilfred Templeman indicates that the vessel and all systems are non-operational.

In response to (e), there have been no research programs cut in order for the science sector to focus on the ecosystem-based approach. Data from long-standing programs which are continuing, are being utilized in new analyses to support our understanding of the ecosystem and generate science advice for our internal clients and external stakeholders.

In response to (f), currently, there are approximately 200 scientists, biologists, physical scientists, technicians and administrative support working in the science sector in the region. The ecosystem-based approach requires an integration of data analyses, experience, and scientific insight from all disciplines to provide a coherent picture of what is taking place in the environment.

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n response to (g), there are currently 95 science staff in technical positions. Of those, 74 are assigned to marine science programs and regularly go to sea. Another 13 are assigned to freshwater programs but nearly all go to sea during the fall and spring multi-species research vessel surveys.

In response to (h), the science sector in the NL region has been conducting selection processes to create pools of qualified technicians, biologists and research scientists. The pools of qualified candidates are available to fill positions as they become vacant and through processes such as the Knowledge Transfer Agreement, new staff are hired before retirements so a period of knowledge transfer can take place. Selection processes are continuously taking place in the region in anticipation of vacancies and when pools from an earlier process have been exhausted.

In response to (i), the department has policies in place whereby designated spokespersons, including subject-matter-expert scientists, are approached to respond to media queries. Many science staff at the NAFC are designated spokespersons in their area of expertise.

Question No. 346—Mr. Dennis Bevington:

With regard to the increased authorities provided to the National Energy Board through Bill C-9, An Act to implement certain provisions of the budget tabled in Parliament on March 4, 2010 and other measures: (a) will the Board provide funding to interveners for environmental reviews; (b) what standards will the Board apply to determine if an environmental review is required; (c) will the Board conduct all of its environmental hearings in public and close to the location of a project under environmental review; (d) will the Board be increasing its staff size in order to provide expertise in environmental assessments; and (e) what appeal mechanisms will be in place for environmental decisions made by the Board?

Hon. Christian Paradis (Minister of Natural Resources, CPC): Mr. Speaker, the National Energy Board, NEB, will establish a participant funding program, PFP, as provided by part 19 of the Jobs and Economic Growth Act, which received royal assent on July 12, 2010. The PFP will be modeled on the PFP offered by the Canadian Environmental Assessment Agency, and would apply to public hearing processes for major energy projects. Detailed PFP eligibility and application guidelines will be posted on the NEB website following necessary approvals. The NEB considers environmental matters in all of its decisions regarding energy facilities. Most of those decisions also trigger a federal environmental assessment under the Canadian Environmental Assessment Act, CEAA, and the NEB ensures that a federal EA is conducted according to the CEAA.

All NEB hearings and environmental assessments are public; the NEB always tries to schedule public hearings in locations near affected communities, to make it as convenient as possible for interested persons to participate in the hearing. Furthermore, the NEB currently performs its own environmental assessments and has the full required expertise to do so. At the moment, the board has approximately 50 staff dedicated to environmental, socio-economic, lands and stakeholder engagement. It is important to note that Bill C-9, the Jobs and Economic Growth Act, will not create an overload of work for the NEB. In this context, presently, the NEB does not anticipate it will be necessary to increase the number of staff working in this area.

With regard to appeal mechanisms, any decisions relating to environmental matters made by the board will be included and

become part of a decision of the board made either pursuant to section 52 or 58 of the National Energy Board Act, hereinafter referred to as the act. An individual or other interested party, wishing to appeal a decision of the board may, pursuant to subsection 21(1) of the act, request that the board review the decision in question. Should the board proceed with a review and subsequently determine a change to its decision and/or certificate or order is warranted, the board has powers, under subsection 21(2) of the act, to vary these instruments on its own for section 58 orders, or subject to the approval of the Governor in Council in the case of a section 52 certificate. An individual or other interested party may also appeal a decision or order of the board, including a review decision of the board, discussed above, to the Federal Court of Appeal on a question of law or of jurisdiction. However, the person must first obtain leave to appeal from the Federal Court of Appeal.

Question No. 347—Mr. Dennis Bevington:

With regard to the regulation of aviation, taking into consideration that airships could be operating in Canada in the near future: (a) has there been research into the need for regulation of airships; (b) has there been research into what regulations should be in place for the safe and secure construction, operation and maintenance of airships; (c) what are the regulatory requirements for the certification of airship pilots; (d) what are the regulatory requirements for the construction, operation and maintenance of airship aerodromes; (e) if there are no regulations concerning airships, will the government develop such regulations and what is the timeline for developing these regulations; and (f) if no preparatory work has been done concerning the development of regulations for airships, why not?

Hon. Chuck Strahl (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, in response to (a), while there is some industry interest in future development of airships capable of transporting more than nine passengers, no application has been made to Transport Canada for such an aircraft, nor has any specific future application been identified.

In response to (b), the existing design requirements for airships are detailed in Airworthiness Manual 541, and existing manufacturing requirements and operating rules are stipulated in Canadian Aviation Regulation (CAR) 561. There is currently no plan to further review requirements for airship design, operation or maintenance, as the department has not been approached by the industry to do so.

In response to (c), the Canadian Aviation Regulation 421.25 details the licensing requirements for balloon pilots, which are also applicable to airship pilots. The licensing requirements stipulate a pilot's minimum age, medical fitness, knowledge, experience and skill. The Canadian Aviation Regulation 421.40 details the licensing requirements for proof of experience and skill to obtain an airship or powered balloon endorsement.

Routine Proceedings

In response (d), the Canadian Aviation Regulations provide the regulatory requirements for the construction, operation and maintenance of all aerodromes, as opposed to requirements for aerodromes that will specifically be used by airships. The Canadian Aviation Regulation subpart 301 contains the regulatory requirements for the operation of all aerodromes and the Canadian Aviation Regulation subpart 302 contains the regulatory requirements for the operation of airports, also known as certified aerodromes. Where an airship is used at an airport, or certified aerodrome, particular attention must be paid to the requirements for obstacle limitation surfaces, OLS, around the airport, as the airship itself could become an obstacle depending on its parking position. In the event that the OLS are jeopardized, operational restrictions or changes to the level of service of a particular runway may be implemented to satisfy the regulatory requirements.

In response to (e), requirements for airships are already addressed by Transport Canada's existing regulations, as explained in parts (a), (b), (c) and (d) of the response.

In response to (f), requirements for airships are already addressed by Transport Canada's existing regulations, as explained in parts (a), (b), (c) and (d) of the response.

Question No. 353—**Hon. Larry Bagnell:**

What is the status of the port promised by the Prime Minister for Iqaluit?

Hon. Peter MacKay (Minister of National Defence, CPC):

Mr. Speaker, the purpose of the Nanisivik Naval Facility is to have an upgraded berthing capability with a modern fuel farm and a small administrative, services and utilities building. In November 2009, a design contract for just under \$900,000 was awarded to Worley-Parsons Westmar Limited from North Vancouver, British Columbia. This is the first of the project's four design phases. The initial design phase is complete and phase two will be awarded shortly. Phase two will provide a recommended option that will lay the foundation for the remaining design phases.

In addition to design work, detailed studies such as geotechnical investigations, wharf structural inspection, topographical and environmental assessment will be required.

It is anticipated that major construction work at the Nanisivik Naval Facility could begin in 2012, once all the necessary assessments are completed, approvals are in place and clean up of the former facility is finished or sufficiently completed in order to have access to the site. Completion of the Nanisivik Naval Facility is scheduled for 2015.

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[English]

STARRED QUESTIONS

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, would you be so kind as to call Starred Question No. 331. I ask that the question and answer to Question No. 331 be printed in *Hansard* as if read.

[Text]

*Question No. 331—**Hon. Marlene Jennings:**

With respect to the funding from the Canadian International Development Agency, and in follow-up to the January 21, 2010 letter from KAIROS addressed to the Prime Minister: (a) for what reasons was KAIROS recently refused funding; and (b) does either the Prime Minister or the Minister of International Cooperation intend to meet directly with this organization to discuss this issue?

Hon. Bev Oda (Minister of International Cooperation, CPC): Mr. Speaker, In response to (a), KAIROS was recently refused funding as it was determined that KAIROS' 2009 program proposal did not meet the government's priorities. Unlike many other NGOs making proposals to CIDA, KAIROS is a coalition of several member organizations, some of which continue to receive separate funding from CIDA. KAIROS submitted a new proposal in April 2010, which is now undergoing CIDA's standard evaluation process.

In response to (b), the Minister of International Cooperation met with KAIROS on December 8, 2009.

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[English]

QUESTIONS PASSED AS ORDERS FOR RETURNS

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, supplementary responses to Question No. 163 originally tabled on May 11, 2010 and Question No. 175 originally answered on May 25, 2010 will be tabled today.

Mr. Speaker, if Questions Nos. 241, 242, 243, 244, 245, 253, 254, 255, 257, 258, 260, 264, 265, 267, 268, 269, 270, 272, 273, 274, 276, 277, 278, 283, 285, 288, 289, 290, 292, 293, 294, 298, 299, 300, 301, 302, 303, 304, 309, 311, 313, 315, 316, 317, 318, 319, 320, 321, 322, 324, 325, 328, 332, 334, 335, 336, 339, 341, 342, 344, 345, 348, 349, 350, 351, 352 and 354 could be made orders for returns, these returns would be tabled immediately.

The Speaker: Is that agreed?

Some hon. members: Agreed.

[Text]

Question No. 163—**Mr. Harold Albrecht:**

With respect to the use of the government-owned fleet of Challenger jets from January 2002 until January 2006 and for each use of the aircraft: (a) what are the names and titles of the passengers present on the flight manifest; (b) what were all the departure and arrival points of the aircraft; (c) who requested access to the fleet; (d) who authorized the flight; (e) what is the number of flying hours accumulated; and (f) what are the associated costs?

(Return tabled)

*Routine Proceedings***Question No. 175—Mr. Pat Martin:**

With regard to all government advertising to promote the Government of Canada and budget initiatives, such as Canada's Economic Action plan, from January 1, 2006 to March 30, 2010: (a) how much has been spent on an annual basis on combined advertising, by department and budgetary initiative; (b) by how much did the government's overall advertising budget increase or decrease during that period; (c) was any completed advertising audited or rejected for not adhering to Treasury Board rules and, if so, (i) what advertising, (ii) what was the total value of rejected or audited advertising; (d) what advertising was related to tax relief and what was its total cost by year; (e) what companies received contracts to complete this advertising work and what is the total cost, by department and budgetary initiative, on an annual basis; (f) how much has been spent per province on an annual basis; and (g) what contracts were awarded without tender and what is the total amount, by department and budgetary initiative, on an annual basis?

(Return tabled)

Question No. 241—Dhalla, Ruby:

With regard to government spending on Google adWords since January 2006: (a) how much has each department spent; (b) what keywords were chosen; (c) what daily limits were set; (d) what was the cost of each keyword; and (e) how many clicks were made per keyword?

(Return tabled)

Question No. 242—Ms. Ruby Dhalla:

With regard to government action on tuberculosis (TB) since January 2006: (a) what national and international programs are being operated by the government to combat the disease; (b) how much money has the government spent on those programs in each year since January 2006; (c) what is the rate of TB in Canada for each month since January 2006; (d) what is the mortality rate for TB in Canada for each year since January 2006; and (e) what research to combat the disease is being funded by the government?

(Return tabled)

Question No. 243—Ms. Ruby Dhalla:

With regard to the Garnishment, Attachment and Pension Diversion Act, for each year from 2006 up to and including the current year, broken down by department: (a) how many federal employees and individual contractors were subject to garnishment of salaries and other remuneration; (b) what is the total amount of money required under the Act to be garnished from the salaries and other remuneration of federal employees and individual contractors; (c) how many times has a cheque been sent to the court or the provincial enforcement agency 16 or more days following the debtor's pay period; (d) what is the total amount of money that has been sent to the court or the provincial enforcement agency 16 or more days following the debtor's pay period; and (e) how many times has the Crown been held in contempt of court?

(Return tabled)

Question No. 244—Ms. Ruby Dhalla:

With regard to the government's handling of fraudulent marriages, for each month since January 2006: (a) how many permanent residency applications have been refused based on fraudulent marriages; (b) how many permanent residents have been deported because of fraudulent marriages; (c) how much has Citizenship and Immigration spent investigating fraudulent marriages; (d) how many government employees are assigned to the investigation of fraudulent marriages; (e) how many reports or "tips" has Citizenship and Immigration received regarding potentially fraudulent marriages; (f) what incentives are provided to encourage reporting of fraudulent marriages; and (g) how much has the government spent training immigration officers to identify fraudulent marriages?

(Return tabled)

Question No. 245—Hon. Dominic LeBlanc:

With respect to the levels of sodium in prepared foods: (a) why is Health Canada pursuing voluntary measures with the food industry to reduce sodium in prepared foods instead of introducing legislation that sets limits for sodium content; (b) is Health Canada's Working Group on Dietary Sodium Reduction adhering to its schedule, i.e., has it completed the preparatory and assessment stages, developed a

strategic framework and is it currently working on the implementation of a plan; and (c) is the government planning to launch a national strategy for the reduction of sodium and, if so, when?

(Return tabled)

Question No. 253—Mr. Charlie Angus:

With respect to the impact that the government's legislative crime initiatives will have on Canada's correctional facilities: (a) what studies has the government done to assess the future need for increased inmate capacity; (b) according to studies and assessments done by or on behalf of the government, will there be a need for increased inmate capacity in Canada's correctional system; (c) what plans are in place to have new prisons built in Canada; (d) where are new facilities to be located; (e) are there plans for future correctional facilities that do not have a location finalized at this point; (f) how does the government determine where correctional facilities will be located; (g) to what extent is the private sector involved in the operations of Canada's correctional facilities; (h) are there Canadian correctional facilities that are fully operated by the private sector and, if so, where are these facilities and by whom are they operated; (i) has the government considered, done studies on, commissioned studies on or consulted with other jurisdictions on expanding the role of the private sector in the operation of Canada's correctional facilities; (j) how many correctional facilities have sought and received permission to have inmates "double bunk" in one cell; (k) what annual costs are expected to be achieved by "double bunk" plans; and (l) what research has been undertaken, and by whom, to study the possible negative effects of "double bunking", such as increased violence and behavioural problems?

(Return tabled)

Question No. 254—Ms. Libby Davies:

With regard to the Renovation and Retrofit of Social Housing Program, by province and territory: (a) how many applications were received under the program; (b) how many applications met the criteria; (c) how many applications were accepted; (d) how many applications that met the criteria were turned down and for what reason; (e) how many and which of the projects are for cooperative housing; (f) how much of the \$1 billion has been allocated to date; (g) how much of this money has been delivered and how much has been spent; (h) how many projects will be completed by the March 2011 deadline; and (i) how many projects will exceed the March 2011 deadline and which of these projects will be terminated or left incomplete because they will not meet the deadline?

(Return tabled)

Question No. 255—Hon. Navdeep Bains:

With regard to the Marquee Tourism Events Program, for each of the fiscal years 2009-2010 and 2010-2011: (a) what were the program criteria; (b) what are the names of the organizations that applied for funding; (c) what were the amounts applied for by each organization; (d) what were the decisions given for each application and the justification provided for each decision; (e) how much of the budgeted funds have not been allocated to projects; (f) how were the successful applications chosen; (g) what are the projected impacts on tourism in terms of the number of domestic and foreign visitors for the successful applications; (h) what are the projected economic benefits for the approved projects; and (i) what were the projected benefits for the applications that were not approved?

(Return tabled)

Question No. 257—Hon. Navdeep Bains:

With regard to travellers from Mexico: (a) how many travellers from Mexico have visited Canada since 2007, broken down by quarter; (b) what is the economic impact of these visits to Canada, broken down by quarter; (c) what provinces are the destinations of these travellers; (d) what was the projected growth in travel prior to the implementation of visa requirements; (e) what is the projected difference in economic input with the implementation of the visa requirements over the next five years, including a breakdown by sector; and (f) what is the projected effect on tax revenue over the next five years?

(Return tabled)

*Routine Proceedings***Question No. 258—Hon. Navdeep Bains:**

With regard to the Economic Action Plan: (a) how has the government informed Canadians about the Economic Action Plan; (b) how much has the government spent on announcements relating to the Economic Action Plan; (c) what is the breakdown of these expenses by event and by type of expense; (d) how much has been spent on (i) consultants, (ii) flights, (iii) media and logistic companies, (iv) props and backdrops; (e) what are the names of companies contracted and the amount of funds spent for media consultants, logistics, props, and advertising; (f) what is the breakdown of this funding by city; (g) how much has the government spent producing advertisements; (h) when have these advertisements aired; and (i) what are the events and what are the total costs for each?

(Return tabled)

Question No. 260—Hon. Mauril Bélanger:

With regard to the Marquee Tourism Events Program for 2010: (a) who are the recipients and what is the amount of each contribution; and (b) which applications of tourism events were rejected?

(Return tabled)

Question No. 264—Mr. Tony Martin:

With regard to funding applications received from John Howard Societies and the Youth Skills Link program: (a) how many funding applications to all federal departments, broken down by program and department, were received from all John Howard Societies across Canada in the current fiscal year, (i) how many were approved, (ii) how many were turned down and why, (iii) how many of those turned down had received funding in previous fiscal years; (b) how many funding applications to all federal departments, broken down by program and department, were received from all John Howard Societies across Canada in the previous fiscal year, (i) how many were approved, (ii) how many were turned down and why, (iii) how many of those turned down had received funding in previous fiscal years; (c) why was the application by the John Howard Society Victoria for Youth Skills Link funding turned down and who will now provide this service in Victoria; (d) why was the application for the same program by the John Howard Society of St. John's, Newfoundland turned down and who will now provide this service in St. John's; (e) why was the application by the John Howard Society of Fredericton for Youth Skills Link funding turned down and who will now provide this service in Fredericton; (f) which projects in St. John's, Newfoundland for the Youth Skills Link funding were supported at the regional level but were finally rejected, and for what reasons; (g) why was the application by the Kamloops John Howard Society for homelessness initiative funding turned down; (h) how many applicants for Youth Skills Link funding, not from the John Howard Society, were contacted by the ministry and asked questions about their proposals before decisions were made about their proposals; and (i) what is the government doing to provide the services for which no funding is provided to organizations such as the John Howard Societies?

(Return tabled)

Question No. 265—Ms. Linda Duncan:

With regard to the \$1 billion over five years for the Green Infrastructure Fund to support green infrastructure projects on a cost-shared basis, included in the Economic Action Plan: (a) how much money has been allocated to date; (b) what, if any, specific criteria were used in determining whether or not a project received funding; (c) by project, what are the details of all applications received in each year for funding support; and (d) by project, what are the details of the projects approved each year under the fund, including (i) type of project, (ii) the proponents of the project, (iii) location of the project, (iv) the federal riding in which the project is located, (v) the proportion of federal funding and contributions by other partners, including the proponent for each approved project?

(Return tabled)

Question No. 267—Ms. Linda Duncan:

With regard to the United Nations Convention on the Conservation of Biological Diversity: (a) what are the negotiating positions taken by Canada on the key actions currently being discussed by the parties under the above Convention, including (i) eliminating subsidies which undermine ecosystems, (ii) ending destructive fishing practices, (iii) reducing nutrient pollution from agriculture and industrial sources to below critical thresholds, (iv) reducing habitat destruction by half, (v) reducing natural resource exploitation to maintain ecological limits; (b) what existing or draft

measures, strategies, plans, guidelines, regulations or legislation are in place or currently in discussion to implement obligations under articles 6 and 11 of the Convention to protect biodiversity, additional to the Species at Risk Act; (c) which persons or organizations has the government consulted in the past two years toward formulating the above, (i) whom does the government intend to consult in finalizing its measures and by what consultation process, (ii) has the government consulted First Nations, Inuit or Métis in these matters and, if so, what are the details of those consultations; and (d) did the government include in its delegations to the Nairobi negotiations on the global convention any representatives from First Nations, Inuit, Métis, environmental or conservation organizations, youth or scientists, (i) does the government intend to include in its delegation to the Conference of the Parties in Nagoya, Japan, this October representatives from any or all of the previously listed parties, (ii) who did the government include in its delegation to Nairobi, and who will be included in the delegation to Nagoya?

(Return tabled)

Question No. 268—Mrs. Bonnie Crombie:

With regard to government television and radio advertising during the 2010 Vancouver Winter Olympics: (a) how much money did the government spend on promoting Canada's Economic Action Plan through television and radio commercials in Canada and the United States; (b) which television and radio stations aired commercials advertising Canada's Economic Action Plan; (c) what were the exact dates and times of each television and radio advertising spot airing commercials of Canada's Economic Action Plan; (d) what were the media costs of each advertisement; (e) what were the production costs of each advertisement; (f) which advertising firms were used for the creation and production of these advertisements; (g) which media buying agency was used; and (h) what rate of commission did each agency of record charge for the creation, production and media booking of each advertisement?

(Return tabled)

Question No. 269—Mrs. Bonnie Crombie:

With regard to the Business Development Bank of Canada: (a) what was the total cost for legal fees to set up the Secured Credit Facility announced in the 2009 Budget; (b) what was the total cost for consulting fees to set up the Secured Credit Facility announced in the 2009 Budget; (c) what was the total amount of loans extended to all businesses in the 2009 and 2010 calendar years; (d) who were the loan recipients in the 2009 and 2010 calendar years; and (e) how much was each loan to each recipient in the 2009 and 2010 calendar years?

(Return tabled)

Question No. 270—Mrs. Bonnie Crombie:

With regard to the Veterans Affairs Community Engagement Partnership Fund: (a) what is the total amount of grants the department has dispersed since January 1, 2009; (b) who are the recipients of these grants; and (c) what is the amount of each grant to each recipient?

