



CANADA

# House of Commons Debates

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OFFICIAL REPORT  
(HANSARD)

**Monday, November 29, 2010**

—  
**Speaker: The Honourable Peter Milliken**

## **CONTENTS**

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

# HOUSE OF COMMONS

Monday, November 29, 2010

The House met at 11 a.m.

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*Prayers*

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## PRIVATE MEMBERS' BUSINESS

• (1105)

[*English*]

### FEDERAL SUSTAINABLE DEVELOPMENT ACT

The House proceeded to the consideration of Bill S-210, An Act to amend the Federal Sustainable Development Act and the Auditor General Act (involvement of Parliament), as reported (without amendment) from the committee.

**The Speaker:** There being no motions at report stage, the House will now proceed without debate to the putting of the question on the motion to concur in the bill at the report stage.

**Mr. Stephen Woodworth (Kitchener Centre, CPC)** moved that the bill be concurred in.

(Motion agreed to)

**The Speaker:** When shall the bill be read the third time? By leave, now?

**Some hon. members:** Agreed.

**Mr. Stephen Woodworth** moved that the bill be read the third time and passed.

He said: Mr. Speaker, I am pleased to have the opportunity to speak to Bill S-210 at third reading today.

The bill addresses an oversight in the Federal Sustainable Development Act and the Auditor General Act, and I will briefly review how Bill S-210 would deal with this oversight.

The Federal Sustainable Development Act requires the government to produce a number of reports before the House of Commons. Bill S-210 proposes that the government also table the same reports in the Senate. The bill also proposes to give the Commissioner of the Environment and Sustainable Development greater flexibility regarding the timing of the tabling of some of the reports required under the Federal Sustainable Development Act. The government has no issue with tabling these reports before the Senate, nor does it have an issue with giving the commissioner additional flexibility. I believe all three parties will support the bill.

The wording for the existing provisions relating to the tabling of reports was largely borrowed from the provisions of the Auditor General Act. These only require the tabling of sustainable development strategies and the reports of the Commissioner of the Environment and Sustainable Development in the House of Commons. The bill would correct this oversight. The government is pleased to support the bill and will support the constitutional role of both Houses of Parliament.

The Federal Sustainable Development Act allows the government to spell out its environmental sustainable priorities more clearly. It requires the development of an overarching federal sustainable development strategy for the very first time since sustainable development strategies were introduced in 1995. This federal strategy would require every department to align its respective strategy to federal priorities.

The Federal Sustainable Development Act requires that a draft of the federal strategy be delivered to the Canadian public, to the Commissioner of the Environment and Sustainable Development and to a standing committee of the House of Commons for review and comment. As well, it would establish a sustainable development advisory council to be made up of representatives of the provinces and territories in order to have representation from labour, business, environmental organizations and aboriginal people who will also comment on the draft sustainable federal strategy. Delivering the draft strategy to Canadians in this way would help to increase transparency and accountability and it would help improve federal sustainable development planning and reporting.

Bill S-210 proposes to have senators review the draft of the federal sustainable development strategy and of all the other reports required by the Federal Sustainable Development Act. These include the supporting departmental sustainable development strategies and the triennial progress report on the federal strategy which is to be prepared by the sustainable development office in Environment Canada. Senate comment on all of these documents will improve transparency and accountability.

Further to this, a number of reports are required to be prepared by the Commissioner of the Environment and Sustainable Development through amendments made by the Federal Sustainable Development Act to the Auditor General Act. For instance, the commissioner must offer an assessment of whether the targets and implementation strategies contained in the initial draft version of the federal strategy are capable of being assessed. The commissioner would also assess the fairness of the information contained in the progress report on the government's implementation of the federal strategy.

*Private Members' Business*

Finally, the commissioner would also continue to audit the departmental sustainable development strategies and report on the extent to which departments and agencies have contributed to meeting the target set out in the federal sustainable development strategy. At present, the commissioner can only table the results of such inquiries at certain limited times. The passage of the bill will enable the commissioner to offer more timely reports, as Bill S-210, in this respect, would allow greater discretion.

The federal sustainable development strategy is an excellent example of the democratic development of environmental policy. The federal sustainable development strategy would make Canada a world leader of the development of environmental policy by democratically elected leaders able to reconcile scientifically determined options with the social and economic goals of the people we represent, the people of Canada. I strongly believe that democratic governance is a far better approach to environmental policy-making than the alternative of judicial policy-making.

I realize that Bill S-210 is not highly controversial. Nonetheless, I am extremely proud that it is a bipartisan effort of Senator Tommy Banks and myself. I have appreciated Senator Bank's support and assistance and I am grateful for the unanimous support of the House for this bill to date.

I am pleased to support Bill S-210 and welcome Senate review of all the reports just mentioned and additional flexibility for the commissioner. I invite my friends from all parties throughout this House to join with me in focusing on the common concerns of all Canadians and support this bill.

•(1110)

**Hon. Larry Bagnell (Yukon, Lib.):** Mr. Speaker, I commend the member for his work on this bill. Does he have any examples of some of the good work that has resulted from the framework that is in place from these reports that he mentioned, feeding into the federal strategy?

**Mr. Stephen Woodworth:** Mr. Speaker, the bill is relatively new having been passed I think in 2006 or 2007. In the meantime, in just a few short months the government developed the strategy and tabled it in the spring of this year. It is currently out for review, as I indicated in my earlier remarks, and we expect that those reports will be coming back and a final strategy will be implemented very shortly.

**Hon. Larry Bagnell (Yukon, Lib.):** Mr. Speaker, I am pleased to participate in the debate today at report stage of Bill S-210.

This bill was originally Bill S-216. It came to the House of Commons from the Senate and was sent to committee, where unfortunately discussion was stopped when Parliament was prorogued. It has now been reinstated. When Parliament is prorogued, the Senate can bring the same bill forward as long as it is identical to the original one and as long as it is done within 60 days. It then goes through the same procedure in the House. The bill is now at report stage and is being supported by all parties. That is a positive situation.

This bill would amend two acts, the Federal Sustainable Development Act and the Auditor General Act. It would make primarily housekeeping changes to those acts. I will explain their

importance again as well as the importance of the whole initiative at large.

The first change proposed by the bill is that reports would be tabled not only in the House of Commons but also in the Senate and for the Senate committees.

The second change involves the progress reports made by the Commissioner of the Environment and Sustainable Development at the annual reporting time of the Auditor General. The commissioner gets to do one annual report. This change would allow him or her to report more frequently, just as the Auditor General can report several times a year.

In summary, the bill proposes to make two administrative changes to this important regime. The commissioner's reports would go to both houses of Parliament and he or she could report more than once a year.

I want to commend the member for Kitchener Centre for his bipartisan effort in making sure that we have taken a non-partisan approach to this important issue. As I have previously mentioned, all parties agree on this piece of legislation.

I also want to commend Senator Tommy Banks for his work on this bill in the Senate. This is a historic environmental bill in Canada. It is one of the most important environmental initiatives in our history.

I also want to commend the hon. John Godfrey for his tremendous work in getting the whole regime in place. Mr. Godfrey was my mentor in Parliament, and I was very excited for him to see this regime get through Parliament. The previous speaker has already outlined the tremendous environmental benefits that the regime would provide.

I want to talk about the importance of the two changes that the bill would make.

The first proposed change is that the commissioner's reports would go to the Senate and its committees. This was actually in the original regime but for some nefarious reason was eliminated. I am delighted that all parties saw that this was an obvious omission and all worked hard to put this initiative back in the legislation.

Sometimes we in this place and the other place have to remind people that we have a bicameral system in Canada. Like many countries in the world, we have two houses of Parliament. Both houses make sure that legislation, which is the foundation of our social contract and how we run our lives, gets done carefully with all the required checks and balances.

•(1115)

The Senate is of different construction from the House of Commons. One of the advantages of having two different bodies, if we have an understanding of group behaviour and sociology, is that it is good for a separate group that is not under the same influence to have another look at a particular piece of legislation.

*Private Members' Business*

The other difference is that the Senate is constructed to represent regions and minorities. Canada is a very huge country. It is the second-largest in the world. Its diverse and exciting regions have to be represented well in this Parliament. That is one of the roles of the Senate.

I represent the Arctic as the official opposition critic. Even the Arctic is not a monolith. The three territories of Yukon, Northwest Territories, and Nunavut and the people in those regions, the Inuit, the first nations people, and the Métis, are totally different. We have to ensure that they are represented in our system. In the first past the post system, minorities are not necessarily represented in this House in the same percentages as they are in the population. The Senate has a very important role to represent minorities and to ensure that they are well represented in the affairs of state.

That is a fairly obvious change, and I am sure it will be unanimously supported by every member of both houses.

The second change is that the Commissioner of the Environment and Sustainable Development would report more than once a year. The commissioner must have the ability to report more than annually, as is done in the present regime. I think this makes obvious intuitive sense to everyone on something as important as environmental change. As we know, environmental change can occur very quickly and drastically. This is crucial information. The ability to report more than just once a year would make eminent sense in the running of our great nation.

I had hoped that there would be in this debate, perhaps by the researchers of one of our four parties or even the commissioner himself, an outline of some of the reports, the advantages, the progress that has been made, and some of the failures. There was a reference earlier in the debate to a failure a number of years ago by the Department of Finance. Both the successes and the failures can show the advantages of reporting more than once a year, how this great success story could be used by other departments, or how some failure could be stopped in its tracks.

Not having real examples, I can only think of a couple of possibilities that might occur. Let us say a department in its operations was using a cleaning or air conditioning or some other chemical that all of a sudden was determined by Health Canada to be very toxic or cancerous. If some departments removed it quickly but others did not, that report coming sooner than later would certainly help remove some disastrous human health consequences.

As another example, let us say a huge district heating project was started near a federal building and a particular department of that federal building could have accessed that particular project and did not. That would be a *fait accompli* that could not be reversed if we had to wait a year for the report. However, if it were done quickly, the commissioner could bring up that point and the department could move ahead and make that change.

In conclusion, I would just say I am very happy that we have all-party support for these very important changes to a very important bill. Everyone knows the dramatic effects of climate change on the whole country, but especially on the north. We only have to look at last month's *Canadian Geographic* on climate futures and all the disastrous consequences. This bill and the reports of the department

are certainly working as leaders for the country. If we do not do it as government, then we cannot expect other governments that are trying to do this, and businesses and private citizens, to move forward on making Canada sustainably developed.

• (1120)

[*Translation*]

**Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ):** Mr. Speaker, I am very pleased to speak today to Bill S-210, which we will naturally support, along with all the other parties in this House. This essentially administrative bill was presented in the Senate on April 30, 2010, and it would amend two acts: the Federal Sustainable Development Act and the Auditor General Act. It would ensure that when the environment commissioner provides a report on the progress of sustainable development, this report is tabled in both the House of Commons and the Senate. That is the first amendment.

The second amendment would give the environment commissioner more latitude to decide when it is necessary to table reports on sustainable development. The Federal Sustainable Development Act, which is in its infant stages, since it was just recently passed, was the result of a bill introduced by one of our former colleagues, John Godfrey. He thought it was very important for Canada, and more specifically the federal government, to have a sustainable development strategy. I will come back to this shortly.

Mr. Godfrey worked with all of the parties to ensure that Bill C-474 would be passed. The Bloc Québécois did not like the bill in its original form because it proposed only a national sustainable development strategy. In addition, this bill interfered significantly in the provinces' areas of jurisdiction, such as agriculture and recycling. It was a national, coast-to-coast strategy that would not have produced results at the end of the day.

Following talks, the parties have decided that it is important for Canada to have a federal sustainable development strategy that falls within its own areas of jurisdiction. Thus, Canada will be able to meet the Rio targets and truly put in place a sustainable development plan using resources that already exist in its various departments. This strategy would also aim to increase greening of public services and provide Canada with the means to reach its international environmental goals.

That is how Bill S-210 was introduced. It will ensure that the commissioner has more flexibility in reaching the set targets. We need greater accountability and the environment commissioner must be able to report more frequently. Over the past weeks and months, we have come to realize that the environmental strategy presented by the federal government in order to comply with Bill C-474 contained targets that were vague, weak and insufficient.

*Private Members' Business*

Clearly, the government was just paying lip service to the ideas of reducing greenhouse gas emissions and protecting ecosystems and oceanographic resources. We need a transparent sustainable development strategy with clear goals. However, that is what was missing from the strategy that has been developed.

• (1125)

The commissioner will be responsible for assessing whether the government has met those targets. The targets are inadequate, so, naturally, the commissioner will have a hard time in the coming years figuring out whether Canada is keeping the promises made to Parliament.

We need more transparency, more accountability and greater responsibility to ensure that the government is reaching its international targets. That is almost certainly what Parliament has been lacking these past 10 or 14 years. The government was unable to achieve its environmental targets at the international level because there was no oversight and no accountability with respect to Canada's commitments.

The best example of this is the fight against climate change. Since 1997, successive governments have introduced greenhouse gas reduction plans that were supposed to be in line with Canada's greenhouse gas reduction targets. But we are a long way from reaching those targets.

In 1997, Canada promised to reduce greenhouse gas emissions to 6% below 1990 levels by 2012. Where do we stand now? Our greenhouse gas emissions have risen by more than 25%.

Why have we failed to reach our targets? One of the main reasons is that there have been no progress reports. There has been no way to determine whether the measures, plans, policies and programs implemented are taking us in the right direction. The government can set greenhouse gas reduction targets, but without the right plans, policies and programs in place, those targets will not be achieved. The environment commissioner needs more power to present more frequent reports. That is one of the goals of this bill.

We have already given the environment commissioner a greater role. A few years ago, the Liberal Party's Bill C-288 gave the environment commissioner more power with respect to accountability for reduction targets.

We support this bill. We believe that the environment commissioner must play a greater role in efforts to reach the targets set by Canada and the federal government by focusing on three basic objectives: transparency, accountability and responsibility.

• (1130)

[*English*]

**Ms. Linda Duncan (Edmonton—Strathcona, NDP):** Mr. Speaker, Bill S-210 is before the House again. It is important for the House to reflect on the co-operation provided by the opposition in processing the bill through the House.

This bill came before us before the Prime Minister, in his wisdom, decided to prorogue Parliament and shut down the work of the House.

Regardless of the actions of the Prime Minister in failing to expedite the passage of the bill our parliamentary Standing Committee on Environment and Sustainable Development was entirely co-operative with the Senate and with the government in bringing the bill forward in an expeditious manner.

This bill would simply make the practice of the office of the Commissioner of the Environment and Sustainable Development mandatory. In other words it would require that the reports be delivered not only to the House but to the other place.

Why should we pass the bill? What is the point? The experience that we have had with the other house over the last two weeks really questions whether or not the other place even cares to hear from the Commissioner of the Environment and Sustainable Development.