(Return tabled)

*Routine Proceedings***Question No. 272—Hon. Anita Neville:**

With regard to Status of Women Canada's Women's Community Fund and the Women's Partnership Fund, for the fiscal years 2007-2008 to 2009-2010: (a) which organizations or groups applied for funding under each program; (b) which organizations or groups were successful in receiving funding from each program, and what were the purposes of these successful applications; (c) which organizations or groups were not successful in receiving funding from each program, and what were the purposes of these unsuccessful applications; (d) what criteria were used to approve funding for organizations or groups and their projects; (e) how much money was granted to each organization or group and project, and how much money has each received to date; (f) which organizations or groups were recommended for funding to the Minister for Status of Women by ministry staff; (g) which organizations or groups that were recommended for funding to the Minister for Status of Women did not receive funding; (h) what criteria did the Minister for Status of Women use to decide which of the organizations or groups recommended for funding were funded and which were not; (i) was any planned funding for either program allowed to lapse and, if so, in which year, and by what amount; (j) was the regional distribution of funding considered as part of the process to determine which organizations or groups received funding and which did not; (k) was the internal capacity of organizations or groups applying for funding considered as part of the process to determine which organizations or groups received funding and which did not; (l) were first-time applicants prioritized ahead of previous funding recipients as part of the process to determine which organizations or groups received funding and which did not; (m) what percentage of successful applicants were first-time recipients of Status of Women funding, in each fiscal year; (n) did Status of Women Canada provide unsuccessful recipients with detailed information regarding deficiencies in their applications; and (o) what percentage of unsuccessful applicants fully met the funding criteria as listed on the Status of Women Canada website and other documentation?

(Return tabled)

Question No. 273—Hon. Anita Neville:

With regard to all Governor in Council appointments: (a) what criteria are used to determine the suitability of appointees; (b) have any organizations with appointed directors adopted a gender-parity policy for their boards of directors; (c) is there a government policy on gender representation on boards appointed through Order in Council; (d) has the Privy Council Office designated responsibility for monitoring gender representation on boards appointed through Order in Council; and (e) what percentage of all appointments made since February 6, 2006, were of female appointees, broken down by organization?

(Return tabled)

Question No. 274—Hon. Anita Neville:

With regard to gender-based analysis (GBA), for each department and agency: (a) was a statement of intent or policy concerning GBA put in place and, if so, what is its content; (b) was a responsibility centre established to monitor the implementation of a GBA framework and the practice of GBA; (c) were Status of Women Canada GBA guides and manuals distributed to departmental officials and analysts and other appropriate staff and, if so, which documents were distributed; (d) was mandatory GBA training given to all senior departmental officials and analysts and other appropriate staff and, if so, when; (e) have GBA frameworks been identified in and included in the departmental reports on plans and priorities and reporting on their implementation in their departmental performance reports or similar documents; (f) has yearly self-evaluation and reporting to Status of Women Canada occurred on departmental GBA practices; and (g) if any of the above (a) through (f) have not occurred, for what reason, and what steps, if any, have been taken to establish a plan for GBA implementation containing these elements?

(Return tabled)

Question No. 276—Ms. Libby Davies:

With respect to non-permanent residents identified by 9 series temporary Social Insurance Numbers, for each of the tax years 2004-2009: (a) how many T4s were issued to these individuals; (b) how many T1s were filed by and processed for these individuals; (c) how many of these individuals made an overpayment over the course of the tax year and failed to file a T1; (d) what was the average tax overpayment left unclaimed by these individuals who were issued a T4 but did not file a T1; (e) what was the total amount of tax overpayment left unclaimed by these individuals who were issued a T4 but did not file a T1; (f) how many of these individuals had a

balance owing and failed to file a T1; (g) what was the average balance owing left unpaid by these individuals who were issued a T4 but did not file a T1; and (h) what was the total amount of balance owing left unpaid by these individuals who were issued a T4 but did not file a T1?

(Return tabled)

Question No. 277—Ms. Kirsty Duncan:

With respect to chronic cerebrospinal insufficiency (CCSVI), does the government plan to have: (a) Health Canada establish that no Canadian ought to be deprived of the imaging necessary for diagnosis, or deprived of the angioplasty indicated by a diagnosis of venous insufficiency in the drainage of the brain, only by reason that that person would also have been diagnosed with Multiple Sclerosis (MS); (b) the Minister of Health convene her provincial and territorial counterparts to a meeting for the purpose of ensuring that no impediment will be placed in the way of diagnosis of venous insufficiency or of treatment by angioplasty on the mere ground that the patient has been diagnosed with MS; (c) Canadian Institutes of Health Research (CIHR) funds made available to assist in the creation of a registry by which it would be possible to collate data regarding the progress of MS patients who undergo venous angioplasty; (d) the funds released, as per the MS Society's research proposal, to allow for that research, with the help of the data collated in the registry referred to above, keeping in mind that such research should not be an impediment to patients obtaining diagnosis or the angioplasty to correct diagnosed venous insufficiency, but should proceed in parallel to any such treatment; (e) Health Canada or the CIHR investigate technology to study the vascular system in utero and, if so, (i) whether vascular or venous problems develop during this time period, (ii) what and where vascular or venous problems potentially occur, (iii) how identified problems might be treated; (f) Health Canada or the CIHR study whether pregnant women should be given vitamin D to understand the risk of children being born with, or developing, vascular problems and other conditions and, if so, determine what dosage is appropriate; (g) Health Canada or the CIHR study whether children and adolescents should be given vitamin D to reduce the risk of developing vein inflammation and venous hypertension and, if so, (i) what dosage is appropriate, (ii) what quantity is recommended for a child with a family history of CCSVI, vascular problems or MS, etc.; (h) Health Canada or the CIHR investigate whether vascular issues develop during childhood and, if so, identify methods to discover circulation problems at the earliest time possible; (i) Health Canada or CIHR study whether antioxidants, vitamin D and omega 3 reduce vein inflammation; (j) Health Canada or the CIHR determine the normal range of flow through veins, in particular the jugulars, and whether or not occluded jugulars can be treated to achieve normal flow; (k) Health Canada or the CIHR study how CCSVI potentially affects flow through the veins and possible permeability of the blood-brain barrier, and methods to reduce permeability, including mesenchymal stem cells and pharmacological agents; (l) Health Canada or the CIHR study the effects of chelators on iron uptake and release from the brain, and the potential use of iron chelators as therapeutic agents for the treatment of MS and perhaps other neurodegenerative disorders; (m) Health Canada or the CIHR investigate how the vascular system of someone with benign MS compares to that of someone with relapsing-remitting, primary progressive or secondary progressive MS; (n) Health Canada or the CIHR study whether a relationship exists between CCSVI and other neurological diseases, as well as between CCSVI and autoimmune disease; (o) funds made available to CIHR across the Institutes to bring together a conference of leading researchers in fields including CCSVI and the liberation procedure, vascular surgeons and neurologists; (p) research funds made available to design safe apparatuses to keep liberated veins open; and (q) a National Research Chair awarded in the diagnosis and treatment of venous abnormalities?

(Return tabled)

Question No. 278—Mr. Jean-Claude D'Amours:

With respect to the funding available for Canada's Atlantic Gateway: (a) what was the total amount of money announced; (b) what is the total amount that has been used and the available balance; and (c) what projects have been approved, with the project name, date and amount approved in each case?

(Return tabled)

*Routine Proceedings***Question No. 283—Ms. Mary Simon:**

With respect to contracts under \$10,000 granted by Status of Women Canada since January 1, 2008, what are: (a) the names of the contractors; (b) the amounts of the contracts; (c) the dates of the contracts; (d) the dates of completion; and (e) the descriptions of the services provided?

(Return tabled)

Question No. 285—Mr. Claude Gravelle:

With regard to Industry Canada's Investment Review Division: (a) what is the total staff complement for assessing the net benefit to Canada of foreign acquisitions of Canadian companies; (b) how many positions are there and what are the job titles; (c) what were the net annual administrative costs for fiscal years 2006-2007, 2007-2008, 2008-2009 and 2009-2010; (d) what are the projected administrative costs for 2010-2011; (e) what criteria are used to assess the net benefit to Canadians in a foreign takeover; (f) what criteria are used to assess the effect of a foreign takeover on the local community; and (g) under what circumstances would the Minister allow an extension to the maximum 45 days for initial review?

(Return tabled)

Question No. 288—Hon. Lawrence MacAulay:

With respect to the commercial licenses allocated by the Department of Fisheries and Oceans in the Atlantic Region from January 1, 2006 to December 31, 2008: (a) for each province and region, what was the number of new commercial fishing licences registered by category; (b) who were the registered license holders and on what date did they receive their licenses; and (c) for what species are the licenses issued, by province and region?

(Return tabled)

Question No. 289—Mr. Malcolm Allen:

With regard to federal funds spent in the communities of Niagara on an annual basis dating back to 1993: (a) what is the amount, broken down by federal department, spent in the constituency of Welland annually between 2004 and 2010 inclusively; (b) what is the amount, broken down by federal department, spent in the former constituency of Erie-Lincoln annually between 1997 and 2004; and (c) what is the amount, broken down by federal department, spent in the former constituency of Erie annually between 1993 and 1997?

(Return tabled)

Question No. 290—Ms. Megan Leslie:

What is the total amount of government funding for each fiscal year since 2007-2008, up to and including the current fiscal year, allocated within the constituency of Halifax, specifying each department or agency, initiative and amount?

(Return tabled)

Question No. 292—Mr. Glenn Thibeault:

What is the total amount of government funding, for each fiscal year since 2007-2008, up to and including the current fiscal year, allocated within the constituency of Sudbury, specifying each department or agency, initiative and amount?

(Return tabled)

Question No. 293—Mr. Glenn Thibeault:

What is the total amount of Economic Action Plan funding allocated for the fiscal year 2008-2009 within the constituency of Sudbury, specifying each department or agency, initiative and amount?

(Return tabled)

Question No. 294—Mr. Glenn Thibeault:

With respect to sport funding: (a) what is the total amount of government funding for each fiscal year since 2006-2007, up to and including the current fiscal year, allocated to amateur sports, specifying each department or agency, initiative and amount; and (b) what is the total amount of government funding allocated to sport injury prevention and awareness for each fiscal year since 2006-2007, up to and

including the current fiscal year, allocated to amateur sports, specifying each department or agency, initiative and amount?

(Return tabled)

Question No. 298—Hon. John McKay:

With respect to Canadian extractive industry-related Official Development Assistance funding: (a) is the Canadian International Development Agency (CIDA) currently considering proposals from Canadian development NGOs to carry out development work in the communities directly affected by Canadian extractive companies and, if so, (i) how many proposals of this nature has CIDA received, how many are under review and how many has CIDA funded thus far, (ii) how much public money is CIDA planning to disburse to projects in relation to development programs and projects on, near, or in conjunction or cooperation with Canadian mining operations, (iii) will the government provide a full accounting of all the projects under consideration, the organizations, NGOs, etc., requesting funding and the companies with whom they will be working; (b) precisely, what will be the role played by extractive operations in development projects, how will NGOs and extractive operations collaborate and what is the nature of the relationship between CIDA, NGOs and extractive operations, both with respect to funding and operationally; (c) why is CIDA funding development projects at Canadian resource extraction sites overseas that have traditionally been paid for by Canadian extraction companies in partnership with Canadian development NGOs; (d) given frequent controversies and accusations made by people living near Canadian mining operations relating to human rights infractions, as related by the Canadian press, will the government (i) clarify that such decisions will be in compliance with the provisions set out in the Official Development Assistance Accountability Act, including consistency with international human rights standards, (ii) demonstrate what specific measures are being undertaken to ensure compliance with the Official Development Assistance Accountability Act; and (e) will the government report on its funding decisions with respect to extractive operations to Parliament and, if so, when?

(Return tabled)

Question No. 299—Mr. Claude Gravelle:

With regard to FedNor project funding for 2006-2007, 2007-2008, 2008-2009 and 2009-2010: (a) how many applications for funding were submitted to FedNor from the riding of Nickel Belt, and what are the details of these applications; (b) how many of the funding applications were approved, and what are the details of these applications; and (c) for each of the applications that were successful, what amount did each request and what amount did each receive?

(Return tabled)

Question No. 300—Mr. Bruce Hyer:

What is the total amount of government funding, since fiscal year 2008-2009 up to and including the current fiscal year, allocated within the constituency of Thunder Bay—Superior North, listing each department or agency, initiative and amount, including the date the funding was allocated?

(Return tabled)

Question No. 301—Mr. Bruce Hyer:

With respect to the purchase and provision of single-use bottled water bottles and water coolers by the government over the last fiscal year: (a) what are the total government expenditures for bottled water; (b) what amount was spent by each department or agency; (c) what were the total government expenditures for bottled water in facilities where access to safe drinking water was readily available, by department or agency; (d) with respect to the above figures, how much was spent, by departmental or agency, in the National Capital Region; (e) what was the breakdown by province for such services; (f) what is the number of government employees by province; and (g) what is the number of drinking water fountains that service these employees, by province?

(Return tabled)

*Routine Proceedings***Question No. 302—Mr. Tony Martin:**

With regard to the Reciprocal Transfer Agreement process: (a) how many federal public service pensions were actually transferred out through this process between 1996 and 2000 to former federal government employees who left voluntarily during the downsizing in the mid-1990s and formed their own companies; (b) how many of these agreements were eventually taken back by Revenue Canada based on a decision that the pensions were not registered properly or that there was a willful attempt to mislead the government; and (c) what is Treasury Board's current process for confirmation of pension registration with Revenue Canada and what was the process prior to 2005?

(Return tabled)

Question No. 303—Mr. Jean-Claude D'Amours:

What is the total number of Employment Insurance claims received at each of the Service Canada offices in Madawaska—Restigouche, namely, in Edmundston, Saint Quentin, Campbellton and Dalhousie, between April 1, 2009 and March 31, 2010?

(Return tabled)

Question No. 304—Mr. John Rafferty:

With regard to all federal funding in the ridings of Nickel Belt and Thunder Bay—Rainy River for fiscal years 2006-2007, 2007-2008, 2008-2009 and 2009-2010: (a) how many projects received funding from a department or agency over this period; (b) what projects received funding from a department or agency over this period; and (c) what was the value of the projects which received funding from a department or agency over this period?

(Return tabled)

Question No. 309—Mr. Robert Oliphant:

With respect to veterans working in the Department of Veterans Affairs: (a) how many veterans have been hired at Veterans Affairs Canada since 2005; (b) how many of these were medically-released members of the Canadian Forces hired in priority through the Public Service Commission; (c) what percentage of all hires at Veterans Affairs Canada since 2005 have been veterans, including medically-released veterans; and (d) what specific efforts are being made by the department to increase the number and percentage of veterans working within Veterans Affairs Canada?

(Return tabled)

Question No. 311—Mrs. Alexandra Mendes:

With respect to penalties issued and charges laid for violations of Part XII of the Health of Animals Regulations from 2005 to present: (a) how many Administrative Monetary Penalties (AMPs) have been recommended by Canadian Food Inspection Agency (CFIA) inspectors across Canada for violations of the Health of Animals Regulations, and for each of these, what sections of the regulations were violated; (b) how many AMPs were issued for Part XII of the Health of Animals Regulations during this period; (c) what was the value of each individual AMP during this period; (d) how many of the AMPs issued during this time period have been paid to date; (e) how many AMPs were withdrawn; (f) how many charges were recommended by CFIA inspectors across Canada for violations of Part XII of the Health of Animals Regulations; and (g) how many prosecutions resulted in convictions?

(Return tabled)

Question No. 313—Mr. Yvon Godin:

What is the total amount of funding the government has awarded in the riding of Acadie—Bathurst under Canada's Economic Action Plan since it was first introduced, detailing in each case the department or agency, the initiative and the amount?

(Return tabled)

Question No. 315—Hon. Bob Rae:

With regard to the earthquake in Haiti on January 12, 2010: (a) how much money has the government spent in matching the donations of Canadian citizens; (b) to which organizations has the money from the matching program gone; (c) how much money has been spent in each social assistance sector; and (d) how much additional

money has the government spent on the reconstruction and redevelopment efforts in Haiti since the earthquake?

(Return tabled)

Question No. 316—Hon. Bob Rae:

With regard to Haiti: (a) how many Canadian peacekeepers are currently serving in Haiti; (b) how many Canadian peacekeepers were serving in Haiti prior to the earthquake on January 12, 2010; (c) how many applications has the government received from Haitians seeking refugee status in Canada since the earthquake on January 12, 2010; (d) how many of the applications in (c) have been approved by the government; (e) how many Haitian children were scheduled to be adopted by Canadians prior to the events of January 12, 2010; and (f) how many Haitian children have been successfully adopted by Canadians since January 12, 2010?

(Return tabled)

Question No. 317—Hon. Bob Rae:

With regard to climate change: (a) what recommendations have been made by the Departments of the Environment and of Foreign Affairs regarding the inclusion of a discussion on climate change as part of the G8 and G20 agendas; and (b) what recommendations have been made by the Departments of the Environment and of Foreign Affairs regarding the government's climate change policy following the Copenhagen conference?

(Return tabled)

Question No. 318—Mr. John Rafferty:

With regard to all federal funding in the riding of Nickel Belt for fiscal years 2006-2007, 2007-2008, 2008-2009 and 2009-2010: (a) how many projects received funding from a department or agency over this period; (b) what projects received funding from a department or agency over this period; and (c) what was the value of the projects which received funding from a department or agency over this period?

(Return tabled)

Question No. 319—Mr. John Rafferty:

With regard to announcements related to FedNor projects: (a) how many announcements were made between October 14, 2008 and June 15, 2010 on behalf of the Minister of Industry, including for each announcement (i) the names of those making the announcement on behalf of the Minister, (ii) the riding and city, town, or village in which the announcement was made; (b) on which dates were these announcements made; (c) what was the total dollar value for each project announced; and (d) what was the total cost associated with making each announcement, including costs for travel, staff, per diem and visual aids?

(Return tabled)

Question No. 320—Mr. John Rafferty:

With regard to all federal funding in the riding of Kenora for fiscal years 2006-2007, 2007-2008, 2008-2009 and 2009-2010: (a) how many projects received funding from a department or agency over this period; (b) what projects received funding from a department or agency over this period; and (c) what was the value of the projects which received funding from a department or agency over this period?

(Return tabled)

Question No. 321—Mr. Alex Atamanenko:

With respect to the government's involvement in Recombinant DNA (rDNA) technology in each of the years from 1996 to 2010: (a) how much federal funding, from all sources, has the government spent on (i) research and development in the agricultural sector, (ii) research and development in the forestry sector, (iii) marketing and international or domestic promotion of rDNA technology in agriculture, (iv) marketing and international or domestic promotion of rDNA technology in forestry; (b) what percentage of funding has been allocated to conduct risk assessments on (i) human health impacts, (ii) ecosystem impacts and other consequences for flora and fauna, (iii) socio-economic factors associated with the introduction and use of rDNA technology; and (c) what public opinion polling has the government commissioned to enquire about public attitudes regarding the use of rDNA technology to genetically engineer food, seeds, trees, fish and animals and what were the results of each poll?

Routine Proceedings

(Return tabled)

Question No. 322—Mr. Alex Atamanenko:

With respect to genetically engineered CDC Triffid flax that was found contaminating Canadian flax exports in 2009: (a) when was the government first made aware that there was CDC Triffid contamination in Canadian flax exports, how was this communicated to them and by whom; (b) what activities has the government undertaken to address the problem of contamination, including inter-departmental meetings and meetings with industry and trading partners; (c) how much federal money from all sources has been spent to date to repair the damage caused by this contamination to our trading relationship with Europe and for what activities; (d) how much federal money from all sources has been spent to date to clean the system of CDC Triffid flax and assist the industry or farmers to recover from the market loss resulting from this contamination; (e) when was CDC Triffid first made legal to sell in Canada; (f) when was CDC Triffid made illegal to sell in Canada; (g) why did the government consider it necessary to make CDC Triffid illegal; (h) when was the government first made aware of flax farmers' concerns that the approval for sale in Canada of CDC Triffid could result in the closure of European markets to Canadian flax should any amount of contamination by CDC Triffid ever be discovered in their export shipments, how was this communicated to them and by whom; (i) what steps did the government take to address the concerns in (h); (j) what steps did the government take to ensure that all CDC Triffid was taken off the market and removed from the system once the decision was made to make CDC Triffid illegal to sell in Canada; (k) how long did it take the government to clean the system of CDC Triffid once the decision was made to make it illegal; (l) what steps did the government undertake in each of the years following CDC Triffid flax's removal from the market to ensure that Canadian flax remained uncontaminated by it; and (m) has the government ever been made aware of or discovered evidence that CDC Triffid flax might still be in the system in the years subsequent to its being made illegal to sell in Canada?

(Return tabled)

Question No. 324—Ms. Irene Mathysen:

With respect to Canada's Economic Action Plan: (a) under the Infrastructure Stimulus Fund in the riding of London—Fanshawe, (i) what applications for projects have been approved for funding to date, (ii) who are the partners involved, (iii) what is the federal contribution, (iv) what is each partner's contribution, (v) how much of the funding has flowed and to whom, (vi) what were the criteria used to determine which projects were approved; (b) under the Building Canada Fund - Communities Component in the riding of London—Fanshawe, (i) what applications for projects have been approved for funding to date, (ii) who are the partners involved, (iii) what is the federal contribution, (iv) what is each partner's contribution, (v) how much of the funding has flowed and to whom, (vi) what were the criteria used to determine which projects were approved; (c) under the Building Canada Fund - Major Infrastructure Component in the riding of London—Fanshawe, (i) what applications for projects have been approved for funding to date, (ii) who are the partners involved, (iii) what is the federal contribution, (iv) what is each partner's contribution, (v) how much of the funding has flowed and to whom, (vi) what were the criteria used to determine which projects were approved; and (f) under the Green Infrastructure Fund in the riding of London—Fanshawe, (i) what applications for projects have been approved for funding to date, (ii) who are the partners involved, (iii) what is the federal contribution, (iv) what is each partner's contribution, (v) how much of the funding has flowed and to whom, (vi) what were the criteria used to determine which projects were approved?

(Return tabled)

Question No. 325—Ms. Irene Mathysen:

With regard to all federal funding in the riding of London—Fanshawe for fiscal years 2006-2007, 2007-2008, 2008-2009 and 2009-2010: (a) how many projects received funding from a department or agency over this period; (b) what projects

received funding from a department or agency over this period; and (c) what was the value of the projects which received funding from a department or agency over this period?