When I spoke to this bill previously, I spoke glowingly of the work over decades by that office. The office of the Commissioner of the Environment and Sustainable Development is very important to this country. That division of the Auditor General's office delivers very important reports on behalf of Canadians, analyzing how well the Government of Canada is doing on delivering on its mandate, its mandate set out in law, its mandate set out in international agreements and bilateral arrangements about the environment and the protection of the environment.

What do we have? The government wants to require, not just suggest, that the commissioner also speak to the other place about the matters he has been working on and be required to report. The question I would put before the House is, what is the point? We have the circumstance of what happened in the other place in the last two weeks where reprehensibly, that place killed a bill passed by this House, by the majority of duly elected members of this House.

The Senate was created as a place of sober second thought. It was established as a place where there would be different representatives from a cross-section of society to look at legislation proposed by the elected representatives to see if there were gaps, to see if there was anything missing, to see if anything should shift to make sure that any legislation coming from the House reflected the best interests of Canadians.

What did that place do to a bill on climate change passed by a majority of members of this House? We have heard from many Canadians and I will share some of those thoughts of Canadians on the actions by that place.

Let me remind the House of a report delivered to the House by the commissioner himself in 2009. The commissioner presented to the House and also presented to the Senate an audit report on actions taken by the government on addressing climate change, on delivering on its own promises to reduce climate change. Let me again share with the House some of the highlights of that report by the commissioner. He stated:

The annual climate change plans do not fully meet the requirements of the Act... Expected emission reductions are overstated for the Regulatory Framework for Industrial Greenhouse Gas Emissions...The descriptions of the renewable fuels and renewable power measures are not fully transparent...The annual climate change plans do not disclose uncertainties about expected emission reductions...A monitoring system has not been developed.

That was the audit report by the Commissioner of the Environment and Sustainable Development delivered to the other place. Did it listen to the words and advice and findings of the Commissioner of the Environment and Sustainable Development? Clearly not, for it made a determination that it would simply throw out legislation passed by the duly elected representatives of Canada.

● (1135)

Despite Canada's support, and without debate, it simply killed that bill. We have heard resoundingly from Canadians that they are appalled by the behaviour of the other place. Let me quote from a letter by two of my colleagues, the MP for Halifax and the MP for Sackville—Eastern Shore on the actions by the other place, having heard the report by the commissioner:

Despite Parliament's support and adoption of this bill, the unelected, unaccountable Senate voted down and killed this much needed legislation in a snap vote at second reading. The Senate killed the bill before they studied it or even heard from expert witnesses. It is virtually unprecedented for the unelected Senate to defeat a bill passed by the elected House of Commons.

Not only did members in the other place ignore the information, advice and audit report of the commissioner, they failed to give any opportunity to Canadians to speak to that bill and to express their opinion on whether or not that bill passed by the duly elected representatives in the House of Commons should proceed.

Let me share what one of the senators had to say about the actions of that place:

In voting to defeat Bill C311, the Conservative senators betrayed the democratic process. They did so without debating the bill, although they had 193 days to do so. They also killed the bill before it could reach committee stage where it would have received detailed study. And, they still would have had third reading to defeat it.

I have received letters from Canadians from across the country who are absolutely dismayed at the actions of that place having had the opportunity to see the testimony before the committee of this House, the Standing Committee on Environment and Sustainable Development and having had the opportunity to hear the speeches by elected representatives who spoke in support of that bill over and over in this House.

One person wrote to me and said that they were shocked and appalled to learn of the defeat of a bill in the Senate, a bill which had been passed by the House of Commons. It raised a number of questions and concerns.

Another letter written to the government and copied to the members of the opposition stated:

I am outraged at the cowardly tactics the Harper government uses to have the things the way corporate lobbyists...want them to be; this last one which killed Bill C-311—

**Mr. Blaine Calkins:** Mr. Speaker, on a point of order, while I am used to hearing this typical tirade from the members opposite, this is a private member's bill and it is usually friendly debate. Perhaps the hon. member could refrain from using members' names in the House. She has been here long enough. She ought to know better.

**The Acting Speaker (Mr. Barry Devolin):** The member is correct. All hon. members of this place should refrain from using the names of other members in this place, including when they are reading a quotation. The hon. member used the Prime Minister's name.

### *Private Members' Business*

Resuming debate, the hon. member for Edmonton—Strathcona.

**Ms. Linda Duncan:** Mr. Speaker, I was not aware that I should change a member's name in a quote from a letter and I shall do that in future.

I will close with those quotes, although I could go on and on with other quotes. I have received letter after letter from Canadians writing to say that many Canadians spoke in favour of the passage of the climate legislation passed by this House, climate legislation that simply called for accountability of the elected officials, accountability by the Government of Canada to report regularly to the elected officials on actions they are taking on addressing climate change.

The question before us is why then should we make it a mandatory obligation on the commissioner to report to a house that does not even give due consideration to legislation passed by this House, does not give due consideration to reports of the Commissioner of the Environment and Sustainable Development showing the need for stronger action to address climate change?

● (1140)

**Mr. Stephen Woodworth (Kitchener Centre, CPC):** Mr. Speaker, I hope of course that in spite of the comments of the previous speaker, this bill will pass with the unanimous support of all members.

It is very important to me that we proceed with environmental legislation in a democratic way. I urge the House to resist all efforts to judicialize environmental policy and instead to allow the members of this House, duly representing Canadians across the land, to consider the economic and social objectives of our people and to reconcile that with scientifically recommended options for the environment.

There has been some debate in the course of this morning's proceedings about the Senate, and of course this bill is about making sure that the reports under the federal sustainable development strategy are in fact delivered in the Senate. There are those in this House who would like to abolish the Senate. I myself, from time to time, have expressed the view that I am not a big fan of the Senate; however it is important for all of us, if we wish to maintain a law-abiding attitude, to recognize that the Constitution of Canada, the law of our land, does in fact establish a Senate and does give the Senate a role to play, and until the Senate is either abolished or reformed, the people who are placed in the Senate are very conscientiously trying to do the job that is assigned to them.

It is rather unfortunate that anyone would stand in this House and say that we will completely disregard the Constitution of Canada and say that senators do not have any role in our government, because of course that would be unlawful and I myself do not like to hear members of Parliament talking about proceeding in an unlawful manner.

*Government Orders*

In particular, when the Senate is faced with a terrible environmental bill such as Bill C-311, it is necessary for the senators to consider that legislation and to determine how they will dispose of it. It is completely irrelevant and in some ways irreverent and lawless to suggest that senators should not accept their responsibility to consider legislation from the House. As much as some of us would like not to have a Senate, as long as there is a Senate, senators have to be commended for conscientiously approaching their duties.

When it comes to Bill C-311, I spent hours and hours listening to evidence on that bill in committee, time that could have been spent much more productively actually talking about ways in which we can achieve environmental benefits for Canada, and in point of fact, the federal sustainable development strategy would do exactly that, whereas Bill C-311 would not have done that.

The previous speaker was somewhat disingenuous in saying that all Bill C-311 would have done was to require reporting. In fact Bill C-311 would have required unrealistic and unattainable greenhouse gas reductions. Bill C-311 itself did not propose any mechanisms or any means to achieve those reductions. In fact the evidence we heard at committee, from the Pembina Institute among others, was that the cost of reaching the goals that were set in Bill C-311 would have been about \$70 billion between now and 2020. This would have been about twice the cost of the government's existing greenhouse gas program and would have only achieved a 16% difference in greenhouse gas reduction. It was a terrible bill, and whatever we think of the Senate, we can all rest a little easier tonight knowing that that bill has been deep-sixed and sent to an early grave.

Having said all of that, of course this is very partisan and I hope we will all focus on Bill S-210 and that we will all get behind it in a spirit of non-partisan attention to the concerns that really all Canadians have across the country.

• (1145)

**Mr. Brian Masse:** Mr. Speaker, I rise on a point of order. I note that this member voted for Bill C-311.

**The Acting Speaker (Mr. Barry Devolin):** That is not a point of order.

The time for debate is complete. The question is on the motion. Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

**Some hon. members:** No.

**The Acting Speaker (Mr. Barry Devolin):** All those in favour of the motion will please say yea.

**Some hon. members:** Yea.

**The Acting Speaker (Mr. Barry Devolin):** All those opposed will please say nay.

**Some hon. members:** Nay.

**The Acting Speaker (Mr. Barry Devolin):** In my opinion the nays have it.

*And five or more members having risen:*

**The Acting Speaker (Mr. Barry Devolin):** Pursuant to Standing Order 98, the recorded division stands deferred until Wednesday, December 1, immediately before the time provided for private members' business.

SUSPENSION OF SITTING

**The Acting Speaker (Mr. Barry Devolin):** The House will now suspend until noon.

(The sitting of the House was suspended at 11:47 a.m.)

SITTING RESUMED

(The House resumed at 12 p.m.)

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## GOVERNMENT ORDERS

• (1200)

[English]

### PREVENTING HUMAN SMUGGLERS FROM ABUSING CANADA'S IMMIGRATION SYSTEM ACT

The House resumed from October 28 consideration of the motion that Bill C-49, An Act to amend the Immigration and Refugee Protection Act, the Balanced Refugee Reform Act and the Marine Transportation Security Act, be read the second time and referred to a committee.

**Mr. Peter Julian (Burnaby—New Westminster, NDP):** Mr. Speaker, I am a bit saddened to have to rise in the House to debate Bill C-49, which has been titled by the government An Act to amend the Immigration and Refugee Protection Act, the Balanced Refugee Reform Act and the Marine Transportation Security Act. I am saddened, to start off with, because what we are seeing is yet another attempt by the government to centralize powers in the hands of its ministers. The designation that allows the minister to decide who is a first class refugee and who is a fifth or sixth class refugee is something that, it is fair to say, has received a great deal of opposition right across the country.

I will be referencing a little later both the organizations that have spoken out against what the government is attempting to do and also some of the comments from people who understand full well what needs to be brought to bear when we talk about refugees and the increasing uncertainty and conflict that leads to refugees sometimes arriving on our shores. I will be referencing that in a few moments.

Suffice it to say, the concerns about the concentration of powers in the hands of a minister who can designate any non-citizen as worthy of being thrown into prison is deeply concerning in this corner of the House. Another concern that has been raised, and there are many around this legislation, is that this flies in the face of our international commitments, such as the Convention on the Rights of the Child, the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.



The fact is that the government got a slap from the international community just a few weeks ago in the United Nations, when Canada was refused for the first time to sit on the Security Council, something we have done regularly since the foundation of the United Nations in which Canada was heavily involved. It shows how the international community is concerned more and more about the direction the government has taken. There is no doubt that this particular legislation flies in the face of those international commitments that Canada has signed.

One might say that the government is trying something it thinks will work. However, an interesting note I will add before talking about the existing situation for refugees is the fact that Australia tried this very same approach of throwing them all in prison, and what happened is that Australians and Australia realized how wrong-headed that attempt was and moved away from this type of mean-spirited approach to refugees.

The reality is, as we well know, there is no queue for refugees. What the Conservative government has done, to which the previous Liberal government contributed as well, unfortunately, is to gut the whole refugee process system in Canada. For example, in northern Sri Lanka, where the government has ended a civil war and has kept thousands upon thousands of northern Sri Lankan Tamil-speaking citizens in detention camps, there have been widespread violations of human rights, as indicated by any human rights activists who have been able to make it into Sri Lanka. Most of them have been denied access, which is worrisome in itself.

The reality is that those individuals who are facing persecution and human rights abuses on the part of the Sri Lankan military do not have a queue to go to. They do not have an office to go to. There is no system in place to ensure they can, through a legitimate and anchored process, come to Canada. We are talking about an area where there are widespread human rights violations, disappearances, rapes, assaults and murders, and there is no system or process, no queue, waiting for them.

• (1205)

What they do in their desperation, those of them who can, is escape. They escape in leaky boats. They try to get as far away from where their family is threatened with murder or rape as possible, as any of us would. When we look at the history of our country, whether we are talking about the *Komagata Maru* or the SS *St. Louis*, we have had circumstances in our past where right-wing media has tried to provoke the same kinds of divisions and attacks against legitimate refugees who, to a certain extent, were mirrored by the most recent arrivals.

These individuals spent months on a leaky boat with little access to drinking water or food. They are not individuals who are on a pleasure cruise. They are coming to Canada because they want to feel safe. They want to avoid the murder and mayhem they face in their home countries. There is no legitimate queue for them to go through that process. Perhaps that is the most significant point.

The government has gutted the type of regular queue and processing that would allow refugees to come to Canada through a regular method. On top of that, the minister has the ability to throw any individual into jail. Rather than tackling human smugglers, the government is tackling the refugees, after coming through months on

### *Government Orders*

the open dangerous seas with little food and water and finally making it to our shore, and throwing them in prison.

That is simply not a value that most Canadians share. It is simply not a value that led to the international conventions that are violated by this legislation.

I want to read a couple of comments from those who have reviewed the legislation.

Professor Audrey Macklin, Centre for Refugee Studies, said, “The bill is so flagrantly illegal that it is almost inconceivable that it could survive a court challenge”.

The president of the Canadian Council for Refugees, Wanda Yamamoto, said:

Measures keeping some refugees longer in detention, denying them family reunification and restricting their freedom of movement are likely in violation of the Canadian Charter and of international human rights obligations...People who are forced to flee for their lives need to be offered asylum and a warm welcome, not punished.

*The Province*, which is a local newspaper in the Lower Mainland of British Columbia, in criticizing the legislation said:

—other sections of the act, such as creating second-class refugees out of people who arrive en masse, make the proposed legislation seem thrown together and ill conceived...Canadian history is sprinkled with examples of how overtly politicized immigration policy has led to inhumane decisions, including the Komagata Maru incident in Vancouver in 1914 and the refusal to accept Jews escaping en masse from the Nazis.

A wide range of organizations have clearly spoken up, opposing Bill C-49. I will just mention some of them in my closing few seconds.

The organizations include the Vancouver Interfaith Refugee Council, the Vancouver Airport Chaplaincy, the Transition House Association of Nova Scotia, the United Church of Canada, the Salvation Army, Atlantic Refugee & Immigrant Services, the Council of Canadians, Table des groupes de femmes de Montréal, the Student Christian Movement of Canada, the South Ottawa Community Legal Services, South Asian Women's Community Centre, SOS, the Sojourn House, the Social Justice Collective of the Public Health Students at the University of Toronto, Salsbury Community Society, Sanctuary Coalition of Kitchener-Waterloo, Refugee Lawyers' Association of Ontario, the Quaker Committee For Refugees, Project Genesis, the Southern Ontario Sanctuary Coalition, the National Anti-Racism Council of Canada, the Mennonite Central Committee Canada, Ligue des droits et libertés, the Legal Assistance of Windsor, Lawyers' Rights Watch Canada, Jesuit Refuge, Inter Pares, the International Civil Liberties Monitoring Group, the Global Alliance Against Traffic in Women, the Fédération des femmes du Québec, the Community Legal Services Ottawa, Committee to Aid Refugees, Montreal, Christian Reformed World Relief Committee, Chinese Canadian National Council, Centre for Race and Culture, the Canadian Unitarians for Social Justice, Canadian Union of Postal Workers, Canadian Tamil Congress, Canadian-Muslim Civil Liberties Association, the Canadian Council for Refugees.