(Return tabled)

Question No. 328—Mrs. Alexandra Mendes:

With respect to the \$110 million announced on May 26, 2010, by the Minister of State for Economic Development Agency of Canada for the Regions of Quebec in support measures for 2010-2011 to address the challenges facing the forest industry: (a) as of June 9, 2010, has any of this funding been awarded in the province of Quebec, (i) if yes, what are the details of the funding awarded, including the timeline and the recipients, (ii) if no, what are the details of all applications that have been received to date requesting funding from this program; (b) what are the eligibility requirements for this fund; (c) what are the criteria that would affect a funding application; and (d) what are the complete details of the program funding?

(Return tabled)

Question No. 332—Hon. Marlene Jennings:

With respect to funding from Status of Women Canada: (a) what organizations have applied for funding since January 23, 2006; (b) how much money has been allocated to each organization since this date; and (c) for each organization that was refused funding, what were the reasons for the refusal of funding?

(Return tabled)

Question No. 334—Mr. Alex Atamanenko:

With regard to agrofuels: (a) what studies or reports has the government prepared, reviewed or commissioned to examine the effectiveness of using agrofuels as part of a greenhouse gas emission reduction strategy in (i) Canada, (ii) throughout the world; (b) what studies or reports has the government prepared, reviewed or commissioned to examine the link between the displacement of local peoples and the production of agrofuels in the global South; (c) from which countries is the government purchasing or intending to purchase biomass for the production of agrofuels; (d) what are the current regulations in regard to importing agrofuels and biomass for the production of agrofuels from countries in the global South; (e) what is the government's policy concerning imports of agrofuels and biomass for the production of agrofuels from countries in the global South; (f) what studies or reports has the government prepared, reviewed or commissioned regarding any links between agrofuels production and food security; (g) how much federal funding from all sources has been directed to agrofuels in Canada in the last 10 years; (h) what studies or reports has the government prepared, reviewed or commissioned regarding the economic viability and cost effectiveness of agrofuels; and (i) what specific actions has the government undertaken or does it plan to undertake to respond to the five observations attached by the Senate to Bill C-33, An Act to amend the Canadian Environmental Protection Act, 1999, which came into force on September 28, 2009?

(Return tabled)

Question No. 335—Mr. David Christopherson:

What is the total amount of government funding, since fiscal year 2004-2005 up to and including the current fiscal year, allocated within the constituency of Hamilton Centre, listing each department or agency, initiative and amount, including the date the funding was allocated?

(Return tabled)

Question No. 336—Mr. Thomas Mulcair:

What is the total amount of government funding, since fiscal year 2004-2005 up to and including the current fiscal year, allocated within the constituency of Outremont, listing each department or agency, initiative and amount, including the date the funding was allocated?

(Return tabled)

Question No. 339—Mr. Yvon Godin:

How much funding in total has the government allocated to the riding of Acadie—Bathurst through the Atlantic Canada Opportunities Agency since 2006, detailing in each case the initiative and amount?

Routine Proceedings

(Return tabled)

Question No. 341—**Mr. Bruce Hyer:**

With respect to funding applications from organizations in the constituency of Thunder Bay–Superior North in the 2007-2008, 2008-2009 and 2009-2010 fiscal years: (a) which applications were successful in being granted funding, listed by organization and federal department, program or agency, funding provided and fiscal year, through the Canadian Council for the Arts, Canadian Heritage, Canada Small Business Financing Program, Business Development Bank of Canada, Canada Business Service Centre, Export Development Canada, Agriculture and Agri-Food Canada, Canadian Northern Economic Development Agency, Canadian Institutes of Health Research, Community Action Programs for the Environment, the Science Horizons Youth Internship Program, FedNor, Health Canada, Human Resources and Skills Development Canada, Indian and Northern Affairs Canada, Industry Canada, Infrastructure Canada, Service Canada, Social Sciences and Humanities Research Council of Canada, Status of Women Canada; and (b) which applications were not successful in being granted funding, listed by organization and by federal department, program or agency, and funding requested and fiscal year, through the aforementioned governmental departments or agencies?

(Return tabled)

Question No. 342—**Ms. Judy Foote:**

With respect to the new National Shipbuilding Procurement Strategy, announced by the Ministers of Defence and Public Works and Government Services on June 3, 2010: (a) how many new jobs are expected to be created through the new strategy; (b) when will the two shipyards be selected for the construction of combat and non-combat vessels; (c) had the Washington Marine Group, of British Columbia, and Irving Group, of Nova Scotia, been asked by the federal government to make a submission to become the centre of excellence for large combat shipbuilding in Canada prior to the announcement of the strategy, as reported by the Vice President of Washington Marine Group John Shaw; (d) has the Davie Shipyard in Québec City already been chosen to build the non-combat ships that will be built under the strategy; (e) what shipyards in the country are capable of being a centre of excellence in shipbuilding; (f) what are the criteria that will be used to determine if a shipyard will be chosen as a centre of excellence in shipbuilding; (g) is it necessary to be a member of the National Shipbuilders' Association to make a submission or to qualify to be a centre of excellence in shipbuilding; (h) what are the details regarding the fairness monitor and the independent third party experts' participation in the selection process for the establishment of the long-term strategic relationship with two Canadian shipyards; (i) what are the Canadian shipyards that have received federal government contracts for the construction of combat and non-combat vessels over the past 20 years; and (j) what smaller ships will be set aside for competitive procurement?

(Return tabled)

Question No. 344—**Hon. Larry Bagnell:**

With respect to oil exploration and extraction, since January 2006, what resources has the government of Canada allocated to the development of a method to deal with (i) offshore blowouts, (ii) offshore spills, (iii) spills in Arctic waters?

(Return tabled)

Question No. 345—**Hon. Larry Bagnell:**

With respect to past offshore oil spills, in each case: (a) what resources were assigned by the government to contain, capture and clean the spilled oil; (b) listing each incident separately and including the date, month, year and location, when did each spill occur; (c) what were the costs associated with each spill; (d) what was the final assessment of environmental damage; (e) what, if any, charges were laid; (f) what was the outcome of the charges; and (g) what was the level of insurance liability?

(Return tabled)

Question No. 348—**Hon. Dan McTeague:**

With regard to the Abovian Abdelrazik case: (a) what are the names of any outside contractors hired by the government; (b) what is the value of any contracts awarded; (c) what services were rendered by the contractor; and (d) when was the contract awarded and during what time period were the services carried out?

(Return tabled)

Question No. 349—**Hon. Dan McTeague:**

With regard to the G8 Summit in Muskoka, what are the details of all contracts for goods or services relating to the G8 meetings, providing for each contract (i) the name of the contractor, (ii) a description of the goods or services provided, (iii) the value of the contract, (iv) whether or not there was an open bidding process for the contract?

(Return tabled)

Question No. 350—**Hon. Dan McTeague:**

With regard to the G20 Summit in Toronto, what are the details of all contracts for goods or services relating to the G20 meetings, providing for each contract (i) the name of the contractor, (ii) a description of the goods or services provided, (iii) the value of the contract, (iv) whether or not there was an open bidding process for the contract?

(Return tabled)

Question No. 351—**Hon. Dan McTeague:**

With regard to expenditures for the G20 and G8 summits, what are the details of all expenditures related to the summits but not accounted for in either the 2010-2011 Main or Supplementary Estimates, providing for each expenditure (i) the value of the expenditure, (ii) the goods or services consumed, (iii) the department under which the expenditure is accounted for, (iv) whether or not the contract was tendered through an open bidding process if the goods or services were purchased from an outside source?

(Return tabled)

Question No. 352—**Hon. Larry Bagnell:**

With regard to all government announcements pertaining to the North, made by any department between January 2006 and the present: (a) when was each announcement made; and (b) what is the status of each announcement as concerns, (i) implementation, (ii) policy change and status of the policy, (iii) the budget set aside for the implementation and the actual expenditure on the program implementation, (iv) procurement of materials for announced programs, (v) status of planning for implementation and program delivery, (vi) relevant budget business plans, (vii) projected completion dates for announced programs, (viii) benefits of the program for Northern residents, (ix) consultations with Northern residents and territorial governments, (x) the reasons why completion targets have not been met or start up dates have been delayed?

(Return tabled)

Question No. 354—**Mr. Pablo Rodriguez:**

With regard to the Marquee Tourism Events program for the last two fiscal years: (a) who applied for funding; (b) who was awarded funding; (c) how much funding did each successful applicant receive; and (d) what applications were deemed qualified but were not approved by the minister?

(Return tabled)

● (1525)

[English]

Mr. Tom Lukiwski: Mr. Speaker, I ask that the remaining questions be allowed to stand.

The Speaker: Is that agreed?

Some hon. members: Agreed.

*Government Orders***REQUEST FOR EMERGENCY DEBATE**

LONG FORM CENSUS

The Speaker: I have received a request for an emergency debate from the hon. leader of the New Democratic Party and I will hear from the hon. member for Toronto—Danforth now on this.

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, today I rise to request an emergency debate on the government's decision to scrap the mandatory long form census. The importance and urgency of this matter really cannot be overstated.

[*Translation*]

More than 350 organizations and expert panels have decried the consequences of the government's decision to get rid of the mandatory long-form census.

[*English*]

Academics, business leaders, statisticians, municipalities, health care providers, social agencies and non-profit sectors have all decried the proposed changes because they count on this information to do their work.

Last week even the Governor of the Bank of Canada, Mark Carney, said that scrapping the long form census could hurt the bank's data on important issues affecting the economy, like productivity, labour data and household economies, all of which are vital markers for assessing the strength of our economy.

[*Translation*]

This House cannot fulfill its mandate without the data collected on the long-form census, without knowing who our citizens are, where they live and what types of situations they are in.

[*English*]

Government departments, from Health Canada to Veterans Affairs, rely on census data, and without the long-form census they will not be able to deliver on their responsibilities to Canadians or answer the questions that Canadians or members of Parliament have about the important issues facing us.

The government made its decision to scrap the long-form census without any discussion with parliamentarians, the public, or even experts at the National Statistics Council, which it appoints precisely to provide this sort of evidence.

I have spoken with our members about the practical implications of this matter, and I will give one example. The member for Acadie—Bathurst told me that it was not a question of going in and finding out what goes on in people's bedrooms. Rather, it is a question of finding out how many bedrooms there are compared with how many children there are. We know that there is an overcrowding problem resulting from the crisis of affordable housing in this country. Members who question whether this is true should visit any remote first nations community, where three or four families, 15 or 16 people, sometimes live in houses built by the federal government for only one family. These members will then see what I mean.

Maybe the government does not want to know about rising inequality in our society and its impacts; maybe it prefers not to have the information. But that does not make it right. In fact, this is very shortsighted policy.

If we do not act immediately, and I have to speak to the timeliness of this issue, there will be irreversible damage to Canada's vital statistical resources, because the information collected in this census will not be comparable with information from past census processes.

[*Translation*]

The deadline for printing the 2011 census is fast approaching. It is not too late, but time is of the essence.

[*English*]

Every day that goes by is a missed opportunity to restore and protect the continuity and comparability of our national data. Other countries are looking at us: they work with us in the assembly of data internationally, and they are worried about the quality of Canadian data that will result from this change.

We cannot afford such missed opportunities. There is virtually no more time left. Parliament has to debate it immediately. The implications are serious and significant, and therefore meet the test for entering into an emergency debate.

[*Translation*]

Only an emergency debate will give this important matter the attention it deserves.

[*English*]

That is why New Democrats hope that you will favourably consider this request, Mr. Speaker.

The Speaker: I thank the hon. member for Toronto—Danforth for raising this matter. His letter on this subject came in, as I recall, on August 16. While I might have had considerable sympathy at that time, had the House been sitting, given the length of time we have had without the House in session, I feel that some of the urgency has gone out of this issue, at least with respect to the need for an emergency debate in the House.

I note that there will be an opposition day within the next 10 days. When that happens, if members feel it is an urgent priority, it could be moved as a subject matter for debate on that day or on a subsequent opposition day. That might be a more suitable forum for discussion on a topic that has been around for quite some time.

I do not underestimate the importance of the matter. I simply say that at this stage it is not something that meets the exigencies of the standing order relating to emergency debates. Accordingly I deny the request at this time.

GOVERNMENT ORDERS

• (1530)

[*English*]

COMBATING TERRORISM ACT

The House resumed consideration of the motion that Bill C-17, An Act to amend the Criminal Code (investigative hearing and recognizance with conditions), be read the second time and referred to a committee.

Government Orders

The Speaker: When the matter was last before the House, the hon. member for Windsor—Tecumseh had the floor for questions and comments consequent upon his speech. He was asked a question, and therefore I call upon the hon. member for Windsor—Tecumseh, if he wishes to respond to the comment that was made earlier, and to continue with questions and comments.

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Mr. Speaker, the question was whether our opposition to Bill C-17 and some of the arguments I made against it were timely, in light of some of the historical abuses of human rights and civil liberties that we have seen in this country. That is an interesting question. What have we learned from our mistakes in the past? The suggestion is that mistakes made in the past will not be repeated.

When we look at the number of times we have made the same mistake in the past, usually in a crisis, we see that sometimes governments panic and attack certain members of their society by undermining fundamental rights. That is what this bill would do.

One of the other parts of the question, to be a bit more timely, was whether we can we rely on our courts to protect our fundamental rights. In this country, we have a division of authority, and courts certainly have a role to play in protecting our rights by interpreting the Constitution and the Charter of Rights. However, they also have, as I think our Conservative colleagues rarely will acknowledge, a deep respect for the role that we as parliamentarians play in passing laws.

We have a responsibility as parliamentarians to protect fundamental rights. We are not doing that by this legislation. Nor is there any reason to believe that our courts will find, as they have for part of this legislation, that it is within the Charter of Rights. That is not the end of it. We still have a responsibility to deal with this as parliamentarians. They have a responsibility not to interfere other than in the most exigent circumstances.

I have at times been critical of our judiciary. When we look at the process of security certifications that has been gone through in the last seven or eight years, we see that any number of times we have had interpretations, particularly from the federal court, in which they did not at the time protect fundamental rights. They have begun to do so. They began in 2006 or 2007. There were several years in which those certificates were used improperly, and our courts finally got around to realizing that. So we cannot rely exclusively on our courts to protect fundamental rights. We have to assume our responsibility, and supporting this legislation would not do that. This should be opposed. We should be striking this bill off our agenda.

Mrs. Shelly Glover (Parliamentary Secretary to the Minister of Indian Affairs and Northern Development, CPC): Mr. Speaker, I am pleased to contribute to the debate on Bill C-17. This key piece of anti-terrorism legislation seeks to re-enact, but with more safeguards, the provisions having to do with investigative hearing and recognizance with conditions, which we lost because of a sunset clause in March 2007.

The powers set out in the bill attempt to fill a gap in our national security law. Effectively they focus much of their attention on the prevention of a terrorist offence.

I think all members of the House can agree that unlike some other forms of criminality a terrorist who is able to carry out an offence is attempting to injure and kill large numbers of people, making prevention an even more crucial policy goal.

This point, that there is a qualitative difference between terrorism offences and other regular forms of criminal activity, has been made by a number of terrorism experts. In this regard the members of the House may wish to recall the testimony of Lord Carlile of Berriew, the United Kingdom's independent reviewer of its anti-terrorism legislation, before the House of Commons subcommittee that reviewed the anti-terrorism act in November 2005. Lord Carlile was asked whether there was really any difference between investigating terrorism and investigating organized crime. She replied:

If I can I'll just characterize one important difference between terrorist crime and normal organized crime, or what police in Northern Ireland call ODCs, or ordinary decent criminals, in a distinction that they make. With organized crime, it is often possible for the police investigating that crime to leave arrest until very late. Indeed, for example, there was a huge robbery at London Heathrow Airport a couple of years ago—I was involved in the case for a time professionally—in which they allowed the robbery to take place, and they arrested the robbers whilst they were committing the robbery, with the result that in the end most of them pleaded guilty. You can't run that risk with terrorism.

To summarize this relatively short bill, the proposed investigative hearing provisions would create a mechanism for questioning persons before a judge about a past or future terrorist offence. The proposed provision for recognizance with conditions would allow a judge to impose reasonable conditions on a person in order to prevent the commission of a terrorist activity.

Surprisingly, some have maintained that the provisions are not necessary. Various reasons have been advanced in this regard. I would like to use my time to address some of these arguments, as I think it is important to have an informed debate on these matters.

Some say that since the provisions have never been used they must not be a truly necessary law enforcement tool. I cannot disagree more.

This view is based exclusively on hindsight and not on foresight. In the policing world, which I know very well as a member of the Winnipeg Police Service on a leave of absence, foresight is crucial, as is pro-activity. One could just as logically claim that because to date one's house has not burned down or one has never before become seriously ill that there is no need ever to buy fire or life insurance. Given the existence of an ongoing terrorist threat, reliance on past experience alone is an insufficient guarantor of the future security of Canadians.

Government Orders

Another view advanced has been that the recognizance-with-conditions provision is unnecessary because other Criminal Code provisions could be used instead. This view fails to appreciate the purpose of the recognizance-with-conditions provision. This tool is designed to disrupt the planning of terrorist activity at a very early stage. I will give an example. Suppose the police receive intelligence that a foreign head of state visiting Canada will be the target of a terrorist attack. They may therefore have reasonable grounds to believe that a terrorist act will be committed, but they may not have reasonable grounds to believe that a particular person will be the one to carry out the attack, which is the standard required under our existing arrest laws.

As a result, the person could not be arrested for conspiracy or under subsection 495.(1) of the Criminal Code. Similarly paragraph 810.01(1) would not apply, because it is targeted, in part, at those who it is reasonably feared will engage in a terrorist activity.

Bill C-17 seeks to fill this gap by authorizing a peace officer to lay an information before a judge if he or she believes on reasonable grounds that a terrorist activity will be carried out and suspects on reasonable grounds that the imposition of a recognizance with conditions on a person, with the arrest of the person, is necessary to prevent the carrying out of a terrorist act.

●(1535)

Some have also put forward the position that Bill C-17 infringes upon human rights. In rebutting this view, let me begin with the investigative hearing provisions.

In the debates on this bill's predecessor, former Bill C-19, the argument was made that this hearing was an infringement on the right to silence. The answer to this argument was authoritatively given by the Supreme Court of Canada in 2004 in a case called "Application under s. 83.28 of the Criminal Code", which arose in the context of the Air India prosecution.

The majority of the court rejected the appellant's argument that the investigative hearing violated an individual's absolute right to silence and the right against self-incrimination, noting in part the specific and robust protections governing use and derivative use immunity found in the original legislation. Indeed, the court noted:

Derivative use immunity is provided for in s. 83.28(10)(b). Indeed, the protection in para. (b) goes beyond the requirements in the jurisprudence, and provides absolute derivative use immunity, such that evidence derived from the evidence provided at the judicial investigative hearing may not be presented in evidence against the witness in another prosecution even if the Crown is able to establish, on a balance of probabilities, that it would have inevitably discovered the same evidence through alternative means.

We all need to keep in mind when thinking about possible adverse ramifications of the recognizance with conditions that they have a built-in legal filter. They can only be imposed when two criteria are met: A peace officer must believe on reasonable grounds that a terrorist activity will be committed, and must suspect on reasonable grounds that the imposition of the recognizance is necessary to prevent the carrying out of the terrorist activity.

Moreover, the second criterion is not one of mere suspicion, it is one of reasonable grounds to suspect. In other words, this is a higher bar. This means more than a mere hunch. In this regard, I would note

that the concept of reasonable suspicion is not unknown in Canadian criminal law.

By analogy, I note that the Supreme Court approved the standard of reasonable suspicion in the context of the common law police power of investigative detention, the police power to briefly detain a person where the officer has reasonable grounds to suspect the person has committed a crime. In this regard, I refer hon. members who are interested to the case of *Regina v. Mann*.

Therefore, I think it is fair to say that this will not be applied to a broad range of people in this country. With regard to the view that these powers can unfairly label a person a terrorist without the opportunity to clear oneself, I would call attention to the well-established and often-used peace bonds or recognizance powers in the Criminal Code. In particular, a peace bond could be imposed to prevent a person from inflicting injury on or committing a sexual offence against a young person. These, too, have implications for the defendants who are subject to them, but no one would argue that because of these provisions should not exist.

Like these existing provisions, the proposed recognizance with conditions is carefully tailored to achieve an overarching critical objective, namely the prevention of a terrorist activity, an objective that I know all members support.

Another criticism of this bill, in its previous incarnation as Bill C-19, was made by the hon. NDP member for St. John's East. It went as far as, in effect, something like this:

When a bill allows for imprisonment for up to 12 months or strict recognizance conditions on individuals who have not been charged with any crime, it is contrary to the core values of our justice system.

I disagree, and I am going to prove that point immediately. I would point out that this accusation of fundamental unfairness cannot only be made of the recognizance with conditions provision found in this bill, it can also be equally made of all the peace bond provisions of the Criminal Code.

Please allow me to set out for consideration and reflection by the hon. members the following peace bond provisions that contain this very same power to order up to 12 months' imprisonment where a person refuses to enter into recognizance.

●(1540)

The first is a recognizance where a person fears on reasonable grounds that another person will cause serious injury to him or her or to his or her spouse or common-law partner or child, or will damage his or her property, under paragraph 810(3)(b) of the Code. Other examples are a recognizance where a person feels on reasonable grounds that another person will commit a terrorism offence or a criminal organization offence, under subsection 810.01(4); a recognizance where a person feels on reasonable grounds that another person will commit one of various sexual offences in respect of a person under 16 years of age, found under subsection 810.1(3.1); or a recognizance where a person feels on reasonable grounds that another person will commit a serious personal injury offence, which is found under subsection 810.2(4).

Government Orders

In all these instances, if a person refuses to enter into a recognizance, the power to order up to 12 months imprisonment exists. My point is that the punishment provision for refusing to enter into a recognizance is not unique to the recognizance with conditions provision found in Bill C-17. It is standard for all peace bond provisions in the Code. It is therefore a good reason to ensure that there is a means whereby a person's refusal to enter into a peace bond has consequences.

Indeed, I would point out that the recognizance with conditions provision found in Bill C-17 is, in one important respect, more limited in scope than some other peace bond provision found in the Code.