Dozens and dozens of other organizations have all said that the legislation is flawed and should be withdrawn.

*Government Orders*

•(1210)

**Mr. Paul Calandra (Oak Ridges—Markham, CPC):** Mr. Speaker, I listened to the remarks of the hon. gentleman. He will know that our government passed the very successful refugee reform bill in the summer. It was supported by all parties in the House, including his. The member for Trinity—Spadina did a lot of work with us on that bill.

Specific to this bill, what we have is a bill that would seek to put human smugglers in jail, give them guaranteed minimum sentences that would help protect Canadian sovereignty. It would ensure that the people who came to our country truly needed the assistance of the Government of Canada and the generosity of the people of Canada.

Would the hon. member simply look at this from the perspective of the Canadian people who want to continue to be a generous people and who want to continue to open our doors to those who need our help? However, we want to ensure that we protect Canadian sovereignty and that we take human smugglers out of the equation. We do not want people coming to our country and spending the rest of their lives trying to pay off the debts of these criminals who are getting these unfortunate people at the worst circumstances and bring them over here.

We want to ensure that people who need to come to our country can come here and can live a life that all Canadians—

**The Acting Speaker (Mr. Barry Devolin):** Order, please. The hon. member for Burnaby—New Westminster.

**Mr. Peter Julian:** Mr. Speaker, the hon. member clearly has not read the legislation. It does not crack down on the smugglers. It cracks down on the refugees. It throws little kids in prison. That is the absurdity between the government's rhetoric and the reality of what it has presented.

The Balanced Refugee Reform Act received the support from many members in the House of Commons. Yet the government does not seem satisfied with having brought in that legislation. It is one of the few pieces of legislation that was actually effectively drafted. Most of the time, tragically in the House, we have legislation that is thrown together on the back of a napkin. That is why dozens and dozens of national organizations are taking a stand against the legislation. That is why we have very prominent Canadians speaking out against it because it penalizes refugees.

Any of us in the same kind of situation, such as in northern Sri Lanka, where the army writ rules and where there are widespread human rights violations and disappearances, would be desperate to get out and get our families to a safe place. That is what these occasional boats are trying to do and we need to ensure those folks are integrated in to Canada.

**The Acting Speaker (Mr. Barry Devolin):** Order, please. Before I resume questions and comments, I would encourage all hon. members to pay some regard to the Chair during this period. When I give the signal to end a question or an answer, the co-operation of members would be greatly appreciated. Their colleagues would also like to ask questions.

The hon. member for Bonavista—Gander—Grand Falls—Windsor.

**Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.):** Mr. Speaker, when it comes to the United Nations, we have the UN protocol on trafficking of persons. We are expected to protect human trafficking victims. That is the whole incentive of this UN protocol to which we adhere.

In this situation, I want the hon. member to drift away from the actual legislation for just a moment and the general theme of human trafficking. There seems to be areas that need to be improved when it comes to the services provided to victims. As my hon. colleague from the Conservative Party just said, the government wants to protect those most vulnerable in these situations, while cracking down on the smugglers at the same time.

We hear a lot from NGOs, community organizations that help those identified as trafficked persons. They provide temporary protection services and they offer them a place to stay, et cetera.

I have seen a lot of the input from these organizations. They say that they are uneasy about doing this because a lot of the social services provided to these people are sorely lacking in our country.

Are we worried more about one side of the equation, about the punishment, as opposed to helping out the legitimate—

•(1215)

**The Acting Speaker (Mr. Barry Devolin):** The hon. member for Burnaby—New Westminster.

**Mr. Peter Julian:** Mr. Speaker, I respect the time commitment.

I mentioned earlier some of the organizations opposing the legislation, which includes the Anti-Human Trafficking Action Group, Le Comité d'action contre la traite humaine interne et internationale and the Global Alliance Against Traffic in Women. These are anti-trafficking organizations trying to crack down on human smuggling.

I will mentioned one more reference. Donald Galloway, professor of law at the University of Victoria, says:

Contrary to claims made by the government, this legislation does little to constrain the criminal activities of human smugglers. Indeed, its primary target is not the smuggler but those who seek Canada's protection including those who are entitled to it.

Many law professors have said the same thing. It does nothing to counter human smuggling. It does everything to attack the fundamental principles of refugee protection in our country.

**Mr. Chris Warkentin (Peace River, CPC):** Mr. Speaker, I am pleased to stand in the House today in support of Bill C-49, which would prevent human smugglers from abusing Canada's immigration system.

On October 21, the Hon. Vic Toews, along with the Hon. Jason Kenney as well as—

**The Acting Speaker (Mr. Barry Devolin):** Order, please. This is the second time this morning that I have had to remind all hon. members that they are not allowed to name other members when speaking in the House. Members cannot do indirectly, that is through a quote, what they cannot do directly. I would ask all hon. members that if they are using a quotation, they substitute the office or the riding for the hon. member they reference.

*Government Orders*

The hon. member for Peace River.

**Mr. Chris Warkentin:** I appreciate your intervention, Mr. Speaker. I will endeavour not to use the names of my colleagues.

On October 21, the Minister of Public Safety, the Minister of Citizenship, Immigration and Multiculturalism and the President of the Treasury Board held a press conference in Vancouver. They stood in front of the resting hulk of the *Ocean Lady*, the ship that entered Canadian waters a year ago, with 76 Tamil migrants on board, to announce the legislation we are discussing today. It is important we remember that incident because it is a concrete reminder that human smuggling is a growing reality and it should concern every Canadian.

This is a serious issue that is literally washing up on our shores. Not just once but twice in the last year a boat full of Sri Lankan Tamil migrants reached our Canadian shores. Let us face it. Human smuggling is a big business that generates significant profits for sophisticated criminal organizations and others who engage in crime.

Smuggling is also a dangerous business for countries that it targets, including Canada. This activity bogs down our immigration refugee protection system and unfairly penalizes those refugee claimants who arrive through regular means and those who wait patiently for their asylum claims to be finalized. The human and financial resources required to ensure the safety of the migrants once they reach Canadian waters and to conduct identity and admissibility examinations can also significantly tax our system.

This is why our government has taken decisive action to stop human smugglers from targeting Canada and profiting from their illicit activities. Bill C-49 is our answer to those who think Canada is simply an easy target.

Under the preventing human smugglers from abusing Canada's immigration system bill, our government is proposing several important changes that will make human smugglers pay for their crime and ensure that Canada can continue to offer refugee protection to those who really need it.

The bill would enable the Minister of Public Safety to designate an irregular arrival, thereby making those involved subject to the bill's measures. The minister could make the designation in two circumstances. First, the minister could declare a smuggling event if the examination relating to identity and admissibility of the persons involved in the arrival and other investigations could not be conducted in a timely manner. Second, the minister could make such a designation if there were reasonable grounds to suspect that the arrival involved human smuggling committed for profit or that the arrival was linked to organized crime groups or terrorist organizations.

The bill would also make it easier for law enforcement officers and prosecutors to investigate and prosecute human smugglers.