Hon. members may recall that where there is a reasonable fear that another person may commit a sexual offence against a person under 16 years of age or that another person may commit a serious personal injury offence, the recognizance can actually be extended from 12 months to two years if the person has been previously convicted of a similar offence. In contrast, in Bill C-17 the maximum period of time that a recognizance can be enforced is in fact 12 months.

Changing gears a little bit, I want to discuss briefly some of the policy decisions that went into the development of the bill. Members may recall that the House of Commons subcommittee interim report on the Anti-terrorism Act, the legislation that originally contained both of these schemes, recommended limiting the investigative hearing power to the investigation of imminent terrorism offences.

The government has, for good reason, decided not to go this route. If this limit were imposed, it would exclude the possibility of holding an investigative hearing in respect of past terrorism offences. For example, if this recommendation were to be accepted and if a terrorist group committed an offence and planned a subsequent offence, or offences, in the investigative hearing no questions could be asked about the offence already committed, even though such questioning could yield information that would be essential to the prevention of the planned subsequent offences. It is clear that this decision makes good policy sense and serves to better protect Canadians.

Another criticism that may be raised is that the bill does not totally reflect the judgments of the Supreme Court of Canada with regard to the investigative hearing provisions. As hon. members may recall, the Supreme Court of Canada in 2004 rendered two decisions with regard to the investigative hearing. In one case, the Supreme Court held that the investigative hearing should presumptively be an open hearing, albeit this is a presumption that could be rebutted, depending on the facts of the case; and in the other, which I have already referred to, the Supreme Court upheld the constitutionality of the investigative hearing.

However, as part of its latter judgment, the Supreme Court extended the protection of use and derivative use immunity beyond the criminal proceeding context to cover extradition and deportation hearings.

In my view, it is unnecessary for Bill C-17 to explicitly propose an amendment to extend the use of derivative use provision to extradition and deportation hearings or to include a provision about the presumption of openness in such cases. It is obvious to me that, if

enacted, Bill C-17 will be interpreted in light of the Supreme Court's conclusion on these issues.

I have attempted to address some of the objections to the bill that have been raised in previous discussions. I hope that some of the reasons I have articulated will have resonated with my colleagues in this place and that they begin to view these provisions as minimally intrusive and ones that do not present a threat to the Canadian values but actually protect them.

I want to reiterate that we have heard from police officers as well on this issue. I myself was a police officer when the sunset clause took away these powers, and I am here to say that I represent many police officers across this country who believe this is essential to prevent any kind of terrorism attacks in the future.

• (1545)

I would urge all hon. members in the House to please support Bill C-17 and in doing so contribute once again to the safety and security of all Canadians.

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Madam Speaker, I thank my colleague for her comments, especially as they come from a former member of our national police force.

When this legislation was introduced, it was created in an obviously different context from where we are right now. Soon after 9/11, many countries tried to shore up certain aspects of their security laws. This was Canada's effort. The government of the day included a sunset clause because it was understood at the time that in such a heated environment sometimes governments will make decisions and changes to laws that they do not necessarily want to have in permanent effect. It is a temporary measure for extreme circumstances. We are now at the sunset clause of this legislation again where it is up for renewal or dismissal, depending on whether it has been useful or not.

This government and the one before have prosecuted cases around homegrown terrorism without using any of these requirements. We actually heard from witnesses at the committee on the provisions in this bill. We understand that the provisions border on the draconian at times, forcing a witness to testify against his or her own interests. This is one of the foundations of our justice system and it is removed through this bill. Holding people without charge is also against the very foundations of what parliaments have stood for, for many years. So know that the measures are serious, and I think the hon. member appreciates that.

Government Orders

These are not light uses in this legislation, but we have never had to use them, even in prosecuting criminal charges of homegrown terrorism. So in the balance that we try to establish here in Parliament as legislators, between the rights of individuals and the protection of society, suspending a person's ability to testify against themselves, suspending the rights of people who are then held without charge, for a piece of legislation that does not get used even when we prosecute in criminal cases involving terrorism, does it not seem to the hon. member that we should allow the sunset to finally take place on this legislation? It was drawn up in a different context, and it has not been applied. Even in moments when we have needed to apply the force of the law and all our security details to terrorism, we have not used this. Is it worth the continued sacrifice to have, on the books in our Parliament and our land, laws that so override basic fundamental human rights, for a law that we simply have not used?

• (1550)

Mrs. Shelly Glover: Madam Speaker, I welcome the opposition member back to the House after the break.

I am glad that the hon. member has asked that question. There are a couple of elements in the question that I would like to explain so that he really understands how imperative this is to law enforcement and to this country as a whole.

First and foremost, the hon. member mentioned that it has not been used. Yes, I agree that it has not been used, but that does not mean that we will not need to use it in the future. We have seen an escalation of arrests in terrorists activities or suspected terrorist activities. As a police officer who is on a leave of absence and I have every intention to return to my position as a police officer when I am done helping to create some new laws here in the House, I know this is a tool that will be used when appropriate. When the hon. member mentions that it has not been used yet, that clearly indicates to me that it is used only when it is absolutely necessary. The officers I have spoken with indicate that they believe this is a tool they will unfortunately have to use in the future, and I would like to give them every tool open to them.

I too am concerned always about the safety and security of Canadians. That is why I think this bill must be adopted, because without this bill, we cannot proactively deal with terrorism. This bill also allows us not only to deal with future terrorists acts, but past terrorists acts, and that is crucial during investigation.

So I would urge the member to consider that this bill is the answer to both protecting Canadians securely and providing for their rights. This is only going to be used in very serious cases, and I would urge the member to consider that and vote with us to ensure the safety and protection of Canadians.

[*Translation*]

Mr. Daniel Petit (Parliamentary Secretary to the Minister of Justice, CPC): Madam Speaker, I have a question for my colleague, who did a great job introducing the terrorism bill. I want to point out to the House that the Air India crash killed 325 people. Our population is 33 million, and the United States' is 300 million. The attack killed 3,000 people. That is about the same, proportionally speaking. Before 9/11, the Air India bombing was the deadliest terrorist attack in North America.

I have a question for my colleague, who was also with the police before coming to the House to help us introduce our bills. Can she tell us if any other countries have laws more or less the same as the one we are going to introduce, a law that is not harsh, but that seeks to protect our people?

• (1555)

Mrs. Shelly Glover: Madam Speaker, I would like to thank my colleague and welcome all members back to the House of Commons. I am glad to see them all here.

Other countries do indeed have similar laws to prevent terrorist acts. The United States has a "grand jury" system.

[*English*]

The United Kingdom has a more severe regime, namely an offence of failure to disclose information that would be of material assistance in a terrorism investigation to a constable. It is very much the same. A person must divulge information.

Australia and South Africa have also created investigative hearing procedures and this reflects the ongoing concern not only here in our country but across the world that terrorism acts will do harm to all of the people of this world.

I urge, once again, members of the House to consider this very carefully. We do not have to wait for a tragedy to happen to act. We need to put forward preventive measures so that we can stop tragedies like Air India as mentioned by my colleague. We must do this in order to ensure the safety and security of Canadians in the world.

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Madam Speaker, I am trying to follow my colleague's logic in that the utility of this bill is to protect Canadians and keep them safe, but it has not been applied. There has been testimony from many who work around this specific type of law, which is very particular, that already in the legal definitions in Canada there is the power to do things to prevent terrorism.

In the draconian measures that we are talking about, anecdotal officers talking to me does not cut it. We need legal experts to come forward and say the law is deficient to protect Canadians.

In the terrorism cases we have prosecuted in this country, if this law were so important, it certainly would have been applied. If this were the critical piece of legislation that was missing prior to 9/11 and the government came up with this and said this is what we need to keep Canadians safe, it would have been used in cases of homegrown terrorism, clearly.

The draconian nature of this is that in Bill C-17 somebody can be held without charge for up to a year, no charges whatsoever. Never does the evidence come before the person who is being held in custody. This should concern all of us. I cast no aspersions on the government, but this law enables this or any future government to simply hold any Canadian for up to a year without presenting a single charge.

Government Orders

We must, as legislators, contemplate the future. We must contemplate bad government always, misinformed government, racist government, governments under some sort of pressure. Why do we need a law that has not been applied now with such draconian measures in it that hurts the rights of all Canadians across the board?

Mrs. Shelly Glover: Madam Speaker, once again I want to answer my colleague simply. We are thinking about the welfare and safety of Canadians in the future, as well as providing a tool so that we can look to the past and use the information so that subsequent offences cannot be committed.

In saying that, the member speaks about putting people in a custody situation and how wrong that seems. I will tell the member what is wrong. What is wrong is when terrorists come into countries and commit acts of violence against people that end up breaking the rules of law, and the hearts and hopes of the people of those countries. That is what is wrong. If we do not have measures like this in place, we cannot prevent those acts from occurring. We cannot prevent those situations from breaking the laws that exist.

When people testify, for example, in a hearing, the member says that they should not have to testify against themselves. That is why we have put in the derivative use immunity. That is why we say that no information that comes from these hearings will be allowed to be used in other judicial proceedings.

I have the utmost confidence in the judiciary and police officers who will be using this tool, so I urge all members to please vote with us on this bill.

• (1600)

[*Translation*]

Hon. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.): Madam Speaker, thank you for giving me the floor.

I am pleased to be participating in this debate on Bill C-17, especially because I was a member of the Liberal government on 9/11. I was a member of the committee that studied the bill introduced in the House of Commons by the Liberal government at the time, a bill that specifically included these two clauses, the two provisions that the Conservative government would like to re-introduce.

I would say to all those listening at present that most members at the time were very concerned by the drastic measures affecting people's basic rights. It was not partisanship. In fact it was a concern for many members of the government as well as some Bloc and NDP members.

In response to these concerns, the government of the day brought forward what is known as a sunset clause to ensure that the House would retain responsibility and monitor the government bill to prevent any abuse.

Under this provision, a review was to be conducted after five years and the two provisions were to expire.

[*English*]

That sunset clause came into effect under the current government. The Senate actually carried out a major study in 2007.

I listened with quite a bit of care to the member of the Conservative Party who spoke just previous to me where she talked

about how the government is very concerned with ensuring the safety and protection of Canadians and why it is so essential that these two provisions be brought back to life. I find it interesting that these provisions died several years ago under the current government. The government has brought the legislation to bring them back to life three times, has moved first reading in the House, and then has let the bill sit on the order paper for months and months.

In one case, the bill finally died on the order paper because the Prime Minister, in 2008, in violation of his own fixed election act, went to the Governor General and asked the Governor General to table the election writ and in so doing knew full well that this bill, that was going to revive these two provisions that this hon. colleague of the Conservatives who just spoke talked about how it is so essential, so important, was going to die on the order paper, knew as well that it had been sitting on the order paper waiting for the government to move second reading so that debate could actually begin. The government did not move second reading.

Then, after the 2008 election, what happened? The government came back with the identical bill, moved first reading, it went on to the order paper, and then it just sat there.

Then, on the eve of December 2009 and January 2010, the Prime Minister, knowing full well that this bill, its previous incarnation which was now this second incarnation under a Conservative government, was sitting on the order paper, waiting for him to give the order to one of his ministers to move second reading so that debate, like the debate we are having today, could begin, because it was in the government's hands under the rules. Canadians have to understand that. It is up to the government to move second reading of its own bills. No other party can do that. No other member of Parliament can do that. Only the government can move second reading of its own bills and allow the debate to begin.

The Prime Minister, said this is so important, to use the words of the member from Manitoba, that we absolutely need these two provisions to be brought back to life. Law enforcement, anecdotally from what I hear from the member from Manitoba because she did not cite any studies, have said that, "Some members of law enforcement have told me that we are going to need these provisions at some time in the future. Even though we have not used them in the last nine years, at some time in the future we will need them and so, it is urgent that we revive these two provisions, bring them back to life and it has to be done now".

The Prime Minister prorogued the House. He put a padlock on Parliament. He shut it down. And he did it knowing full well that he killed every single one of his government's bills, the bills, especially the law and order ones, that the current government for the last four years has been beating its chest that the Conservatives are the only ones who care about the protection of Canadians, they are the only ones who care about victims of crime and victims of terrorism, and yet, the Prime Minister and his government killed the bill.

Government Orders

Then when we came back from prorogation, all of the parties agreed, including the official opposition, the Liberal Party of Canada, with the government that we would forgo certain time off that had been built into the parliamentary schedule, that we would work those weeks instead, in hopes that the government was going to put forward the bills that it found to be a priority.

● (1605)

The government did not move second reading of this bill. It took the government three months, and there is not a word in this bill that is different from what was in its predecessor and in the predecessor before that. All the government had to do was tell legislative services to reprint the bill. A new number would have been assigned to it. The minister would have given notice to the order people and would have risen during the segment of the day the procedures allow for and moved first reading of the bill.

I am not putting into doubt that member's good faith, but I find it a bit rich to listen to her talk about how her government is concerned about victims of terrorism, that the government is concerned about victims of crime here in Canada, and that the government is the only government that is really for law and order and for ensuring that the proper laws are in place. That is a government, going on to its fifth year now, that has played games with Canadian lives. It has used the issue of law and order to try to gain some kind of partisanship advantage.

The report of the Senate, which is dated February 2007, has a series of recommendations. The Conservative government has not implemented any of the ones I am going to read out. The chair was the hon. David P. Smith. The deputy chair was the hon. Pierre Claude Nolin, a Conservative senator. This report of the Special Senate Committee on the Anti-terrorism Act is not a partisan report. Let me just give two recommendations.

Recommendation number 4 talks about racial profiling. It recommends:

That, in addition to implementing clear policies against racial profiling, all government departments and agencies involved in matters of national security and anti-terrorism engage in sufficient monitoring, enforcement and training to ensure that racial profiling does not occur, the cultural practices of Canada's diverse communities are understood, and relations with communities are improved generally.

That is a recommendation from February 2007, almost three years ago, and the Conservative government has done nothing about it. Yet it says that it is interested in Canadians' protection.

Let us look at recommendation number 2, which states: "That the government legislate a single definition of terrorism for federal purposes". It has been two and a half years since the Special Senate Committee on the Anti-terrorism Act made that recommendation, yet the Conservative government and the present Prime Minister have not acted on it.

I find it very rich to hear the Conservatives now arguing that it is a pressing need to have these two anti-terrorism provisions on investigative hearings and preventative detention revived, that the bill has to be re-enacted, and that it is essential, because one day in the future we might need it. They have produced no empirical evidence. They have produced no studies.

A colleague from the NDP, I believe, made the point that the provisions of the Criminal Code used for every single individual charged with terrorism in Canada, homegrown terrorism, as some people refer to it, were not the provisions under the Anti-terrorism Act.

● (1610)

The Criminal Code and the regular provisions we had, even before 9/11, were sufficient to allow our law enforcement and our prosecutorial people to prosecute successfully. All I am asking is: would the government please do its job? If the government sincerely believes that these two provisions are needed, would it please make the case, based not on anecdotal reports but on actual studies that have been done, on empirical studies, on evidence-based studies, and on actual fact?

Any one of us sitting here can come up with anecdotes. That is not governing. That is not a competent government. A competent government bases its policies—and policy legislation is government policy—on fact, on empirical evidence, and on scientific evidence, not on anecdote. It does not do it by saying, "It is my opinion, and therefore that goes, and that is good enough, because it is my opinion," or "It is my opinion, on which I have done absolutely no research and have nothing to base it on except gut feeling and perhaps emotion". That is supposedly a basis from which to govern and enact new legislation and policy. It is not. No responsible government does that. A responsible government actually gathers the facts, goes and talks to people who have made it their life's work to know all the ins and outs of the issue and have the expertise to provide solid, sound advice that is based on fact.

The government today, from the debate I have heard, has not done that. I am asking the government to go and do its job, the job it was elected to do, which is to be a responsible government, a competent government. When the government comes with legislation, come with the facts, come with the reports, the empirical data, the scientific evidence, and the actual facts to back it up. Do not base it on some whim or on gaining partisan advantage and maybe destroying one politician and getting a gain for another politician and gaining a few more ridings and a few more seats. None of it is based on fact. None of it is based on competency. It is based on whipping up a motion.

This legislation is not important to the government. If it were important, the government would have acted on it four years ago. The government sat on its hands. The only reason the government is bringing this legislation forward now is because it is hoping to change the channel. It has had a disastrous 2010 to date.

Government Orders

The Prime Minister padlocked Parliament and raised the ire of hundreds of thousands of Canadians, some of whom actually signed petitions, some of whom participated in rallies to denounce the government. It then decided that it should build a fake lake in Toronto and waste \$1 billion on photo ops for the Minister of Industry and for the Prime Minister. Then this summer, it decided that it was going to do away with the long-form census on the basis that state repression can never be justified and that it will use a voluntary survey, which will provide data that is just as good. The experts, including business experts, have said first, that this is not true. Second, if that argument has a solid basis, why is the government allowing the short-form census to remain mandatory? How is that not state repression under the government's thinking but the long-form is?

The government did not consult anyone. It went behind the scenes, in secret, and did exactly the same thing the Prime Minister did with prorogation. He did it when he thought no one was listening and no one was paying attention.

I am going to come back to the issue of Bill C-17.

• (1615)

I ask the government to please make its case that reviving these two provisions is needed. Make the case based on fact, based on actual studies that have been done, not based on rhetoric, not based on ideology, but on actual fact. Be a competent government and show that you have done your homework, because to date that has not been done. I have not heard any Conservative show that he or she has at least done the homework the government has not done. I have not heard one Conservative speaking on the bill provide any facts, any scientific facts, any studies that have been done, or any empirical data. None. All I have heard is anecdote. That will not suffice. A party cannot govern on anecdote. At least it cannot govern competently, because sooner or later that incompetence will catch up with it. We saw that with Brian Mulroney.

I beg the government to do its job, give the House of Commons and Canadians the respect they are due, and provide the actual evidence showing why these two provisions found in Bill C-17 should be enacted. I would like the government also to explain why it has waited four years. Why has the government allowed the bill to die several times on the order paper because the government did not bother to move it to second reading. Why?

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Madam Speaker, I had the privilege this past week of participating with one of my colleagues in a seminar sponsored by King's University College in Edmonton on fear-based government policy. The hon. member is making a very valid point. We need to make sure, as elected members of Parliament in a democratic nation, that we are making decisions on critical law and policy based on evidence and not on fear.

We have the responsibility, as elected officials, to make sure that we govern in a cogent, informed way. I would ask the member how members of her party can bring themselves to consider supporting the bill? It languished for four years. The government with its fighting-hard-against-crime agenda has simply not given prominence to the bill. There have been a number of actions brought against alleged terrorists in this country, and at no time was this law utilized.

Where is the evidence? Where is the sound rationale for bringing this law forward?

I am concerned that surely, in a country that is run by the rule of law and democratic foundations, would the elected officials ever support a law that would take away the fundamental right to remain silent, the right to not self-incriminate, the right to know the charges, and the right not to be interrogated or imprisoned without knowing the charges.

I recognize that the previous Liberal government supported this law. It was at a time of fear of what was going on in the world. How then, given the member's very cogent argument, can she bring herself or her party to support this law?

• (1620)

Hon. Marlene Jennings: Madam Speaker, I would like to point out that the legislation and these provisions were actually enacted, as I stated quite openly and freely, by a Liberal government back in 2001. I was one of the members of Parliament at the time who sat on the committee reviewing the Anti-terrorism Act and therefore had a certain amount of impact.

I take note of the point that the member made, which I as well attempted to make, and that is a responsible and competent government does not govern or enact policies out of fear. I believe she would understand that there was a great deal of fear back in 2001, but calm heads did prevail and made the point that these were draconian measures, that we were not satisfied that the case had been made that they would ultimately be required, that our existing Criminal Code and laws would not be sufficient.

As a result of that, the Liberal government listened. It listened to the experts, to the members of the House of Commons, who had these concerns and preoccupations, and agreed to put a sunset clause in the bill. The sunset clause was over five years later. If the government did not re-enact it, the provisions automatically died, and they died under the Conservative government. That government said that it was important to revive these provisions, knowing full well they had never been used. However, it has never provided, as my colleague said, any cogent evidence to support its claim that these provisions are absolutely needed.

The member asks how my party can support this. My party is a responsible party. We have heard experts in the past, some who have said the provisions may be needed, others who have said they may not be needed. We would like the debate to continue on this. The only way for it to continue and to hear from all stakeholders, including individuals who may have been targeted by the existing and still active provisions of the anti-terrorism bill, is to come before the House of Commons to speak of their experiences and give us the evidence either in favour of or opposed to so each individual elected to the House can make a cogent choice.

I have no shame in saying that my party has decided it will allow this to go to committee. It does not mean that we are in support of the provisions being re-enacted. We want to hear what the stakeholders and experts have to say because the government certainly has not made a case for it yet.

Government Orders

Mr. Jim Maloway (Elmwood—Transcona, NDP): Madam Speaker, my question was really for the member for Saint Boniface who spoke previously.

There is some concern that the provisions of the bill could be used to target individuals engaged in protest or dissent. I think back to the days of the Vietnam War demonstrations and the Amchitka blast when the Americans exploded a nuclear bomb on the islands off Alaska. I was involved in that back in 1971.

If there are issues like that, how do we know the provisions of the bill will not impact on those situations? Could the member could respond to that question.

•(1625)

Hon. Marlene Jennings: Madam Speaker, no, I cannot and that is another good reason why the bill should be sent to committee so the experts who have that information and knowledge, who can properly respond to his questions and do so on the basis of scientific evidence and empirical data.

Ms. Siobhan Coady (St. John's South—Mount Pearl, Lib.): Madam Speaker, I appreciate having the opportunity to ask my hon. colleague a question.

My colleague in her very eloquent dissertation spoke about how the bill had been before the House, that it had been four years in the making, that it was a Liberal bill that had been changed over time and that the legislation had been allowed to lapse then reintroduced and kept for the last four years.

I was interested to hear her talk about how the provisions of Bill C-17 had not really been fully and factually accounted for and that we were waiting for those facts.

Does the hon. member think that it is complete incompetence by the government in not bringing forward the bill in the last four years and not giving those facts, or what would be the rationale for not having brought forward this information at an earlier point so we could have a good and open discussion and send it to committee so we could hear from stakeholders?

Hon. Marlene Jennings: Madam Speaker, all I can say is it has become a recurring pattern, the modus operandi of the current government.

I have seen the government in action for the past four years, now going into five years. It is a government that seems to be governing based on gut feeling, based on hyper-partisanship, based on whether or not it can actually divide a people and in so doing go get a few votes here, or get some financial support and donation there. It does not appear to be a government that governs based on actual fact and scientific studies.

One only has to look at its decision with regard to the census. One only has to look at how it is now muzzling our scientists on the environment and climate change. One only has to look at how it is a government that has either fired or not renewed any independent officer of the government or of Parliament who it disagrees with, that it does not like what it hears.

It is unfortunate, and why? It is unfortunate for Canadians because Canadians deserve better. Canadians deserve a government that is competent, a government that actually governs and develops policies

based on the best advice and the best knowledge of facts, science and evidence at the time, not based on hyper-partisanship, or on rhetoric or on ideology.

[*Translation*]

The Acting Speaker (Ms. Denise Savoie): Before resuming debate, it is my duty pursuant to Standing Order 38 to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Acadie—Bathurst, Official Languages; the hon. member for Dartmouth—Cole Harbour, Poverty; the hon. member for London—Fanshawe, Status of Women.

Resuming debate. The hon. Parliamentary Secretary to the Minister of Justice.

Mr. Daniel Petit (Parliamentary Secretary to the Minister of Justice, CPC): Madam Speaker, I rise to take part in today's debate on Bill C-17, An Act to amend the Criminal Code (investigative hearing and recognizance with conditions). I am pleased to take part in the debate at second reading of Bill C-17, which would restore the Criminal Code provisions pertaining to investigative hearings and recognizance with conditions that were created by the Anti-terrorism Act of 2001.

Unfortunately, these important anti-terrorism tools ceased to be in effect in March 2007 under a sunset clause. The investigative hearing provisions gave judges the power, on application by a peace officer and with prior authorization of the Attorney General, to compel an individual to appear before the court to answer questions about past or future terrorism offences.

The provision on recognizance with conditions gave judges the power to impose reasonable conditions to prevent terrorist acts from being carried out if certain criteria were met.

In the aftermath of September 11, Canada was certainly not the only democratic country in the world to have legislated new powers in order to prevent terrorist acts.

In creating the Anti-terrorism Act in 2001, Parliament duly took into account the Canadian Charter of Rights and Freedoms. That is why, compared to those of other democratic countries, our provisions on investigative hearings and recognizance with conditions stand out by guaranteeing the protection of basic human rights. Those same guarantees can also be found in the provisions presented here today, and still others have been added.

In comparing the measures taken in Canada and those taken by other parliamentary democracies, it is quite clear that Canada took a moderate approach and fully considered basic rights and freedoms, values that are at the very core of our Canadian identity.

First, regarding the investigative hearing provisions set out in the bill, let us begin by looking at what some other countries, specifically the United Kingdom, the United States and Australia, have done in that regard.

Government Orders

In the United Kingdom, the closest thing to the investigative power may be the Terrorism Act 2006. That act is based on previous legislation on organized crime and enables an investigative authority, such as the director of public prosecutions, to require a person to provide documents, answer questions and provide information relevant to the investigation of a terrorism offence. Generally speaking, no judicial authorization is necessary, which is what makes that legislation very different from Bill C-17.

The United Kingdom has other legislation that goes further than investigation before a judge. The Terrorism Act 2000 was amended in 2001 to create the offence of refusal by a person to disclose to police, as soon as reasonably possible, information they know or believe to know that could be used to help prevent the perpetration of a terrorist act by another person. It applies if the person knows or if they have reasonable grounds to suspect that the police are investigating a case involving terrorism or are planning to do so. The proposed sentence is a maximum of five years in prison.

Bill C-17 does not include a similar power. I repeat; it does not include a similar power. According to a recent article, in Great Britain—we are familiar with the events—27 charges were laid for that offence between 2001 and 2007.

Under the United States' long-standing grand jury procedure, a federal grand jury can subpoena any person to testify under oath, subject to claims of privilege. Anyone who obstructs a grand jury risks being held in contempt.

Australia has specific procedures similar to the Canadian investigative hearing. The Australian equivalent is covered in the Australian Security Intelligence Organisation Act.

• (1630)

This legislation allows the ASIO, after being authorized by the Attorney General, to ask an independent authority—a federal magistrate—to issue a warrant to question individuals for the purposes of a terrorism investigation. A warrant may also be issued in some cases to authorize the detention of a person for the purpose of questioning. A person may be detained for the purpose of questioning for up to a maximum of 168 hours. The questioning carried out under a questioning warrant or a questioning and detention warrant must be done in the presence of a prescribed authority, generally a retired judge, according to the terms set out by that authority.

The Australian law prevents the individual from contacting a lawyer of his choice in some cases, for example, when the prescribed authority is satisfied, on the basis of circumstances relating to that lawyer, that if the individual is permitted to contact the lawyer, a person involved in a terrorism offence may be alerted that the offence is being investigated.

Furthermore, if the person specified in the warrant, or his lawyer, directly or indirectly discloses operational information as a result of the issue of a warrant or the doing of anything authorized by the warrant, while a warrant is in force, or in the two years following the expiry of a warrant, this constitutes an offence punishable by a maximum of five years imprisonment. In such a case, strict liability applies to this offence.

As we can see, by proposing the investigative measures provided for in Bill C-17, Canada is not an odd man out among other democracies, a number of which are among our closest allies. However, it is important to note that by creating the legal obligation to disclose information that could help a terrorism investigation and making the failure to do so a criminal offence, the United Kingdom goes much further than Bill C-17.

Let us look at how the parts of the bill that deal with recognizance with conditions compare to the legislation passed by other countries, starting with the United Kingdom.

Pursuant to subsection 41(1) of the Terrorism Act 2000, a constable may arrest without a warrant a person whom he reasonably suspects to be a terrorist. All that is needed is reasonable suspicion. The maximum period of pre-charge detention is 28 days. The British government has tried unsuccessfully to increase this to 42 days.

Furthermore, in 2005, the United Kingdom created a system of control orders that apply to citizens and non-citizens alike. There are two kinds of control orders: derogating and non-derogating control orders. The first are those that derogate from the European Convention on Human Rights, and the second are those that contain obligations that respect the convention.

Basically, the home secretary—I am still talking about the UK—can apply to a court to impose obligations on an individual where there is a reasonable suspicion that the individual is or has been involved in terrorism-related activities and this measure is considered necessary in order to protect the public from terrorism.

The duration of the orders varies depending on the kind of control orders imposed by the court. Non-derogating control orders are enforced for a maximum of 12 months while derogating control orders are enforced for up to 6 months. They can be renewed under certain conditions. As of September 10, 2010—so just recently—there were nine control orders in effect, all concerning British citizens. None of the orders derogated from the convention.

This system of control orders has been very controversial. The House of Lords ruled that imposing a curfew of 18 hours a day violated the right to liberty guaranteed by the European Convention on Human Rights.

• (1635)

Another House of Lords later concluded that a person subject to a control order must be provided with sufficient information about the allegations against them to be able to give meaningful instructions to the special advocate concerning these allegations.

Government Orders

Although critics have questioned the validity of the control order system, Lord Carlile of Berriew, the independent reviewer of Britain's anti-terrorism legislation, concluded that this system is still valid. In his February 2010 report on control orders in the United Kingdom, Lord Carlile concluded that abandoning the control orders system would have a damaging effect on national security and that there is no better means of dealing with the serious and continuing risk posed by some individuals.

However, I would like to inform my hon. colleagues that the new coalition government—that is, the coalition government in England—is currently studying anti-terrorism measures. The study will focus on control orders as well as pre-charge detention of suspected terrorists, including reducing the maximum detention period of 28 days. The study findings are to be reported to Parliament this fall.

In addition, I would like to mention that the *Counter-Terrorism Act 2008* contains a provision whereby someone convicted of a terrorism-related offence can be required, once out of prison, to periodically provide police with certain information such as their name, home address and any changes to this information. The person subject to this requirement can also be subject to a foreign travel restriction order, which limits their movements outside the United Kingdom in order to participate in another terrorist act.

I would like to add that Australia has also adopted a control order system. Upon request, a court can place obligations upon a person if, on the balance of probabilities, it is satisfied that the control order would substantially assist in preventing a terrorist attack, or that the subject provided training to or received training from a terrorist organization. In general, a control order is valid for up to 12 months. We know that two control orders have been issued since the system was put in place. These orders are no longer valid.

Furthermore, the governments of Australia and its states authorize the preventive arrest of terrorist suspects. Under that system, the Australian federal police, in the case of an actual or imminent act of terrorism, may ask the judge to order the preventive arrest of a suspect for a maximum period of 48 hours. In Australia, states and territories allow for preventive detention for up to 14 days.

Therefore, how do these international measures compare with the proposals outlined in Bill C-17, the bill currently before the House? The provision for recognizance with conditions requires that there be reasonable grounds to believe or suspect. In addition, the intent of this provision is not to arrest people but to detain suspects in order to prevent a potential terrorist attack.

Similarly, although the provision provides for arrest without a warrant, it is very narrow in scope, as in an emergency.

In summary, it is fair to say that the measures of other countries are similar to and sometimes go further than those proposed by this bill. For example, an overview of the differences between Canada, the United Kingdom and Australia indicates that Canada, unlike the United Kingdom, does not have a maximum detention of 28 days prior to charges being laid. Unlike the United Kingdom and Australia, Canada does not have a system of restrictive measures. However, in contrast to the United Kingdom, Canada does not criminalize the failure to provide a peace officer with information pertinent to a terrorist offence.

● (1640)

Unlike Australia, we do not restrict the selection of lawyers for the investigation and unlike the United Kingdom, Canada does not impose the requirement to report or travel restrictions on persons found guilty of terrorist acts, as we saw previously.

I have attempted to prove that, like other democratic nations, Canada has recognized the need to provide for additional powers in order to investigate or prevent terrorism. It is a very unique crime that requires unprecedented solutions.

The honourable members should be reassured by the fact that the provisions of the bill include abundant guarantees and are narrow in scope when compared to measures adopted by other parliamentary democracies, such as the United Kingdom.

By re-establishing the powers provided for by Bill C-17, Canada can prove that it can play a leadership role and is taking steps to fight terrorism, all the while respecting human rights.

Consequently, I am asking for the speedy passage of this very useful bill to combat terrorism.

● (1645)

Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ): Madam Speaker, it is my pleasure to speak on my party's behalf about Bill C-17, An Act to amend the Criminal Code (investigative hearing and recognizance with conditions).

I must reiterate that the Bloc Québécois is opposed in principle to Bill C-17. The Bloc Québécois has what I feel is a responsible, logical process for analyzing such measures. Any measure that deals with terrorism must strike a balance between security and respect for basic rights. Therein lies the problem because the dichotomy makes this bill ambiguous. We have to ask ourselves this question. Yes, it goes without saying that we must keep people safe. We were reminded of that just last week during memorial ceremonies at Ground Zero in New York. Although it happened nine years ago, we cannot forget the terrorist attacks or those who lost their lives.

People deserve reassurance. We have to keep people safe. However, a wrong-headed government or one acting in bad faith could use the security imperative as an excuse to investigate, conduct searches or imprison any person who seems suspicious based on very subjective criteria. That is why we have charters to guarantee respect for basic rights.

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The Bloc Québécois recognizes that both imperatives have to be respected and taken into account. We know what the Conservatives have shown us since coming to power and even before then, when they were in the opposition. I have been here since 1993, and we have seen their reform agenda. Let us not forget that the Conservative Party used to be the Reform Party. The Conservatives do not like to be reminded of that fact. Then they became the Canadian Alliance, and now they are the Conservative Party. Let us not forget, however, that the old reform base is still very much alive for many Conservative members. Still, I know that some of them have a more progressive approach. I would not want to generalize and be accused of demagoguery. We have to recognize the progressive elements in the party, and during face-to-face discussions, we can see that some of the party members do not share the party's ultraconservative views.

With this in mind, the Bloc Québécois became very involved in the review process of the Anti-terrorism Act and its operation, a review which is provided for in the act itself. As the previous speaker mentioned, under the sunset clauses, we must now proceed with this review again.

The Bloc Québécois has taken time to examine the issue thoroughly. I said earlier that the Bloc Québécois is opposed to this bill in principle. That idea did not just come to us out of nowhere. Opposing this principle was not a decision that just popped up like a jack-in-the-box.

• (1650)

From December 2004 to March 2007, the Bloc Québécois listened to witnesses, read submissions and interviewed experts, community representatives and law enforcement officials. We conducted a comprehensive analysis with those concerned by the application of this legislation. It is all well and fine to adopt an inapplicable or utopian law, but we have to realize that law enforcement representatives, especially those working on cases involving terrorism, have to enforce that law and apply it day by day.

During the Subcommittee on the Review of the Anti-terrorism Act's specific study of two provisions in Bill C-17, the Bloc Québécois made its position on investigative hearings and recognizance with conditions clear.

The Bloc Québécois felt that the investigative process needed to be better defined. We still feel that way today. In our opinion, it is clear that this exceptional measure should be used only in specific cases in which it is necessary to prevent activities where there is imminent peril of serious damage, and not in the case of misdeeds already committed. The nuance is important.

However, we were strongly opposed to clause 83.3, which deals with recognizance with conditions. Not only do we feel that this measure is of little, if any, use in the fight against terrorism but, more importantly, there is also a very real danger of its being used against honest citizens.

The Bloc Québécois finds that a terrorist activity deemed dangerous can be disrupted just as effectively, and in fact more effectively, by the regular application of the Criminal Code, without the harmful consequences that a preventive arrest can trigger.

Therefore, we recommended abolishing this approach, and we won our point on February 27, 2007. Today, our position has not changed. On the one hand, the investigative process should not be reinstated unless major changes are made to it, which is not the case with Bill C-17. The government would have had the opportunity to do so with the introduction of this bill.

On the other hand, preventive arrests have no place in the Canadian justice system, given their possible consequences and the fact that other provisions which are already in place are just as effective.

Of course, in the time I am allotted, I could speak more about the technicalities, but I would like to close by focusing on the fact that law enforcement officers are telling us that they can still use other provisions of the Criminal Code to arrest someone who is about to commit a criminal offence.

A criminal offence would also include a terrorist act. I think our police officers are competent. They are professionals who keep the peace and protect the safety of our constituents. There is no doubt about that. The Conservative government does not have a monopoly on discipline and law and order.

• (1655)

The Conservative Party is in no position to lecture anyone. Those best suited to enforce the Criminal Code are our peace officers and various levels of police, be they municipal or otherwise. In Quebec, we have the Sûreté du Québec, which is the envy of many police forces across the country and around the world.

The structure of the Sûreté du Québec and the professionalism of its members are often envied by other countries. And foreign delegations often come to study the Quebec police system, which is a credit to us, I believe.

I mentioned earlier that police can use the Criminal Code to make an arrest. For example, paragraph 495(1)(a) of the Criminal Code states the following:

A peace officer may arrest without warrant

(a) a person who has committed an indictable offence or who, on reasonable grounds, he believes has committed or is about to commit an indictable offence;

The officer has the discretionary authority and does not need to wait for a criminal offence to have been committed before intervening. Criminals have even gone to court saying that it was unfair that when they were preparing to rob a bank that the police waited on the corner for them to leave their car, about to rob the bank, before they intervened. That argument has actually been used in court, which is ludicrous. And unfortunately, there are lawyers that have defended such cases.

In other words, just because an officer is hiding does not mean that he cannot intervene. Rather, the officer plays a preventive role. He does not need to wait for something bad to happen. He is supposed to chase thieves, but he must also prevent criminal acts from happening. And this is why we feel that Bill C-17 is completely useless. We do not need it.

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This bill, if adopted as is, could be used to label an individual as a terrorist based on flimsy evidence. In this regard, I spoke earlier of the erosion of fundamental rights and freedoms. We could compare this situation to that of Maher Arar upon his return from Syria, before he was exonerated by Justice O'Connor. Maher Arar's case is the most blatant example of a person who was judged according to completely subjective criteria, requiring Justice O'Connor's inquiry to exonerate him.

If this new, temporary provision of the Criminal Code had been used, a judicial decision could have imposed conditions based on the fear of terrorist activities.

That is what I wanted to say to my colleagues in the House and to the people watching us on television. I stand by what I said: the Bloc Québécois is opposed to the principles of the bill. I am well aware that the Conservatives react whenever we oppose one of their bills to amend the justice system and undermine the fundamental rights of citizens.

• (1700)

I will just make my prediction now, not because I have looked into a crystal ball but because, as usual, we know how the Conservatives operate. If the opposition does not like this bill and is opposed to the bill, they will say that the Bloc Québécois supports terrorists. I am saying it and we are about to hear it. Madam Speaker, just sit there until the end of the debate, read the papers tomorrow, and you will see the headline, the Bloc Québécois supports terrorists. It is like the time we were told that the Bloc Québécois supports pedophiles. Conservative demagogues said those things. Most of us are parents; some of us are grandparents. They said that the Bloc Québécois protects pedophiles rather than children.

This summer, I promised myself that I would not get angry. However, I am getting angry again because I am thinking about that. Yesterday, I spent the day with my two and a half year old grandson. Being told that we protect pedophiles is no laughing matter. That is Conservative-style demagoguery.

I am eager for an election so we can unmask the Conservative demagogues opposite.

[*English*]

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Madam Speaker, I want to thank the member for his eloquent defence of justice in this country. He has raised a couple of troubling aspects of the bill.

This piece of legislation points to the continuing erosion of democratic rights and civil liberty rights under the current Conservative government. We have seen the firing of any number of heads of public agencies. We have seen people, who do not agree with the Conservative government, such as the recent Veterans Affairs ombudsman not having his contract renewed, and on and on.

The member mentioned Maher Arar and of course that was an absolute travesty of justice when the government did not step up to protect his rights. The current legislation shows a lack of balance between security and fundamental rights. In fact, this piece of legislation would allow for imprisonment of up to 12 months or for the imposition of strict recognizance conditions on individuals who have not been charged with any crime. Could the member comment

on this continuing erosion which Canadians consider to be pretty fundamental to who we are as Canadians in terms of civil liberties and our values of justice?

[*Translation*]

Mr. Michel Guimond: Madam Speaker, I want to thank my colleague from the NDP for her question. It is clear that Republicans are gurus to our colleagues across the way, that the Conservatives draw their inspiration from the George W. Bush years. The approach in those days was repressive rather than preventive. That is the difference. This was never more apparent than during the G20 summit, when over a thousand arrests were made in Toronto this summer. More than 1,000 people were denied their individual freedoms. These people only wanted to demonstrate, not necessarily to use violence, but to express their discontent with the influential people of this world who meet to make decisions on our behalf.

These people only wanted to demonstrate. Some 1,000 people were sent to jail when the City of Toronto adopted a bylaw that made a mockery of all individual freedoms.

The Conservatives' approach and their bills do not make sense and this permeates through other levels. The Toronto city council adopted bylaws that completely tore up certain charters, swept aside the right to demonstrate and the right to oppose decisions that might be made during the G20. More than 1,000 people were unjustly put in jail. I remind my colleague that most of those people were Quebecers.

• (1705)

[*English*]

Mr. Ed Fast (Abbotsford, CPC): Madam Speaker, I have listened all afternoon to these kinds of tirades about the safety of this country. As we know, Canada faces the very real threat of terrorism, as does the rest of the world. Yet, I hear a Bloc member saying that this legislation, which is intended to renew previous legislation passed by a previous Liberal government, is useless. I have sat in this House for four and a half years. I have listened to that member. I have listened to his colleagues in the Bloc. Not once have they proposed any legislation that would make this country safer when it comes to terrorism.

I challenge that Bloc member to go to his constituents, stand up at a public meeting and say, "I'm not prepared to do anything to protect you against terrorists". It is a shame. I challenge that member to defend that shameful position in this House again.

[*Translation*]

Mr. Michel Guimond: Madam Speaker, you can see the Conservatives' attitude. Earlier, I told you that I did not need a crystal ball to know that they would react this way to any opposition.

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The member has challenged me. I will give him one example. Perhaps the member should have paid attention to politics before getting elected. I was elected in 1994. In 1995, when the Liberals were in power, the Bloc Québécois was directly responsible for amending the Criminal Code to enact anti-gang legislation. The Bloc Québécois did so in response to the murder of young Daniel Desrochers in the riding represented by my former colleague from Hochelaga—Maisonneuve, Réal Ménard, who is now mayor of the borough of Mercier-Hochelaga-Maisonneuve. All that young Daniel Desrochers wanted was the right to ride his bike safely. He happened to be near a Jeep 4x4 during the biker wars—

Some hon. members: Oh, oh!

Mr. Michel Guimond: Madam Speaker, he should let me answer. Actually, that does not bother me because I will speak to those intelligent enough to listen. He is interfering with my concentration.

I would like to tell him about Daniel Desrochers, an eight-year-old martyr. He was riding his bike on the sidewalk on a street in Hochelaga—Maisonneuve. While he was passing a Jeep 4x4 that belonged to one of two biker gangs, the vehicle exploded. Young Daniel Desrochers was hit in the head with a piece of metal and died.

The Bloc Québécois' justice critic, Réal Ménard, waged a heroic battle, and the Bloc Québécois succeeded in passing an anti-gang law. That was thanks to the Bloc.

My colleague, who has been in the House for just four years, should do what the Speaker of the House does and reread Hansard because Parliament was around long before he got here. He did not invent Parliament.

That is just one example because I do not have time for more.

• (1710)

Mr. Raynald Blais (Gaspésie—Îles-de-la-Madeleine, BQ): Madam Speaker, I wonder if the hon. member for Montmorency—Charlevoix—Haute-Côte-Nord could talk about another example, for instance, the drugs found growing in fields. In the past, criminal groups were heavily involved in drug trafficking. One political party that has been working very hard in the fight against crime is the Bloc Québécois.

There are other examples like that one. Most of the time—people often forget this, as I think the member can attest—in about 80% of cases, the Bloc Québécois supports the bills introduced by the government.