Under the current law, prosecutors must prove that the alleged smuggler knew the individuals being smuggled did not possess the proper paperwork and documents to enter Canada. We are aware that this can be a very onerous, difficult and complex challenge for law enforcement agencies. More important, the existing offences do not capture all the ways that human smuggling can occur. The proposed amendments will broaden the offences of human smuggling and

facilitate the prosecution of human smugglers, therefore ensuring that Canada's smuggling offences provide a comprehensive response to this crime.

Under the new law, prosecutors would only have to prove that the alleged smuggler brought people into Canada knowing that these persons would not be entering Canada in a proper way and, in fact, in violation of the Immigration and Refugee Protection Act. For example, the very act of bringing people into Canada in a way that would allow them to avoid presenting themselves for examination would be captured in this offence. Arriving in the belly of a ship or hidden in a shipping crate certainly qualifies as avoiding examination.

I also noted that the offence would include the elements of recklessness. This means prosecutors could also provide evidence that the human smuggling had occurred by showing the accused smuggler knew there was a substantial likelihood that the coming into Canada of migrants would violate the IRPA but decided to proceed anyway.

• (1220)

The proposed changes would also impose mandatory prison sentences on convicted human smugglers. The mandatory minimum period of imprisonment would depend on how many persons were smuggled and whether specific aggravating circumstances could be proven.

What do we mean by aggravating factors, some people might ask. That would be, for example, if the offence was committed for the profit or the benefit of, or at the direction of, or in association with a criminal organization or a terrorist group, or if a person accused of committing the offence endangered the life or safety of or caused bodily harm or death to any of the people who were being smuggled.

Depending on the presence of one or both of these aggravating factors, the mandatory prison sentence would vary, depending on what could be proved.

In a case where fewer than 50 persons were smuggled, the mandatory minimum would be three years if one factor was proved, or five years if both factors were proved. Where the smuggling involved 50 or more persons, the mandatory minimum would be five years where one aggravating circumstance was proved, or 10 years if both were proved.

The proposed legislation would also hold shipowners and operators to account for using their ships in human smuggling operations.

These are significant changes with specific penalties that reflect the government's strong desire to deter and denounce these activities, and I believe this is the right approach.

They also reflect our commitment to ensuring the safety and security of our streets and communities.

As part of this legislation, participants in human smuggling would face mandatory detention of up to one year, giving Canadian authorities enough time to determine things such as identity, admissibility and illegal activity.

*Government Orders*

The legislation also includes amendments that will help reduce the attraction of coming to Canada by way of illegal human smuggling operations. For example, those who come to Canada as part of an irregular arrival, including those who subsequently obtain refugee status, will not be allowed to apply for permanent resident status for five years, and as a result, will be prevented from sponsoring family members for a period of five years.

It will also ensure that the health benefits that participants receive are not more generous than those received by the general Canadian population. It will also improve our ability to revoke the protected status of those who demonstrate that they are no longer legitimately in need of Canada's protection.

I am sure that all hon. members would agree that if individuals who are in the process of claiming refugee status can safely, and by their own initiative, return for a holiday or long-term residency to the country that they purport to be fleeing from, they are clearly not in need of Canada's protection and they therefore should not be considered a protected person.

I believe the bill is a strong message and a message that Canadians are demanding that Parliament make. Canadians from coast to coast have been calling members of Parliament of all parties to ask us to crack down on human smuggling. They are very upset that a business has been made out of facilitating illegal migration and encouraging queue jumping.

Canadians want to help those who are genuinely in need of our protection, but we believe the system must be fair.

• (1225)

**Mr. Scott Simms (Bonavista—Gander—Grand Falls—Wind-sor, Lib.):** Mr. Speaker, to my colleague, I would like to ask a two-part question. I would like to get his comment on the first part. He talked about the idea of cracking down on the smugglers themselves, but the prosecution of the smuggler.

One of the ways that is done, and this is a policy in the United States, is that in 2000 they enacted the U.S. Victims of Trafficking and Violence Protection Act. In that act they have what is called the "T" visa. The way the T visa works is that they are provided the social services to bring them back to full health. It also provides them with the ability to be functional, and obviously to bring them back to a situation such as they were in before they became a victim of trafficking. However, the eligibility requirement to that involves being involved in the prosecution of the trafficker.

The idea is that in order to be eligible for these services to help these people, they have to be involved in the prosecution of the person involved in the trafficking of these persons. I wonder if the member would agree with that.

Secondly, I have a very quick and pointed question. Once a person is deemed to be, in his words, unfairly penalized, who is a legitimate refugee and identified as such, what happens then?

**Mr. Chris Warkentin:** Mr. Speaker, to begin with, there is absolutely nothing within this legislation that would reduce the opportunity or not allow a person to be involved in the prosecution against the smugglers. Obviously it is in everybody's interest, including those people who have been smuggled, to be involved in the prosecution of these folks.

This is a big business that organized crime is undertaking in this country, and abroad as well, and we need to get to the root of that. We need to cut off their profits from this illegal activity. A whole host of provisions were brought forward in the speech that go after the actual smuggler, and it is important that the concentration be on that. Obviously it is a point with which I think the hon. member would agree, that we have to go after those people who are exploiting innocent people, taking their money, bringing them to Canada under false pretences, and telling them that there will be a land of opportunity and hope. In some cases, I do not think the people being smuggled even know that they are coming by illegal means, but that is where the concentration of this legislation puts full force and all members need to support it because of that.

**Mr. Brian Jean (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities, CPC):** Mr. Speaker, I listened to my friend in relation to this particular topic and he has hit the nail on the head. Clearly even the media seems to indicate that the path the Conservative government is taking is clear, it is fair, and it rewards those people who are prepared to stay in line.

Most Canadians, Canadians we know, are prepared to stand in line for a movie or shows of different kinds, or even just stand in line to be polite to other people who have been there for a longer period of time, no matter what the topic is.

In this particular case, some of the opposition members are suggesting that if one commits a crime, if someone is prepared to pay somebody illegally to enter Canada, he or she should be rewarded for that. I do not understand that, because *Global National* specifically said, "The Conservatives want to send two message: First, that Canada welcomes immigrants as long as they play by the rules. But, for those who don't, they can expect to be harshly punished."

I would like my friend to comment a little more on the tactic of the opposition members who want to reward those people who are prepared to jump the queue.

• (1230)

**Mr. Chris Warkentin:** Mr. Speaker, obviously there is some tension, and we hear it from the hon. members across the way. They are sensitive about this issue because they know that their constituents are telling them to get real and to get some legislation in place that goes after those people who would queue-jump, who are breaking the rules, and those people who are exploiting the vulnerable.

While the opposition may want to play politics with this issue, it is absolutely essential that we as parliamentarians stand together in support of those people who we are elected by, who are demanding that we cut down on the events that we are seeing where people are jumping the queue, but also where people are funneling money towards organized crime.

[*Translation*]

**Mr. Daniel Paillé (Hochelaga, BQ):** Mr. Speaker, when I heard what the government members want to do, I said to myself that if that is the kind of country they want, let them go ahead. However, that is not my kind of country; it is not what the Bloc wants. We do not want to go down that road. We do not want to be extraordinarily tough on crime, as they say, just because that is their inclination.

*Government Orders*

The purpose of this bill is to crack down on human smugglers. However, the Conservatives are aiming at the wrong target; they are completely misguided. The people who are exploited and vulnerable, who are fleeing because of political, economic or social conditions, are the ones arriving here, and the Conservatives are targeting them. They are taking aim with a really big gun, one that is too big. Instead of clamping down on the smugglers, they are clamping down on the vulnerable. Have the members who spoke seen the conditions in which these people live in their countries of origin? I use “live” loosely in this case. These people survive. They are used to living in fear, hiding, being secretive. They are hunted down in their own country. Some say that they go into hiding when they arrive here. That is what they have been taught to do. It is their survival instinct. These people have come here and should not be subject to different measures simply because they arrived in a group of 49 or 50 others.

These people sometimes leave behind children, relatives, perhaps even spouses. And now they are told that if they come here with 50 others they will be put in prison for 12 months and they must not ask why as the answer will be “because”. The government has cause to spend more and more money on prisons. At the rate they are going, the Conservatives will need more prisons. They take the people who arrive in Canada and tell them that they will immediately go straight to the Hilton prison without asking any questions. Instead of targeting the smugglers, they are targeting the victims.

They are creating categories of refugees not on the basis of their status or where they come from, or the relative danger of their place of origin, but based on how and with whom they arrive.

Clause 17, which amends section 117 of the act and adds subsections, very clearly states that when the offence involves fewer than 50 people, the smuggler will be sentenced to five years in prison, but if it involves 50 or more people, the sentence will be 10 years. So what happens if there are only 50 people? Will they throw one person overboard? Pardon the expression, but when smugglers know that if there are 50 or more people, they risk one sentence if caught, and if there are fewer than 50 it is another matter, what will they do? Will they draw straws? Will they ask themselves which one to get rid of? It makes no sense.

The government has introduced a muddled, convoluted bill because a boat arrived one day with about 500 people on board. It created quite a frenzy, as if the 500 people were armed to the teeth and were suddenly going to threaten 30 million people. Come on. The government reacted strongly, too strongly, based on presumptions.

• (1235)

The government says these people can be imprisoned for up to 12 months with no recourse to challenge that. These people are being told that they are now in Canada, which they chose for its freedom, and now they are being introduced to our kind of freedom. If that is the kind of freedom they want, then fine, but that is not Quebec's idea of freedom. If we needed another reason to fight for what is fundamentally right, the Bloc Québécois's *raison d'être*—Quebec sovereignty—there is it. Canada puts refugees in prison when more than 50 arrive together on one boat.

This flies in the face of the Canadian Charter of Rights and Freedoms and many international obligations, including the Con-

vention Relating to the Status of Refugees, which Canada has signed. This infamous bill also flies in the face of that convention. It also goes against the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child. It lumps men, women and children together and says “thank you, good-bye”. One has to read it to believe it. The Conservatives really did this.

It is not for nothing that Canada lost its seat on the United Nations Security Council. It was this type of disgraceful policy that caused the seat to be lost. Why did the other countries vote against Canada? It is not because they did not receive their goodies, but because they wondered whether Canada was suited for the Security Council. It is too bad, but they said no. It is unfortunate, but such bills are shameful.

With the government putting these people in jail and telling them, when they hide somewhere and are caught, that they will not be entitled to bring over their loved ones for five years, even though they are refugees, we wonder about the new foreign policy. The hon. member who spoke before me listed all the prohibitions. Under this new policy, Canada is telling people to stay home, it is no longer going to help them, and it is cutting off international aid. Canada is closing more and more embassies, which are a reflection of how we live in Canada.

Canada's foreign policy is to cut international aid, and it is becoming more and more right-leaning. Canada is closing more and more embassies and becoming increasingly militarized. It is telling refugees that if they dare come here by boat with more than 50 people aboard, when they reach their destination, they will be shot, or almost.

This bill flies in the face of the Universal Declaration of Human Rights. We need to secure our borders, but there needs to be an appropriate balance between security, openness, welcome and diversity. In Quebec, we understand that. If Canada wants to adopt this type of policy, then so be it, but as long as we are here in the House, we will vote vigorously against such policies.

• (1240)

[English]

**Mr. Brian Jean (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities, CPC):** Mr. Speaker, at the very start, the member mentioned that this was his country. I was interested to hear that because the member comes from a party of separatists, people who want to divide Canadians. What really attracted me to that was the statement that he took pride in this being his country and this being his law, whether he agreed to it or not. I respect the man for that. It certainly makes me quite happy to hear a separatist on that side of the House refer to Canada as his country and his law.

I do understand the member's position and, quite frankly, if one were to look at this part in isolation one could have that perspective. The member clearly understands that Canada is the number one country in the world and that people from every part of the world want to come to Canada. They see the quality of life here, which is the best in the world.

*Government Orders*

However, with a queue of five billion people, who decides on who gets through first? Is it the refugees or is it the people who have been playing by the rules, are in lineups and who want to be Canadian and want to take pride in being Canadian. Who are the people the member thinks should jump the line?

[*Translation*]

**Mr. Daniel Paillé:** Mr. Speaker, the hon. member mentioned a few things, but I want to focus my response on the beginning of his question. Yes. I am here and over 50% of the people in the Hochelaga riding voted for the Bloc candidate. This is not the first time. They have been voting for the Bloc for 16 years. Yes, I pay taxes in Quebec and Canada and, as long as we are here and as long as Quebec decides to be a part of this country, we will have the right and obligation to be here. Everyone knows that our objective is to achieve sovereignty for Quebec in a democratic fashion.

I have one hope and that is to be the last member for Hochelaga in this House because we, the Bloc Québécois, want to build a country with which we can identify. We simply cannot identify with this bill. We cannot relate at all to the type of country they want to build. We want to build ourselves a nation and no one other than Quebecers will tell us how to do it.

**The Acting Speaker (Mr. Barry Devolin):** The hon. member for Outremont.

Pardon me. Rather, the hon. member for Brome—Missisquoi has the floor.

**Mr. Christian Ouellet (Brome—Missisquoi, BQ):** Mr. Speaker, I would like to ask my fellow member if he thinks that this bill could result in exactly the same situation that occurred when 900 Jewish people arrived on the S.S. *St. Louis* and were denied entry into Canada. At that time, Canada, as well as other countries, said that a country should be built for these people because we did not want them here.

With a law like the one that is currently being prepared, does Canada intend to build countries for all the immigrants and refugees that it does not want and will it send them away? We know what happened with the Jews: they were killed.

• (1245)

**Mr. Daniel Paillé:** Mr. Speaker, with all due respect, I urge you to never confuse the member for Brome—Missisquoi with the member for Outremont. It is embarrassing.

This weekend, there was a symposium in Montreal, and I remember one phrase in particular. People in Quebec often refer to themselves as tightly knit, but now that immigrants have come to Quebec, we tend to talk about being tightly woven, with new strands from elsewhere. People are learning to live together. That is how Quebec will be going forward.

Once again, Mr. Speaker, I think you should apologize to the member for Brome—Missisquoi.

[*English*]

**Mr. Rick Norlock (Northumberland—Quinte West, CPC):** Mr. Speaker, I am pleased to support Bill C-49, legislation that would protect the integrity of our immigration and refugee protection programs while also keeping our streets and communities safe for all Canadians.

I have listened with great interest to the comments of several hon. members and I appreciate this opportunity to set the record straight on a number of fronts.

Some have suggested that the legislation before us today goes too far. They have suggested that it might put so-called legitimate refugees in harm's way or somehow run counter to our international obligation to provide a safe haven for those individuals who are legitimate refugees.

This view is apparently not shared by several experts in the field, including Benjamin Perrin, an associate professor at the University of British Columbia's Faculty of Law and a Faculty Fellow at Liu Institute for Global Issues.