Mr. Michel Guimond: Madam Speaker, I thank my hon. colleague from Gaspésie—Îles-de-la-Madeleine for reminding us about the marijuana growers who literally terrorized our honest corn producers, especially in Montérégie, in the area of Saint-Hyacinthe, Drummondville, Chambly, and so on. Our honest producers were truly being terrorized. They were being threatened and traps were set in their fields. The Bloc Québécois worked hard on that issue, especially our colleague Yvan Loubier, who was the member for Saint-Hyacinthe—Bagot.

Another example comes to mind, that is, the reverse onus in the case of individuals living off the proceeds of crime, when proceeds

of crime are found in their homes. That is another file that the Bloc Québécois pushed ahead.

I hope the Conservative demagogues will not try to skirt the real issue here. As my colleague from Gaspésie said at the end of his speech, any time the Conservatives have introduced a bill that was sensible, reasonable, realistic and achievable—which is a very rare combination—the Bloc Québécois has supported it.

[*English*]

Mr. Bob Dechert (Parliamentary Secretary to the Minister of Justice, CPC): Madam Speaker, I am pleased to take part in the second reading debate in relation to Bill C-17.

It is perhaps timely that this debate begins only days after the only man convicted in the Air India bombing, Inderjit Singh Reyat, was found guilty of committing perjury during the 2003 trial of Ajaib Singh Bagri and Ripudaman Singh Malik, who were ultimately acquitted of criminal charges arising from the Air India bombing. It is a sober reminder that terrorism has caused the death of hundreds of Canadians. Let us not forget the tragic total resulting from that mass murder, 329 passengers and crew, when Air India flight 182 was blown up in mid-flight, and two baggage handlers were killed at Tokyo's Narita Airport.

The hon. members of this House may recall that in November 2005, the Subcommittee on Public Safety and National Security of the Standing Committee on Justice, Human Rights, Public Safety and Emergency Preparedness heard testimony from Maureen Basnicki, whose husband died at the World Trade Centre on 9/11, and from Mr. Bal Gupta, chair of the Air India Victims Families' Association. Their testimony was given as part of the parliamentary review of the Anti-terrorism Act. In his testimony, Mr. Gupta read into the record the following recommendations:

The Anti-terrorism Act should not be repealed or softened, and its provisions should be strengthened by closing loopholes...There will be more legal tools to compel witnesses to testify in terrorism-related cases.

At that time, the two powers that Bill C-17 proposes to reinstate, the investigative hearing and the recognizance with conditions, were part of the Anti-terrorism Act. They had yet to sunset. Later, according to newspaper reports, Mr. Gupta supported extending the life of these tools when Parliament was debating whether to extend them or to have them sunset in early 2007. As members know, they did sunset in 2007.

The Air India tragedy and the events of 9/11 remind us that when enacting anti-terrorism legislation for combating terrorism in a manner that has due regard for fundamental human rights, we must consider not only the rights and freedoms of those that may be accused of terrorism, but also the tragic human cost to terrorism itself, not only the deaths of or harm done to the victims, but also the harm done to their families.

I recently came across a study written by Professor Craig Forcese, which included the following quote from Mr. Justice Laws of the English Court of Appeal. It eloquently describes the difficult task facing legislators in this area. It is a long quote, but an important one, so I hope members will please bear with me. He wrote:

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This grave and present threat [of terrorism] cannot be neutralised by the processes of investigation and trial pursuant to the general criminal law. The reach of those processes is marked by what can be proved beyond reasonable doubt...In these circumstances the state faces a dilemma. If it limits the means by which the citizens are protected against the threat of terrorist outrage to the ordinary measures of the criminal law, it leaves a yawning gap. It exposes its people to the possibility of indiscriminate murder committed by extremists who for want of evidence could not be brought to book in the criminal courts. But if it fills the gap by confining them without trial it affronts "the most fundamental and probably the oldest, most hardly won and the most universally recognised of human rights": freedom from executive detention.

In light of these concerns, it is appropriate that any proposal to reinstate the powers of the investigative hearing and the recognizance with conditions should be subjected to rigorous review. It is right and proper that this bill should now be reviewed by this Parliament. In doing so, however, I would remind hon. members that this bill does not appear out of the blue. It is a culmination of efforts by previous Parliaments to seek to improve this legislation, including the parliamentary committees that reviewed the Anti-terrorism Act.

Bill C-17 was carefully drafted to respond to many of the recommendations made by both the Senate and the House of Commons committees that reviewed the Anti-terrorism Act. Not all recommendations were accepted but many were. In addition, a previous version of the Bill, Bill S-3, was reviewed by the Senate special committee on anti-terrorism, and as a result, further amendments were made. These are all incorporated into Bill C-17.

Further, I would add, there has also been a judicial review by the highest court of the land, the Supreme Court of Canada, of one of the two key tools found in this bill, the investigative hearing.

• (1715)

I wish to address much of the remainder of this speech to a number of criticisms made in the investigative hearing during that legal challenge and the court's response to them. Hopefully, this will give all hon. members a better understanding of the complex issues raised by this tool and how it was fashioned in a manner to protect fundamental human rights.

Perhaps the major argument against the investigative hearing was that it denied a person the right to silence and/or the right of self-incrimination. However, the court rejected this argument. After examining the robust protection against self-incrimination found in the then existing legislation, the court noted:

—the procedural protections available to the appellant in relation to the judicial investigative hearing are equal to and, in the case of derivative use immunity, greater than the protections afforded to witnesses compelled to testify in other proceedings, such as criminal trials, preliminary inquiries or commission hearings.

As well, in order to prevent possible future abuse, the court expanded the use and derivative use immunity protections beyond the scope of criminal proceedings to include deportation and extradition proceedings.

Another major argument was that the investigative hearing compromised the independence of the judiciary because it co-opted the judiciary into performing executive investigatory functions in place of its usual adjudicative role. However, the majority of the Supreme Court rejected this claim, arguing that:

The function of the judge in a judicial investigative hearing is not to act as "an agent of the state", but rather, to protect the integrity of the investigation and, in particular, the interests of the named person vis-à-vis the state.

Another argument made was that the independence of Crown counsel was compromised because the Crown counsel's role became impermissibly intertwined with the police task of investigation. Again, the Supreme Court rejected this argument, pointing out that, in part:

—one may assume that by bringing Crown counsel into the judicial investigative hearing process, the legislature intended that the Crown would conduct itself according to its proper role as an officer of the court and its duty of impartiality in the public interest...The mere fact of their involvement in the investigation need not compromise Crown counsel's objectivity, as the critical component is their own "necessary vigilance"—

Another argument was that the investigative hearing in the court challenge was that the judicial investigative hearing in the circumstances of this case served the improper purpose of obtaining pretrial discovery for the Air India trial. However, the majority of the Supreme Court of Canada rejected this argument, agreeing with the trial judge that its purpose had been predominantly investigative.

As well, in a companion case issued the same day, the Supreme Court held that the open court principle applies to an investigative hearing. It held that while the application for an investigative hearing should not be held in public, akin to the application for a search warrant where it comes to the investigative hearing itself, there should be a presumption of openness.

In reaching this conclusion, the court adapted the Dagenais/Mentuck test which had been developed in case law in relation to publication bans to the investigative hearing. The court acknowledged, however, that there could be circumstances where the presumption could be rebutted. It stated:

It may very well be that by necessity large parts of judicial investigative hearings will be held in secret. It may also very well be that the very existence of these hearings will at times have to be kept secret. It is too early to determine, in reality, how many hearings will be resorted to and what form they will take. This is an entirely novel procedure, and this is the first case — to our knowledge — in which it has been used.

To summarize, Bill C-17 builds upon the original provisions governing the investigative hearing. It builds upon them by adding additional safeguards, but the foundation remains the same. This foundation was examined by the Supreme Court of Canada in 2004 and was upheld to be constitutional. In our future deliberations about this bill, we should not forget that the investigative hearing has already passed the test of compliance with the Canadian Charter of Rights and Freedoms.

Let me now proceed to the recognizance with conditions provision. Unlike the investigative hearing provision, the recognizance with conditions power created in 2001 by the Anti-terrorism Act was never tested in the courts. However, it is based on the peace bond provisions found in other parts of the Criminal Code, albeit with modifications so that it can be used to disrupt nascent terrorist activity.

It is particularly with regard to the recognizance with conditions that the quotation from Lord Justice Laws that I used at the beginning of my speech is apt.

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• (1720)

This is because it can be used in circumstances where the information obtained by the police gives rise to a reasonable belief that a terrorist activity will be committed, where there is insufficient information that could allow the police to arrest the person for involvement in a terrorism offence, but there are reasonable grounds to suspect that it is necessary to impose a recognizance with conditions on the person to prevent the carrying out of the terrorist activity.

Some have argued that this is too great an extension of the criminal law power. Let regular police powers apply, they argue, in which case they mean that the police already have the power to arrest someone who they believe on reasonable grounds is about to commit an indictable offence. However, the difficulty with this proposal is that it would severely restrict the ability of the state to prevent terrorism because it requires an “about to commit test” which reports the concept of imminent harm.

In contrast, the recognizance with conditions provisions found in Bill C-17 increases the ability of the state to take preventative measures to protect persons from terrorism, but it does so, in my mind, in a way that is consistent with the rule of law. Hence the need for a two-pronged test to be satisfied: a reasonable grounds to belief test, and a reasonable grounds to suspect test. Reasonable suspicion alone is not enough.

Moreover, I also point out that important accountability mechanisms are built into the provisions of this bill. Some of these are carried forward from the original legislation. First and foremost, the investigative hearing and the recognizance with conditions would be subject to a sunset clause which would result in their expiry after five years unless renewed by parliamentary resolution. As well, there would be annual reporting requirements by the federal government and the provinces on the use of these provisions. Although, in the case of the federal government, there would be an expanded reporting requirement.

In addition, these provisions would not be able to be used unless the consent of the appropriate attorney general is first obtained. This is true even in the case of a person who is arrested without warrant under the recognizance with conditions tool. While the peace officer in such a case would be able to arrest the person to bring the individual before a judge, he or she would still have to obtain the consent of the appropriate attorney general in order to lay any information before such a judge. This is a condition that must be satisfied before a hearing can take place to decide if a recognizance should be imposed.

Also provided for in the bill is a provision inserted by the Senate when it was reviewing a previous version of Bill S-3. Parliament must review these provisions prior to the date that they sunset. As part of this review process Parliament would be able to examine the degree to which these provisions had been used, successfully or unsuccessfully, and would be able to make a determination based on the available evidence as to whether or not these provisions would continue to be needed.

I believe all of us in this House believe that terrorism should be combated. For those who believe that the existing criminal law is

sufficient to combat terrorism, I respectfully disagree. I believe events both outside and inside Canada, such as the recent convictions in the Toronto 18 case and the recent arrests in Toronto, show that the threat of terrorism is an ongoing concern and that there is a need for the tools of the investigative hearing and the recognizance with conditions.

However, I also recognize that in order to combat terrorism successfully these measures must be crafted so as to ensure adequate protection of fundamental rights. By examining the decisions of the Supreme Court of Canada in relation to the investigative hearing, I hope I have dispelled the concerns that it violates fundamental human rights and basic notions of fairness. Indeed, I would ask all hon. members to reflect on the fact that Bill C-17 improves upon the safeguards found in the original legislation. I urge all members to support the passage of this bill.

• (1725)

Mr. Peter Julian (Burnaby—New Westminster, NDP): Madam Speaker, I listened very attentively to the parliamentary secretary give the reasons for reintroducing a bill that expired years ago. As the member knows, the original provisions were brought into the House but they were not used and Parliament chose not to renew them. Yet the government is choosing at this time to bring this bill forward.

The member has already made the case of those who have been raising a contrary point of view on this, that the recent arrests and some investigations have been done with existing Criminal Code provisions. What is very clear is that the underfunding by the government of our police forces, something that has an impact in a whole variety of areas, and the breaking of promises around funding for RCMP, is something that would do a lot more to address concerns generally than the provisions in the bill that, as has already been noted, were not used and expired.

I can only wonder why the government is bringing the bill forward at this time. It does not seem to make sense except when we look at the summer the government has had. The Conservatives made appalling, inappropriate decisions around the census. They have had boondoggles around the untended nature of the billion dollar jet fighters, around the fake lake and the billion dollar cost of the summit and the \$130 million paid out to AbitibiBowater basically because AbitibiBowater was upset. All of these boondoggles, moneys paid out, have turned the tide of public opinion against the government.

It seems to me that what we are seeing today is a government that is so desperate that it wants to try to revive fear by throwing together legislation that was not used in the past and was not renewed by Parliament rather than dealing with the real issues about which Canadians are talking. Is that not the real reason why the government is bringing this forward today?

Mr. Bob Dechert: Madam Speaker, obviously I disagree with the member. Innocent people are being killed around the world on a daily basis by terrorists. Terrorist plots are happening right now in Canada. We have seen it with recent arrests. Our law enforcement officials are telling us that these provisions are necessary to keep Canadians safe.

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While it appears that no investigative hearing had been held or recognizance with conditions imposed before the previous provisions expired, this should not suggest, in my opinion, that they are not important or not needed in the future. We should take comfort in the fact that based on past experiences with previous provisions, law enforcement officials and prosecutors have demonstrated caution and restraint with respect to the use of these provisions. Moreover, law enforcement agencies have expressed their support for the continuation of these previous provisions.

It is incumbent upon all members of the House to do what is necessary to keep Canadians safe. In my view Bill C-17 would do that.

• (1730)

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Madam Speaker, I would like to put the question to the hon. parliamentary secretary that I have put to a number of members in the House on speaking to the bill.

While the hon. member has spoken eloquently about the need to stand up and protect Canadians, so on and so forth, we need to stand back and take a look at the intent of the bill. We need to ensure that all Canadians are treated equally under the law and accorded equal rights according to our Charter of Rights and Freedoms and according to the basic principles of the rule of law and democracy on which our country stands.

I have yet to hear the government define a terrorist or a terrorist activity. The bill, which has never been used and which has languished for four years, is supposedly an incredibly important law. There have been concerns with terrorism and security around the world for quite some time, including in our country. Therefore, I concur with my colleague who earlier asked why now. How would the bill ensure that the rights of all Canadians to be treated fairly before the law are protected, that they have a right to remain silent, that they have a right against self-incrimination, that they have the right to know the charges against them and the right to be charged before they are incarcerated?

Mr. Bob Dechert: Madam Speaker, if the member wants to know the definition of a terrorist activity, I would suggest she read the Criminal Code of Canada. She might also take the time to read the Air India Supreme Court decision, which I referred to in my speech earlier.

If she were to look at the Criminal Code of Canada, she would see that subsection 83.01(1)(b)(ii)(E) defines the general definition of terrorist activity in such a way as to exclude from the scope of a serious interference within a central service, lawful or unlawful advocacy protest, dissent or stoppage of work unless there is an intent to cause death, serious bodily harm, endangering a person's life or causing a serious risk to the health or safety of the public.

I suggest that perhaps the hon. member take the time to read the Criminal Code of Canada, which she is here to uphold, and then she will know what a terrorist activity actually is.

Mr. Colin Carrie (Parliamentary Secretary to the Minister of Health, CPC): Mr. Speaker, I enjoyed my colleague's speech. I have been listening to the speeches this afternoon and it is quite interesting from our coalition partners to hear some of things they have in common, being soft on crime and it seems soft on terrorism.

I listened to some of the comments and how they are so misinformed. The last speaker talked about how individual rights and freedoms would not be protected with the bill.

The parliamentary secretary has already talked about how it has passed the Charter of Rights analysis with the Supreme Court. He has talked about how the bill evolved in the past.

Could the member explain to the House why sometimes reasonable measures are necessarily required during a terrorist situation? The previous speaker, the other coalition partner, mentioned that we should be funding more police officers.

There is a really important vote coming up this week about gun registry. Could he perhaps explain what the logic is if some of her colleagues flip-flop? If we got rid of the gun registry, we would have more money to fund the front line police officers.

Could the member comment on that?

Mr. Bob Dechert: Mr. Speaker, as the member knows, the gun registry costs the Canadian taxpayers over a billion dollars and I dare say that this money would have been much better spent enforcing the criminal laws that we have in the country, keeping Canadians safe, putting more police officers on the streets and giving them better tools to do their job.

The Supreme Court of Canada made it very clear that the powers in Bill C-17 are constitutional and protect fundamental rights under the Charter of Rights and Freedoms. For example, the power with respect to investigative hearings has a number of safeguards, including that only a judge of the provincial court or a superior court of criminal jurisdiction can hear a peace officer's application for an investigative hearing and the prior consent of the Attorney General of Canada or solicitor general of a province will be needed before a peace officer can apply for an investigative hearing order. In addition, there will have to be reasonable grounds to believe that a terrorism offence has or will be committed. In addition, the judge will have to be satisfied that reasonable attempts have been made to obtain the information by other means for both future and past terrorism offences.

The nature of these terrorism offences is such that the peace officers often do not know exactly when the terrorism incident will take place, but they have evidence to suggest that people are plotting the terrorism incidents.

On this side of the House we believe we cannot put the safety of the people of Canada at risk waiting for that time when the peace officer is going to say that the bomb is about to explode in a few minutes or an hour from now and then go to the court. We need to be able to act quickly and prevent that from happening to keep people safe in Canada.

Government Orders

• (1735)

Mr. Ed Fast (Abbotsford, CPC): Mr. Speaker, it is my pleasure to stand today in support of Bill C-17. It is a bill that seeks to reinstate the investigative hearing and recognizance provisions that were created in the Criminal Code by the Anti-terrorism Act in 2001. That was in the wake of 9/11.

The investigative hearing provisions gave a judge the power, on application by a peace officer and with the prior approval of the attorney general, to compel a person to attend at court to be asked questions about a past or future terrorism offence. The recognizance provision gave a judge the power when certain criteria were met to impose reasonable conditions on a person to prevent the carrying out of a terrorist activity. I think all of us in the House would support that as a laudable goal.

Unfortunately these important tools in the fight against terrorism expired in March 2007 because of the operation of what is called a sunset clause. The bill being debated today would re-enact these important provisions.

I would first like to discuss how the recognizance portions of the bill compare with the legislation of other countries. Other countries have been the subject of terrorist acts as well. Canada's major terrorist act, of course, was the Air India disaster, a sad story and chapter in the history of our country.

When we look to the United Kingdom, we see that its terrorism act allows a constable to arrest, without warrant, a person whom he reasonably suspects to be terrorist. The maximum period of detention for which a person can be detained under this power before being charged is 28 days. Efforts by the United Kingdom to extend this period to a longer period of 42 days were unsuccessful.

Further, since 2005, the U.K. has created a system of what it calls controlled orders that can apply to British citizens as well as to non-citizens. There are two kinds of control orders that can be imposed, derogating and non-derogating.

Derogating control orders are those that specifically derogate from the human rights guarantees which are found in the European Convention on Human Rights, while the non-derogating control orders contain obligations that are meant to comply with that convention.

Basically the U.K. Home Secretary can apply to a court to impose obligations on an individual where there is a reasonable suspicion that the individual is or has been involved in terrorism-related activity and it is considered necessary in order to protect the public from terrorism to impose obligations and conditions on this individual.

The length of time that a control order is in force varies depending on the type of control order that the courts impose. A non-derogating control order expires after 12 months, while a derogating control order, because it is more severe, expires after 6 months. They can be renewed under certain conditions. As of September 10, there had been nine control orders in force, all of which were in respect of British citizens. All of these control orders were non-derogating, in other words the less severe kind.

Moreover, I would note that under the counter-terrorism act, 2008, there exists a power in the U.K. to impose on a person who has been convicted of a terrorism offence the requirement to notify the police periodically of certain information after being released from prison, things such as identity, place of residence and future changes to those items. As well, a person subject to this notification requirement can also be made subject to a "foreign travel restriction order" to prevent the person from travelling outside the U.K. to take part in terrorist activity.

In the United Kingdom, governments have already taken the threat of terrorism very seriously. They have not left it to the previous criminal code to protect them. They have gone beyond it to ensure their citizens are protected.

• (1740)

In Australia, something very similar has been done. It also has control orders. On application, a court may impose obligations on a person if satisfied on the balance of probabilities that making the order would substantially assist in preventing a terrorist act or that the person has provided training to or received training from a listed terrorist organization. Generally, a control order in Australia may last for up to 12 months and our understanding is that two control orders were issued since the creation of that legislation.

The Australian national government and the state governments also allow for preventive detention of terrorist suspects. Again, that is reasonable. The threat of terrorism around the world is not abating so the Australian government recognized that and provided for preventive detention. Under its scheme, the Australian federal police may apply to a judge for an order allowing up to 48 hours of preventive detention of a terrorist suspect where there has been a terrorist act or where a terrorist act is imminent. The preventive detention in Australian states and territories is up to 14 days.

When we compare the experience of the U.K. and Australia to Bill C-17 that is before us, the recognizance provisions of the bill are reasonable and require that there be reasonable grounds to suspect and reasonable grounds to believe that a terrorist act will be committed. Moreover, the purpose of the recognizance with conditions provision is not to arrest a person but to put a suspected person under judicial supervision in an effort to prevent the carrying out of a terrorist activity. Again, reasonable and I believe most Canadian would share that sentiment.

Also, while there is an arrest without warrant power under the recognizance provisions being proposed, it is extremely limited in scope. We are trying to balance the individual rights of Canadians against the very real and urgent threat of terrorism and that terrorism presents to our country.

In summary, it is fair to say that the measures elsewhere are akin to and, in some cases, far surpass the measures proposed in Bill C-17.

Government Orders

With regard to the investigative hearing provisions of the bill, I would again like the House to consider what other countries, most notably Australia and the U.K., have done in these areas. For example, in Australia there are specific procedures generally similar to the Canadian investigative hearing. For example, Australia's equivalent is found in the Australian security intelligence organization act. Under that act, the security intelligence organization with the attorney general's consent can seek a warrant from an independent issuing authority, usually a federal magistrate or judge, for the questioning of persons for the purpose of investigating terrorism.

A warrant may also be obtained that authorizes the detention of a person for questioning in certain limited circumstances. A person who is held in detention for the purpose of questioning can be held for up to a maximum of 168 hours. Any questioning must be undertaken in the presence of a prescribed authority, generally a retired judge, and under conditions determined by that authority.

Under the Australian legislation there are some limits that are placed on the ability of the person to contact a lawyer of his or her choice. For example, if the prescribed authority is satisfied that on the basis of circumstances relating to the lawyer, if the person is allowed to contact the lawyer, a person involved in a terrorism offence may be alerted that the offence is being investigated. In other words, these are steps that have been implemented to ensure that communications cannot proceed that would allow the commission of a terrorist offence. If the person subject to the warrant or his or her lawyer discloses operational information as a direct or indirect result of the issue of the warrant under the warrant prior to the expiry or for two years after the expiry of the warrant, he or she commits a crime punishable by up to five years in jail. In such a case, the offence is one of strict liability.

• (1745)

Building on previous legislation relating to organized crime, the United Kingdom's terrorism act enables investigating authorities, such as the director of public prosecutions, to compel individuals to produce documents, answer questions and provide information that is relevant to the investigation of a terrorist offence. Generally, no judicial authorization is required, which is a significant departure from our own Bill C-17.

The U.K. also has other laws that go beyond an investigative hearing before a judge. The terrorism act of 2000 was amended in 2001 to create the offence of failing to disclose to a constable, as soon as reasonably practicable, information which a person knows or believes might be of material assistance in preventing the commission by another person of an act of terrorism. Now that is a mouthful but it is important to know that it applies where the person knows or has reasonable cause to suspect that a constable is conducting or proposes to conduct a terrorist investigation and it is punishable by up to a maximum of five years imprisonment.

Bill C-17 does not include a similar power. In other words, we, as a government, recognize that there is a balancing of individual rights against the public right to be protected against terrorist acts and we have chosen not to go that far. Again, it speaks to the reasonability of the legislation that is before us today.

Members may also be aware that the United States has a long-standing grand jury procedure where a federal grand jury can

subpoena any person to testify under oath. Subject to claims of privilege, anyone who obstructs a grand jury risks being held in contempt.

As we can see, Canada has, like other democratic countries, recognized the need for additional powers to investigate and/or prevent terrorism. The threat of terrorism is very real to this country. We have already experienced that in the Air India disaster. Many of the families of the victims of that disaster are not satisfied with the protections that are presently in place in Canadian law. They want additional tools for our police and our investigative authorities to investigate these kinds of crimes and, more important, to do their very best to prevent those crimes from occurring.

Perhaps had we had these tools that are in Bill C-17 available back then, we could have prevented such a disaster from happening.

I have talked at length about the measures that are present in other democratic countries facing terrorist threats and whose legal systems are similar to ours. As I have endeavoured to make clear, the tools we are now seeking to re-enact would not constitute an assault on human rights. That was never the intent. In fact, this legislation would simply renew legislation that a previous government introduced. On the contrary, these would be minimally intrusive and more restrained than our foreign counterparts.

Other countries similar to Canada have taken even more extreme measures to address the threat of terrorism. That is why again I say that the provisions of Bill C-17 are reasonable and measured. The provisions contained in this bill are replete with safeguards. They are restrained in scope when compared to measures found in some other democracies. They would not present a threat to Canadian values but would actually protect them by protecting Canada's citizens.

With the re-enactment of the powers contained in Bill C-17, Canada can show that it is taking measures to prevent terrorism and that it is a leader in doing so while at the same time respecting human rights.

I therefore urge all my colleagues in this House to support this very important legislation.

• (1750)

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, I like the member for Abbotsford and I always enjoy his speeches. Like other government members, he tried to speak eloquently to the issue at hand, which is this bill before us. He did make a fair attempt and certainly spoke of legislation in other countries and in other jurisdictions as opposed to addressing the issue itself, which is this bill that has been brought forward again by the government.

Government Orders

The problem of course is that what we have before us is something that has raised serious concerns around its impact in a number of areas. The provisions were not used. It expired and Parliament chose not to renew it. The government has decided to bring it forward now. The question that has been asked by members of the opposition is why. Despite the eloquence of the member for Abbotsford, he has not been able to respond to that issue either. When we think of the issues around the lack of funding for our police forces across the country, the question seems to be that this is a channel changer. The government is trying to change things away from its boondoggles, its misspending on the jet planes and the fake lakes and everything else it has been spending money on rather than supporting our front line police officers.

That has to be the question. Is the government attempting to change the channel for its mistakes and spending priorities?

Mr. Ed Fast: First, Mr. Speaker, my colleague from Burnaby—New Westminster has it all wrong. He seems to think that this measure is one of either we use it or we lose it.

Canadians are demanding that we have in place the tools that are necessary to actually get the job done. I am so pleased that we have not had to use this legislation in the past to intervene when there were cases of terrorist activity in Canada.

What is even more intriguing is that the NDP and my colleague from Burnaby—New Westminster are more interested in throwing law-abiding citizens in jail for not filling out a census form but they will not throw violent offenders and terrorists in jail. I do not know how they explain that. They make all this to-do about the fact that people do not want to disclose to the government, quite rightly so, how many rooms they have in their house. They want to throw those kinds of people in jail, law-abiding Canadian citizens, but they do not support our efforts to get tough on violent criminals and terrorists. Shame on them.

Hon. Scott Brison (Kings—Hants, Lib.): Mr. Speaker, the hon. member has referred to the people who will be jailed as a result of their refusal to fill out the long form census. Would he answer this question? How many Canadians have been jailed for refusing to fill out the long form census which has been in place a long time?

Mr. Ed Fast: Mr. Speaker, if they have not been jailed, why do we need the census in the first place? This is an attempt by the Liberals to change the channel on this bill, which is about terrorism and getting tough on terrorism and ensuring we have the tools to intervene when there are terrorist acts either being committed, intended to be committed or have already been committed.

All day I have listened to the Liberals talk, trying to change the channel. They were talking about the census and about prorogation. What they hate to do is admit that they are soft on crime and they are not prepared to do anything further to protect Canadians against terrorism.

• (1755)

[*Translation*]

Mr. Yves Lessard (Chambly—Borduas, BQ): Mr. Speaker, sometimes unusual things happen and unusual statements are made. And when such a statement is made by a minister, we need to pay special attention in order to understand the nature of that statement. Such is the case with my colleague's comments about imprisonment.

We know that the Conservative government is about to build new prisons, and I believe that nearly \$13 billion has been earmarked for this purpose.

We asked the Minister of Public Safety why so many prisons were being built. He responded by saying that too many unknown crimes were going unpunished. Does my colleague share this opinion? If so, how can we imprison someone who has supposedly committed an unknown crime?

[*English*]

Mr. Ed Fast: Mr. Speaker, I believe the hon. member is referring to preventive detention. The bill contains provisions that allow our authorities to undertake investigations, including detention, to provide them with the opportunity to intervene and question people who may have knowledge about terrorist acts that may be committed.

I was very disappointed to hear that this member's colleague earlier today referred to this legislation, which is intended to protect Canadians, as being useless. That generally reflects the attitude the Bloc has to safety in Canada and the safety of our citizens. They will not stand up for victims of crime, and they will not stand up for those who may in the future become the victims of terrorist acts. I find that very disappointing. I believe that this member is better than that. What he should be doing, and what his party should be doing, is joining us in our sincere efforts to renew legislation that actually protects Canadians against terrorism.

[*Translation*]

Mr. Yves Lessard: Mr. Speaker, I rise on a point of order. A resolution was passed by all of us here concerning respect and courtesy in the House. But what they are saying about our motives and behaviour is completely false.

It is entirely inaccurate to state that we are against penalizing people who commit a crime. Let us not start this again. It goes against the mutual commitment we made to act like gentlemen here.

[*English*]

The Acting Speaker (Mr. Barry Devolin): I would encourage all members to demonstrate the respect for one another that they would wish to receive themselves. I am not sure whether that was a point of order.

Questions and comments, the hon. member for Edmonton—Sherwood Park.

Mr. Tim Uppal (Edmonton—Sherwood Park, CPC): Mr. Speaker, very eloquently my colleague from Abbotsford explained why we need this bill to protect Canadians. He explained how other countries have similar bills. He mentioned the United Kingdom and Australia. An important part of this bill would be what he talked about: the safeguards and the checks and balances. Perhaps my colleague could further explain some of the checks and balances and the safeguards in this bill.

Government Orders

Mr. Ed Fast: Mr. Speaker, yes, there are safeguards. We looked to the Australian model and the U.K. model. We realized that the period of detention might not necessarily meet with the favour required to pass the legislation. There are provisions that provide for a short period of detention in order to get at the information that our authorities need to prevent terrorist acts from occurring in Canada. I am confident that Bill C-17 is reasonable, temperate, and modest. I believe Canadians will understand what we are trying to do here. It is all about providing our police authorities and our investigative authorities with the additional tools they need to protect Canadians.

We do not hear much from the other side of this House about victims. We do not hear much from them about protecting the public. I believe the focus of this House of Commons needs to return to the sacred trust that is imposed on each one of us, and that is to stand up for protecting our citizens against violence, crime, and terrorism.

• (1800)

Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP): Mr. Speaker, I have to beg your indulgence today. The allergies are getting the upper hand on me. I am hearing things in this place that throw me for a loop, but I am comforted by the words of an amateur politician from many years ago who said, “Don’t believe anything you hear and only half what you see”. That amateur politician was Abraham Lincoln.

In this debate and for the last number of years, we have seen the abuse of the word “terrorist”. The justifications for sacrificing of the rights of Canadians on the altar of terrorism, and fighting the war on terror, are reprehensible. Recently, I was sitting in my home, watching a ship full of Tamils coming to our west coast seeking refuge. I remember the government standing up and saying that terrorists were aboard that vessel. If that was true, the government should have stopped the ship long before it ever got to Canada. What evidence did it have?

An hon. member: Oh, please.

Mr. Wayne Marston: Go ahead, I will wait. I will pause. I am quite thrilled to pause.

The reality is that the government had no evidence at that time. This is the issue before us today, the fundamental rights that we have in this country. When we are accused, we have a right to see our accuser, to see the evidence against us. All this was trashed and thrown away in the name of terrorism. The fundamental rights of Canadians were thrown away.

We hear, in the debate today, one of the people from the Conservative side of this House saying that if we had only had these laws in place we probably would not have had the Air India tragedy. That is offensive to the victims of the Air India tragedy. Those people know better. Those people know that the investigation was fumbled.

Mr. Bob Dechert: That is what the chair of the Air India association said.

Mr. Wayne Marston: Pardon me, but I gave you your turn. You give me my turn.

Mr. Speaker, it is a fundamental offence to the people who have suffered. The government and these members talk endlessly about

the rights of victims and the concern for victims. In this place is where we protect the victims, where we work together, or should work together, to protect them. In this debate, on something so fundamental as the rights of Canadians, the long gun registry is tossed in, the long form is tossed in. Anything to score crass political points is tossed into this debate.

Are they really standing up for Canadians? I do not think so.

In our history as a country, we have failed Canadians. We have failed people from around the world. There have been times in this country, in the second world war, where we detained our own citizens. Subsequently, we had to apologize. In my home community of Hamilton, in the spring of this year, there was a gathering of folks well into their eighties, remembering how they were interned and how their fathers and grandfathers of Italian descent were interned. That was a mistake that seemed to be right at the time, because people were fearful.

Again in 1970, watching television one night, 48 hours after Mr. Pierre Laporte and another gentleman from the British consulate were taken hostage, we had the War Measures Act proclaimed against Canadians. It was not against those people who today might be called terrorists. It was against Canadians. They went into the law offices. They went into offices of labour unions and took files that had absolutely nothing to do with it. That was a time when there was free rein in this country to do whatever one wanted, in the name of the War Measures Act.

We are sitting here today, looking at another place in history, another opportunity to say to ourselves that maybe, just maybe, because we have not used this since we put this act into place, it may not be necessary.

Earlier today, the member for Windsor—Tecumseh was talking about the War Measures Act. He said that we have learned in the last eight years that there was no need for that legislation. The justice minister said today that we might need it.

• (1805)

If it were not for the fact that we are dealing with fundamental human rights and liberties, there might be some merit to this and some logic to the argument, but these two sections of the anti-terrorist legislation contain a serious incursion into rights that have existed in this country since pre-Confederation, rights that go back 400 or 500 years.

As this debate continues in this, Canada's home of law and justice, our House of Commons, I want to give a brief history lesson that puts in place what the member for Windsor—Tecumseh was talking about. This is going to sound strange in the beginning, I assure everyone.

What happened in the year 1215? What was the major event of 1215? Of course none of us sits around thinking about it, but it was the Magna Carta. It was issued in that year and then issued later in the 13th century, a modified version. At the time, it had removed certain temporary provisions. Is everyone now hearing the words “temporary provisions”?

Government Orders

The bill that we are addressing, Bill C-17, had a sunset clause. I often find fault with the official opposition, but it did one thing right in the moment of fear following 9/11 when we were wondering what we should do as a country. Opposition members knew they were going to try to put into place legislation that would allow incursion into the rights of Canadians. When they did that, they said maybe it was not something that should be permanent, so they put in a sunset clause. The Supreme Court of this country ruled on it, as everyone will recall, and that is part of the reason we are here today.

I want to take everyone back to the Magna Carta. The charter was first passed into law in 1225 and then again in 1297 with the long title, “The Great Charter of the Liberties of England, and of the Liberties of the Forest”, which remains in the statutes of England and Wales.

People will remember that in 1215 King John was the king of England. It was his barons who forced him to proclaim those certain liberties. It is amazing that he had to accept that his will was not arbitrary. He accepted that no free man, which was the language of the day I say to my sisters here today, could be punished except through the law of the land. That is a right that exists to this day. That is the right that our veterans have fought for in conflict after conflict. It is enshrined in law in almost all the democracies of the world. No free man could be punished except through the law of the land.

What do we have today? In the name of terror, terrorism, or whatever the latest word is, we are going to change the law of the land to take away, permanently, the rights of Canadians. In Parliament, our home for establishing laws for Canada, following 9/11 we strayed from the goals of the Magna Carta. Maybe, just maybe, we began acting a little too much like King John and others who would seek too much control.

We saw a similar thing occur in the United States. I can still recall, following 9/11, the picture of the Congress and the Senate gathered together. They had been under attack. Several thousand people died and it was a country that was very worried about what was coming next, and rightfully so.

Nobody in this place will try to minimize the fact that there are people in the world who seek to do destructive things. The hardest balance that any government has to make, the one that faced this House of Commons about nine years ago, was to balance rights against protecting the people.

● (1810)

We have had nearly 10 years now where it has not been needed. Even though the sunset clause did not run its course properly, we could get into the why of that, but I think I will pass on that.

Where once the king, or in our case, Parliament, was tasked with protecting the liberties of its citizens, the government of the day set out to legally circumvent the rights inherent to all Canadians.

The Magna Carta was forced on an English king by a group of his barons. It was done in an attempt to limit his powers.

Here we are today, doing the reverse of that. We are trying to increase the subversive kind of powers of government, those powers that we do not want to have hidden behind doors.

In this place I have defended Omar Khadr repeatedly and called upon the government to do the right thing in Omar Khadr's case. My point is that if we look at Guantanamo Bay and how the United States government moved to Guantanamo to avoid being subject to the laws of its country and they still call it a democratic country, we are here today talking about doing something similar. We are not setting up a hidden place; we are doing it in the House, no doubt. However, in the year 1100, there was a Charter of Liberties, when King Henry I had to specify particular areas where he would allow his power to be impinged upon, or be pushed back, or be controlled. That was at the behest of the people, one more time.

The people in my riding who have talked to me repeatedly about the injustices that we saw with the Japanese in World War II, the Italians in World War II, the *Komagata Maru* at the turn of the 20th century and other mistakes that were made in Canada say, “Beware. Be cautious. Be careful. Do not so cavalierly give away the rights of Canadian citizens”.

In the 13th century, to refer again to the outcomes of the Magna Carta, nearly all of its clauses had been repealed by that time. We should think about that for a second. We had, back in the 12th and 13th century, a move toward rights and freedoms for people, and over the next centuries they were repealed and pulled back.

However, there were three main clauses that remained part of the law of England and Wales, and to a great extent they are to be found elsewhere in the world because they are the fundamental basis of so many important things in law.

Lord Denning described it as the greatest constitutional document of all time, the foundation of the freedom of the individual against the arbitrary authority of a despot.

They were thinking in terms of a monarchy, but when a government, any government, gives itself too much control, it is setting itself up for that accusation.

In the year 2005, in a speech, Lord Woolf described the Magna Carta as:

the first of a series of instruments that now are recognised as having a special constitutional status.

The three things that were important were the right of habeas corpus, or the Habeas Corpus Act; the Petition of Right; and the Bill of Rights and the Act of Settlement.

However, if we think in terms of habeas corpus, if we think in terms of what I started this speech talking about, the right of a person, a Canadian, to know the evidence against them, to face their accuser in a court of law, and to have the apprehension of that individual done in conformity with the laws of Canada, we had the situation recently of the Toronto 18. We had the apprehension of those folks. It went through the process and we had a turn of guilt in one instance. We have had, right here in this community, other arrests that have taken place.

I want to go back again to the charter as an important part of the extension of history's process that led to the rule of constitutional law in the English-speaking world.

Government Orders

● (1815)

I keep talking about the foundation of our rights. In practice, the Magna Carta in the medieval period did not, in general, limit the power of the kings. However, by the time of the English Civil War, it had become an important symbol for those who wished to show the king or queen that they were bound by law.

What does this ancient document have to do with limiting the power of kings, and how has that happened within the structure of Bill C-17?

It seems that with the government, on this issue, as with the previous Liberal government, the rights of Canadians were denigrated and dismissed in the name of the war on terror. To the credit of the Parliament that sought to limit the rights of Canadians under the Anti-terrorism Act, the government added the sunset clause, which was referred to earlier, to see an end to these abuses in the year 2007.

Today the Conservative government argues that it needs the same oppressive tools again, those that we find today in Bill C-17. I would argue that the provisions of the Canadian Criminal Code are effective enough. Again, I refer to the Toronto 18. We had arrests and we had convictions in those cases.

In Canada we are not required to give testimony that incriminates us. Being a child brought up in the 1950s, I always called that the fifth amendment, because I did not realize that we were referring to the United States. It is a fundamental aspect of justice. One is not required to incriminate oneself.

We have rights under habeas corpus. We have the right to a speedy trial, to see the evidence against us, and to meet our accusers face to face. I would ask whether the members present are prepared to sacrifice the rights given to free people that have been in place since the time of the Magna Carta, that have evolved over the history of this country and other primarily English-speaking countries, the so-called British Empire countries.

Those are our roots. That is who we are. Again, the question is whether we will allow the government to become like the court of a kingdom that represents the interests of the king. Do we know any kings in this place? Will we stand with and for great Canadians everywhere?

In terms of the change in this country and the change that has happened to Canadian citizens as brought about by this government, there is a change in the fundamental direction and attitude of services provided and the protection of Canadian citizens, such as the G20 protection of Canadian citizens. I am sure that we will hear much more about it in this place. We saw protestors marching. In amongst those protestors there were people misbehaving. There were people breaking the law, but we saw wholesale arrest and detainment. I know the story of one lady who was picked off the line, put into a police car, driven for four hours, and then released.

Are we going to allow people to be picked off the streets, detained with no charge, and released and told they are free to go because the event is over? That is what happened at the G20.

On behalf of the constituents of Hamilton East—Stoney Creek, I am supposed to trust a government to allow that G-20 type of

activity to take place. It was a peaceful march, and they could have easily apprehended those people who were the problem that day. If it was allowed to go to the place it went, how am I supposed to trust the government with more powers and more authority?

I say that if we pass Bill C-17, what we are actually doing is giving away fundamental rights of Canadians and opening them up to the kind of abuse, in a broader way, we saw at the G-20.

I will conclude today by saying that I stand here proudly with the rest of my friends, and particularly with my friend from Windsor—Tecumseh, who gave such an eloquent speech earlier today. I almost tried to give the same speech again. It was so tempting, because he spoke directly to the heart of this issue.

● (1820)

Mr. Mike Wallace (Burlington, CPC): Mr. Speaker, I want to give the member for Hamilton East—Stoney Creek the opportunity to clarify his earlier comments. He was responding to questions on his position. He stated that if we suspected that there were terrorists on ships in international waters, Canada would have the obligation and the right to go into those waters and turn those boats around. It was unclear whether it was his position or that of the NDP. I am giving him an opportunity to clarify that.

Mr. Wayne Marston: Mr. Speaker, I was responding to what was put before Canadians by a minister of the government when that minister said that he knew that there were terrorists aboard that ship. He said that there were terrorists and other immigrants coming to this country aboard that ship.

My challenge to my colleague is in a rhetorical sense. If the minister knew this, how did he know this? Where did he get the evidence? Who was supplying the evidence? It would have been investigative authorities who, if they knew this, would have known it before that ship left the country it left from. If that were the case, the intervention should have been made there. That is my point about dealing with it before it comes to Canada.

Hon. Geoff Regan (Halifax West, Lib.): Mr. Speaker, I listened with interest to the speech made by my hon. colleague from Hamilton East—Stoney Creek. I appreciated and enjoyed his comments.

I wonder if he would agree with my assessment of part of what is happening here. We have seen that whenever the government does not like the way things are going, it brings forward one of its crime bills. In fact, at times over the past few years we have seen some of the so-called tough-on-crime bills languish. They just sat around for months when the government did not bother to call them. The Conservatives would then try to blame this side of the House or blame the Senate or whomever for the fact that those bills had not gone forward. In fact, the government had not put them on the order paper each day to make that happen. They had not brought them forward.

When the government wants to change the channel, it tries to create fear in people. We have seen that with the census. The Conservatives want people to be afraid that those terrible census takers are going to arrest them. My hon. colleague from Abbotsford was actually claiming a few minutes ago that this is the reason we have the census. I do not think there is a question on there asking if one has been arrested or jailed for not answering the long-form census. In fact, no one has ever been arrested for that.

We have seen the fear the Conservatives create by suggesting that Russian bombers, propellor aircraft that are 40 years old that do not even enter Canadian airspace, are a huge threat to us. Therefore, we need these F-35s, these \$16 billion worth of fighters. I wonder if my colleague would agree with that.

Mr. Wayne Marston: No offence to the member, Mr. Speaker, but that is a wandering type of question.

To be serious for a moment about an incursion by the Soviet Union, now Russia, and the capabilities they have, no matter what kind of airplane they have in the air, 15 minutes after that missile is warmed up, it is going to be visiting us in downtown Ottawa. To be very clear, we do need to have an air defence system with the capacity to protect our country.

Our concern, as a party, was the method with which these aircraft were ordered. They were ordered in a single-source type of venture. There should have been discussion in this House. It should have gone to committees of this House. We should have had the input of our generals, who clearly, from the freedom of information we read today, were expecting to have the posting for the sale and purchase of these particular aircraft. We have \$16 billion. If we had bought half, we would have \$8 billion to do something for seniors and other people.

Coming to the point of fear, the government relies on the fear of Canadians, unfortunately. We see it on many fronts. The Conservatives were not so concerned about it that they could prevent themselves from proroguing the House twice.

•(1825)

Mr. Jim Maloway (Elmwood—Transcona, NDP): Mr. Speaker, in his presentation, the member pointed out the fact that this legislation was introduced under very tough circumstances in 2001 but that it did have, and rightly so, a sunset clause after five years, which legislation of this type usually has and should have. However, when it did expire after not having been applied or used, no movement was made to renew the legislation.

We have provisions under the current laws to deal with these sort of situations. As the member pointed out, we have the situation in Toronto with people being caught and charged with terrorism. We have a similar situation in Ottawa. I would also like to point out that only a few years ago in Manitoba when the Queen visited, there were two or three people who made some threats and I was told that they were simply picked up and removed for the period of time of the Queen's visit. I do not know where they were taken or what the police did with them but they just disappeared from the scene for a period of hours. Clearly, under the current laws in this country, there is ample provision for dealing with threats. We have been dealing with this issue for years.

Adjournment Proceedings

This is a lot of window dressing on the part of a desperate government that is sinking fast in the polls and trying to recover. It comes up with some boutique crime bills that it hopes will translate into some gains in the polls. The government should know by now that it did not work in the past, that it does not seem to be working right now and that it probably will not work in the future. It should look back to the minority Parliament of Lester Pearson where, in roughly the same period of time of six years, the Lester Pearson government worked with the opposition and brought in a new flag. It joined the armed forces, brought in medicare and did many progressive things. The sooner the current government figures out that it should start working with the opposition we then could have some new initiatives for this country, but nothing is happening because of the Conservatives' belligerent attitude toward the opposition and to Parliament.

Mr. Wayne Marston: Mr. Speaker, when we think in terms of those types of legislation that come before us, we ask ourselves what they are about. One of them is the street racing bill. For criminal negligence causing death or injury, those tools are available to the police to deal with these offences. It was a serious issue in a part of Canada. and I will not go into the particular area, but the reality of the situation is that the tools were there. We have not heard about a massive usage of this new legislation and that is an example of where a demonstrated fear was taken advantage of for crass political reasons as far as I am concerned.

ADJOURNMENT PROCEEDINGS

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

[*Translation*]

OFFICIAL LANGUAGES

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, I would like to ask the Prime Minister a question.

As I recall, in 2005, the current Prime Minister stated:

I remind the House that the motion was nonetheless adopted and that the government is duty bound to respect the decisions made by the House of Commons...the Liberal controlled and Liberal majority Senate found yet another way to delay it...

I would like to discuss the bill I introduced, Bill C-232 to amend the Supreme Court Act. The House of Commons, by a majority vote, decided to support my Bill C-232 to amend the Supreme Court Act. Now the bill is before the Senate, where the Conservative government nearly has a majority. It does not quite have it, because the independents can shift the balance one way or the other.

My question for the government is this: will the government ask Conservative senators to refer Bill C-232 to committee for further study, or will the senators delay things, as was done in 2005 when the current Prime Minister, who was Leader of the Opposition at the time, said that Liberal senators were delaying a bill?

Adjournment Proceedings

Would the Conservatives be in the same position? This government said that it wanted to be transparent and wanted to change things. It said that it disagreed with having the Senate vote on bills from elected members of the House of Commons. In this case, elected members passed Bill C-232 to amend the Supreme Court Act. Will the Prime Minister order or tell his senators, who support him 300%, that the elected members of the House of Commons made a decision and that he would like Bill C-232 to be studied in committee and things to go as they should?

Otherwise, that goes against what he believes in, or what he wanted to make people believe when he was in opposition. He claimed to be opposed to the Senate voting on bills from elected members of the House, but now that he nearly has a majority and the system works in his favour, we no longer hear him talking about that.

Will the government order or ask the Conservative senators to send Bill C-232, an Act to amend the Supreme Court Act, to committee to be studied?

•(1830)

Mr. Daniel Petit (Parliamentary Secretary to the Minister of Justice, CPC): Mr. Speaker, I am happy to speak today to affirm this government's commitment to providing access to justice in both official languages.

The Government of Canada is strongly committed to enhancing the vitality of English and French linguistic minorities in Canada and fostering the full recognition and use of both English and French in Canadian society, including our justice system.

The member for Acadie—Bathurst raised the issue of filling vacancies in the Nova Scotia Supreme Court, in particular the appointment of a bilingual judge last August in Yarmouth, in southern Nova Scotia. This appointment enhances the court's bilingual capacity, with two other supernumerary judges.

We recognize that there must be significant linguistic capacity in our courts to provide equal access to justice in both French and English. I can confirm that bilingualism is already one of the enumerated criteria in the assessment of the judicial candidates by the judicial advisory committees. This ability is evaluated along with 14 other criteria, such as intellectual ability and analytical skills.

I am confident that the current appointment process was crafted in a way that permits the Minister of Justice to address the need for access to justice in both official languages and to ensure that the federal judiciary linguistic profile provides adequate access to justice in official language minority communities.

Under the current process, before recommending appointments, the minister confers with the chief justice of the relevant court to determine the court's needs, including linguistic capacity. As hon. members are likely aware, a chief justice's primary responsibility is to determine the overall direction of sitting on his or her court and to assign judges to cases. The chief justice strives to ensure that all cases, especially criminal cases, are heard in a timely manner.

The chief justice is, therefore, in an excellent position to understand the needs of the communities served and identify particular needs where vacancies arise. As a result, the minister consults with the chief justice of the court for which a candidate is

being considered to determine any particular needs to be addressed, including linguistic capacity. The minister also welcomes the advice of any group or individual with respect to considerations that should be taken into account when filling current vacancies.

It is important to understand that the federal judicial appointments process operates on the basis of detailed personal applications from interested candidates and, as such, relies primarily on a system of self-identification.

With a view to improving the pool of bilingual judicial candidates, the government invites the French-speaking jurist associations and their national federation to identify individuals with the necessary qualifications and encourage them to apply, and to share their recommendations with the Minister of Justice.

While bilingualism remains an important criterion considered in the appointment process, it is not and should not be the only factor in the selection of our judges. The primary consideration in all judicial appointments is legal excellence and merit. Other criteria must also be taken into account, such as the specific needs of the court, be it criminal or family.

•(1835)

Mr. Yvon Godin: Mr. Speaker, the Parliamentary Secretary is very confused. He is talking about the federal court in Nova Scotia, but I am talking about the Supreme Court of Canada. As for the federal courts, the law already requires each province to have bilingual judges. There can be up to three judges sitting on a federal court. There are more than one, two or three judges in each province. According to the law, all citizens can have their cases heard in their own language.

At the Supreme Court, it is the opposite. Currently, there are nine justices and they might have to rule upon a section of the Constitution, for example. If such a case is brought before the Supreme Court, it is not heard and understood by all nine justices because some of them are not bilingual.

The Commissioner of Official Languages himself said that they cannot be competent if they do not know the law that applies in a case. The laws are drafted in French and in English; they are not translated.

I would simply like to ask the government to tell the Senate to study the bill—

The Acting Speaker (Mr. Barry Devolin): The hon. Parliamentary Secretary to the Minister of Justice.

Mr. Daniel Petit: Mr. Speaker, I would like to take this opportunity to respond to some of the remarks made this evening by the opposition member.

The Government of Canada recognizes the importance of supporting the development of minority language communities. To that end, in June 2008—I was also here—the government announced the Roadmap for Canada's Linguistic Duality 2008-2013, an unprecedented government-wide commitment with a budget of over \$1 billion, based on two components: participation of all in linguistic duality and support for official language minority communities in the priority sectors of health, justice, immigration, economic development, arts and culture.

Adjournment Proceedings

As the government has stated in the past, the overriding principles guiding the selection of members of the judiciary, including those of the highest court, are merit, legal excellence and overall representation. Such an assessment would have to include examining the bilingualism of candidates, but that would not be the only factor.

[English]

POVERTY

Mr. Michael Savage (Dartmouth—Cole Harbour, Lib.): Mr. Speaker, it is nice to be back on Parliament Hill debating the issues of the day. One of the important issues that I have raised here before is the issue of poverty and that was the question I asked back in the spring session.

We know that poverty has risen with this recession that we have been going through and continue to go through. By how much? Well, we have not had a lot of information on that but the Citizens for Public Justice, along with their partners, released a study back in the spring that indicated that poverty in Canada had gone up from 9.2% to 11.7% overall, which is two and a half percentage points. Child poverty had gone up from 9.5% to 12% as a result of this recession. It showed that employment insurance and other social measures have failed many Canadians. Social assistance caseloads are up, the cost of food is up and the cost of shelter is up. We had the food banks' report less than a year ago showing that food bank usage had gone up 18% in Canada and that the government's response to this has been very weak.

We have no national anti-poverty strategy in Canada. We are one of the few industrialized nations that does not have an anti-poverty strategy. We do have six provinces and one territory that now have an anti-poverty strategy. They all want the same thing. They want the federal government to come to the table and say that it takes poverty seriously.

Last year, the United Nations, in its periodic review, made a very specific recommendation, which I think was number 17, which said that Canada should have and needs to have an anti-poverty strategy. Instead of that, the government turned around and said that it was not its jurisdiction. Everybody in the country, from provinces that have these strategies, to social welfare groups, to academics, all understand that it is part of the responsibility of the federal government to step up and have a strategy. We can debate what is in that strategy but there needs to be a federal anti-poverty strategy here in Canada.

Since that time things have only gotten worse. The ridiculous decision to abandon the long form census will hurt groups that deal with poverty. It specifically will hurt people with disabilities in this country. Organizations, like CCD and CACL, that deal with people who have disabilities are absolutely bewildered at how the government could possibly cancel the long form census. It will have a dramatic impact on the people who are living in poverty and people who have disabilities, many of whom live in poverty. That is the situation we have.

We can talk about the methods that we can use to improve the situation of those living in poverty and of those who are close to living in poverty, such as increasing the guaranteed income supplement and the child tax benefit. There is ongoing discussion in this country right now among many people from all parties represented in Parliament, including the Conservative Party and

Senator Hugh Segal, for example, about a basic income for Canadians. What everybody seems to understand except the government is that at the very least Canada needs to have a government that is prepared to say that poverty is an issue and that poverty is again on the increase in Canada.

We did a lot to reduce poverty in the late 1990s with the child tax benefit, the guaranteed income supplement and things like that but we need to reduce poverty in Canada. We all have a role to play in that. Social agencies, provincial governments, municipal governments, everybody from Make Poverty History to the CFIB to the Chamber of Commerce understand that we need to have a national anti-poverty strategy. Why does the federal government not understand that and step forward and say that it will play its role to help those who are living in poverty, especially at time of recession?

• (1840)

Mr. Ed Komarnicki (Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour, CPC): Mr. Speaker, I would like to welcome the member for Dartmouth—Cole Harbour back to this session. However, I would like to put things in perspective. Despite some of what he says, we are not talking about what we might be doing. We are taking a number of steps. Even though we have come through a global recession, our Conservative government has made huge strides in helping working Canadians and their families.

The best way to fight poverty is for Canadians to be working in good jobs. Getting workers the skills they need to get back into the workforce and helping those workers find jobs have been the main focus points of our government's actions.

In 2009-10 we invested over \$4 billion in skills training, helping over 1.2 million Canadians. We have provided extra weeks of EI benefits and extended work-sharing measures to keep Canadians working and help employers. Over 255,000 jobs were protected by these changes to work-sharing alone. We extended EI special benefits to the self-employed on a voluntary basis.

Canadians are getting back to work. Well over 400,000 jobs have been created in the last year alone. As a result of our actions, Canada is leading the G20 out of the recession. Every action we have taken is meant to help Canadians and their families, our society's building blocks, become independent and help them contribute to the economy and to their communities.

Adjournment Proceedings

We have introduced the working income tax benefit, or WITB as it is commonly referred to, to make work pay for low-income Canadians. The economic action plan doubled the tax relief provided through WITB. WITB helped over 900,000 Canadians just in the first year and it continues to help Canadians get over the welfare wall. We have increased the amount families in the two lowest personal income tax brackets can earn before paying taxes, meaning over one million low-income Canadians do not pay taxes at all anymore.

We have enhanced the national child benefit, the child tax benefit and introduced the child tax credit. All of these amount to thousands of dollars of assistance. We have introduced and strengthened the universal child care benefit, which alone has lifted 56,000 children out of low income.

We have also made record investments in affordable housing. Due to our economic action plan investments alone, thousands of projects are completed or under way, which are creating tens of thousands of jobs. In total, we are providing \$7.8 billion in investments and tax relief to help stimulate the housing sector, improve housing and create jobs across Canada.

The Liberal record and the record of that member does not stand up. They voted against enhancements to WITB, even though the member told our committee he thought it was a very positive thing.

In its time in government, the then Liberal government cut social transfers to the provinces by \$25 billion, leaving the provinces and many Canadians to fend for themselves. It tried to balance the books on the backs of ordinary Canadians. We did not do that.

Back in 2002, the Liberal finance critic said that the Liberal government made the wrong choices, slashed transfers to the provinces. The provinces are still scrambling to catch up to the lost Martin years of inadequate funding.

As the Liberal leader has said, their plans, simply put, are to add more taxes, higher taxes and billions and billions of dollars of increased spending and debt. The opposition's plans to raise taxes would halt our recovery in its tracks and, according to experts, kill about 400,000 jobs.

Unlike the opposition, our record is strong. In our time of government, we have helped children, lone parents, persons with disabilities, aboriginals. The seniors' poverty rate is among the lowest in the world. This is fact. We will continue to take actions to help Canadians. We will not talk about plans. We will take positive steps, positive action, that will help Canadians right across our great country of Canada.

● (1845)

Mr. Michael Savage: Mr. Speaker, the member's comments just do not bear scrutiny. He talked about the Liberal cuts. It was in fact because of Liberal programs that poverty reached its low ebb of 9.5%.

The current government came into office in 2006 and within a year, we were starting to see more unemployment.

Just as an example of something that he touts, he touts an investment in the child tax benefit. His government put \$5 million into the child tax benefit. It put \$100 million into putting up signs all

over the country to advertise their projects and \$1 billion for the G8-G20. Just using his example, that means that the Conservatives value their signs 20 times more than they value vulnerable Canadians and the weekend meeting in Toronto 200 times as much as they value vulnerable Canadians.

People in Canada are suffering, people who need assistance. They are not getting it from the current government.

As a simple measure, a first measure, everybody says, "Let's have a strategy. Let's figure out the pieces, but let's agree that there should be a federal anti-poverty strategy in Canada".

Mr. Ed Komarnicki: Mr. Speaker, let me talk about the record of the Liberals. It is a failure. Canada experienced, and these are facts, the second highest jump in child poverty among 14 peer OECD countries during the Liberals' tenure.

In 1998 the UN stated that the Liberal government had exacerbated homelessness among vulnerable groups during a time of strong economic growth and increasing affluence.

We will not take lessons from that party. At a time when Canadians are watching their own pocketbooks and making sacrifices, the opposition has banded together to propose billions and billions of dollars in irresponsible spending that will not create a single job or leave a single dollar more in the pockets of Canadians. The opposition only sees these dollars as tools to build their ineffective, irresponsible, ideological big government pet projects. Its plans will raise taxes, kill jobs and inflate the deficit for years on end.

Our record is strong. We are helping Canadians. We are lowering taxes. We are helping to create jobs and train Canadians with the skills they need to get jobs. Our record is one of giving effectiveness and comprehensive help to Canadians and their families. We stand on that record and we will continue to stand on that record.

STATUS OF WOMEN

Ms. Irene Mathyssen (London—Fanshawe, NDP): Mr. Speaker, I would like to thank the parliamentary secretary for taking the time to respond to my question on the very important matter of funding decisions regarding Status of Women Canada's two programs: the women's community fund and the women's partnership fund.

On May 5, I asked the Minister for Status of Women to tell the House why, while the government claimed to be a champion of women's health, it continued to attempt to silence and neutralize women's organizations here in Canada, denying funding to any organization with the courage to speak out against the government's agenda.

Adjournment Proceedings

This fiscal year we have seen more than 20 prominent women's organizations have their funding requests denied, many for the first time in their history. On May 26, the Standing Committee on the Status of Women began its study on the funding decisions of Status of Women Canada. At this meeting, we heard from four organizations whose projects met the program criteria, yet they were still denied funding by Status of Women Canada.

The groups that appeared at the meeting were CRIAW, the Canadian Research Institute for the Advancement of Women, the Conseil d'intervention pour l'accès des femmes au travail, the New Brunswick Coalition for Pay Equity and Womenspace Resource Centre. These are all credible organizations and I do not think that anyone would question the work they do for women in our country.

Some of these groups spoke of the impact of Status of Women Canada on their creation and their development as women's organizations. For example, in a special publication on the 20th anniversary of CRIAW, the president at that time noted that had it not been for the financial support of Status of Women Canada over the years, CRIAW undoubtedly would not exist. Status of Women Canada had been providing these organizations with some funding for an extensive period of time. It had provided CRIAW with funding since its creation in 1977.

Over the years, these organizations have proven to be extremely valuable and have demonstrated their expertise in the field. Their programs are highly reputable and have proven results. The research they provided was potentially invaluable in terms of government policy decisions. These organizations are truly bettering the lives of women.

Yet this year the government decided to deny funding. For most, this was a death blow. Because of these government decisions, most of these organizations either have or will shut their doors and cease servicing the women who have come to rely on their services.

The Minister for Status of Women has said that her department is choosing to fund new organizations over old. Absolutely, fund new organizations; it is incredibly important, but not at the expense of older organizations with proven track records. If there is a greater need for funding from Status of Women Canada, then maybe the budget of the program should be reviewed, or maybe the amount of funding allotted to each organization should be reconsidered in order to accommodate both new and existing organizations.

Unfortunately, I do not believe that money is the sole reason that these organizations were refused funding. The significance of these decisions runs much deeper than a choice between new and old; it is part of the mounting evidence that the government does not seem interested in funding programs for women's equality or in funding women's organization with a track record of advocacy.

Therefore, I will ask my question again. Could the parliamentary secretary tell us why the government is continuing to attack women in Canada? When will it end its ideological tirade and start supporting women in our country?

● (1850)

[*Translation*]

Mrs. Sylvie Boucher (Parliamentary Secretary for Status of Women, CPC): Mr. Speaker, our government has increased funding for women to the highest level ever seen in our country and abroad.

The women's program at Status of Women Canada has two components: the women's community fund and the women's partnership fund. These programs are essential tools that allow Status of Women Canada to support the work of organizations that promote the equality of women and girls.

In 2007, our government increased the funding capacity of the women's program to unprecedented levels. Consequently, we were able to support more Canadian women and girls, especially those most in need.

The reaction to the increased funding for the women's program speaks for itself: in 2006, we received 145 applications, but in 2009, the call for proposals for the women's community fund alone generated almost 500 applications for funding.

To be eligible for funding consideration, projects must be one-offs and must work to promote the full participation of women in the economic, social and democratic life of Canada. This criterion is consistent with the three pillars established for Status of Women Canada: advancing women's and girls' economic security; ending violence against women, including aboriginal women and girls; and encouraging women's leadership and democratic participation.

The number of groups looking for financial support under the women's program keeps increasing. As is often the case with the funding program, it is unfortunately not always possible to fund all the projects that deserve to be funded.

In 2009-10, 78 valid and important community projects were approved. Of that number, 34 were from groups that were receiving funding for the first time. The full list of projects funded is available in a press release issued on May 6 on the Status of Women Canada website.

According to the organizations whose 78 projects received funding, these projects will have a direct impact on more than 24,000 women in Canada.

These projects will have positive results for women from diverse backgrounds in a large number of communities. I only have enough time to name a few: the Newfoundland Aboriginal Women's Network set up a project called "Empowering Aboriginal Women; Influencing Community Wellness". This 24-month project will promote violence prevention by facilitating leadership skills development in 84 community workshops with 500 aboriginal women.

Status of Women Canada and our government are concerned about women in Canada and Quebec, aboriginal women, all the women here today.

Adjournment Proceedings

● (1855)

[English]

Ms. Irene Mathyssen: Mr. Speaker, I wish I could believe those words, but I do not think this is about choosing at all. It is an example of the government's agenda to silence women in this country.

We have been witnessing this silencing since 2006, with cuts to Status of Women Canada's budget; the changes to Status of Women Canada's program funding mandate; the closure of 12 regional Status of Women Canada offices; the abandonment of the court challenges program; and most recently, the termination of the mandatory long form of the census.

Through the government's policies and actions, we are witnessing the systematic attempt to kill the women's movement and feminism in this country. It is an attempt to stifle some very important voices, especially those who speak for the poor and marginalized women in this country. This is the effect of what is happening. The government may insist that this is not the intention, but it is certainly the effect.

[Translation]

Mrs. Sylvie Boucher: Mr. Speaker, I have never felt stifled. I am a woman, and I have always been proud to stand up in the House to defend women.

This summer, the Minister for Status of Women announced a major change to the application process for the women's community fund. To respond in a more timely and targeted fashion, Status of Women Canada will now accept applications for funding from the women's community fund all year long. That is a big change.

The status of women has always been important to our government. The NDP member has voted against every single program we have introduced. She voted against all of our measures to help women in Canada and in her community.

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

(The House adjourned at 6:58 p.m.)

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