In a recent interview with CTV, Mr. Perrin was asked whether he felt that the tougher measures that our government was proposing to combat human smugglers may close an option for refugees seeking asylum. I would like to read his reply at length since it underlies our government's actions to strengthen Canada's immigration and refugee protection programs, as well as the bill before us today.

Mr. Perrin told CTV that he feels it is “incredibly dangerous that some organizations who claim they want to support refugees are in fact defending migrant smugglers”.

He went on to say that if Canada wants to increase the opportunities for refugees to come here, there were legitimate ways of doing it. He noted that the United Nations works with Canada to implement group processing. Canadians can be assured that people coming through a UN-certified refugee camp are, first, legitimate refugees and, second, they do not have a criminal or terrorist history.

Mr. Perrin added that, “If Canada wants to assist genuine refugees, then we should do it through co-operating and helping men, women and children come from long-term refugee camps to Canada rather than trying to be apologists for migrant smugglers”. What this expert is saying is that advocates for the status quo are nothing more than apologists for human smugglers.

Another expert in the field is Martin Collacott. Mr. Collacott is a counterterrorism analyst and a former Canadian high commissioner to Sri Lanka. With the indulgence of the House, I will directly quote Mr. Collacott who noted that Canada does accept a reasonable number of refugees each year but that the current system “is being massively exploited at great expense to Canadians at the present time”.

Some may find that acceptable but I do not and neither does our government nor a majority of Canadians.

Canadians want us to help those in need. They want us to maintain our humanitarian traditions and provide a safe haven for genuine refugees. This is what our government is doing through legislation such as the balanced refugee reform act, which would increase the number of resettled refugees by 20%, or 2,500 refugees per year.

What Canadians do not want is for Canada to become a prime destination for human smuggling operations and a place targeted by queue jumpers or those who wish to abuse our immigration system, as proponents of the status quo and opponents of the legislation before us today would suggest.

*Government Orders*

Bill C-49 would prevent human smugglers from abusing our immigration system while ensuring that Canada continues to maintain its humanitarian traditions and our international commitments to help legitimate refugees. It would do this in several ways.

Under the preventing human smugglers from abusing Canada's immigration system act, our government would crack down on human smuggling by: enabling the Minister of Public Safety to designate irregular arrivals and make those involved subject to the act's measures; making it easier to prosecute human smugglers; imposing mandatory minimum prison sentences on convicted smugglers; and holding shipowners and operators to account for use of their ships in human smuggling operations.

• (1250)

Under the amendments our government is proposing, we are also helping to ensure the safety and security of our streets and communities by establishing the mandatory detention of designated foreign nationals for up to one year or until a positive decision by the Immigration and Refugee Board, whichever comes sooner, in order to allow for the determination of identity, admissibility and illegal activity.

Furthermore, our government is also reducing the attraction of coming to Canada by way of a human smuggling operation by ensuring the health benefits participants receive are not more generous than those received by the Canadian public and enhancing the ability to terminate the protected person status of those who demonstrate that they are not in legitimate need of Canada's protection.

In addition, our government is detecting and deterring human smuggling overseas in several ways. We have appointed a special adviser on human smuggling and illegal migration. We are also conducting diplomatic outreach and partnering with other affected nations as well as co-operating with multilateral bodies such as the United Nations High Commissioner for Refugees.

The amendments our government is proposing are indeed tough, but they are fair. They are fair to Canadians and they are fair to those who play by the rules. The truth is that Canada's refugee resettlement program is one of the most generous in the developed world. Each year Canada resettles 10,000 to 12,000 refugees through its government assisted and privately sponsored refugee programs.

Globally, countries with resettlement programs resettle about 100,000 refugees from abroad each year, which means that Canada takes one out of every 10 refugees resettled. These refugees often spend many years, sometimes decades, in squalid refugee camps or urban slums in order to escape to Canada. Patiently they wait for a chance to immigrate to Canada legally.

As of October 2, 2010, there were more than 42,000 applications for refugee resettlement waiting in Canadian immigration offices around the world. Each of these applications represents a person or a family waiting to come to Canada. These refugees choose to wait for the chance to come to Canada legally rather than pay human smugglers to help them jump the queue. The Government of Canada appreciates their respect of our laws. In the fullness of time, that patience will be rewarded for many with a letter from Citizenship and Immigration Canada welcoming them to the Canadian family.

It is unfair to those seeking to come to Canada through legitimate legal means when others pay human smugglers to help jump our immigration queue. When this happens, Canada's immigration system becomes less fair and less balanced.

With this in mind, I urge all hon. members to support the legislation before us today so that Canada can continue to protect the integrity of our immigration and refugee programs and help legitimate refugees in need of sanctuary.

• (1255)

**Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.):** Mr. Speaker, earlier one of the member's colleagues started out a speech by saying "unfairly penalizes legitimate refugees". The comment was also made that the Conservatives want to protect those who suffer from human trafficking. Human trafficking is not just an international event, it is also a domestic affair that we need to address in a major way. Unfortunately, we have not had that debate yet which also is very important.

Regarding the policies the Conservatives say they have been doing, most of it has been compiled along the lines of enforcement, infractions and that sort of thing. When it comes to the actual legitimate refugee, as the Conservatives point out, the services available to the refugee are called into question and here is how it works.

Two years ago there was the temporary resident permit which allowed identified trafficked individuals to stay longer to receive services, not more than the average Canadian, and that I agree with. The problem is the services provided to them is under provincial jurisdiction to which most of them do not qualify. How does the government square that and how does it want to help someone who is a "legitimate" refugee?

**Mr. Rick Norlock:** Mr. Speaker, a legitimate refugee is a refugee who plays by the rules, as I mentioned in my speech.

There are many people around the world in countries where their human rights are abused. They want to come to Canada, so they escape to another country because, for various reasons, that is the closest country they can go to. These people are investigated by the United Nations, and Canada is a signatory to international conventions on the matter. At that time, they are vetted to make sure that they have no criminal or terrorist leanings, that they are legitimate and that their identity can be assured. Those are what we refer to as legitimate refugees, or perhaps a refugee who comes to Canada.

That is why we have this current legislation, so that we can make those determinations that they are not terrorists, that they are the persons they purport to be. That is what Canadians expect us to do in order to keep our communities safe.

**Mr. Paul Calandra (Oak Ridges—Markham, CPC):** Mr. Speaker, the hon. member raised a lot of good points in his speech and I want to commend him for outlining what the emphasis of the bill is.

*Government Orders*

What we are seeing here is the opposition members turning and twisting themselves into knots in order to stand not with Canadians but opposed to Canadians. The reality is that with this bill, as with every other bill we see in this place, the opposition members just cannot seem to bring themselves around to the point that Canadians want their sovereignty to be protected, that they want to be there to help people who need assistance.

I am wondering if the hon. member might have some insight into how the opposition can suggest that we should be proud as a country that we allow individuals to come to this country, we force them into these human smuggling ships where they pay \$25,000, \$35,000, \$40,000, and they spend the rest of their lives trying to pay that off. Somehow the opposition is telling us that that is a good system, that we as Canadians should be proud because we are allowing that to happen.

Does he have any suggestions as to how it is possible the opposition could, in any way, support such a system without—

**The Acting Speaker (Mr. Barry Devolin):** Order. The hon. member for Northumberland—Quinte West.

**Mr. Rick Norlock:** Mr. Speaker, I would hope that in the end, after the debate is over, we come to the realization that Canada has one of the most generous immigration and refugee systems on the face of this good earth.

Canadians are a caring people, but we also, as a government, have a responsibility to make sure that we are fair to everyone, that we are fair to people who obey the international rules made by the United Nations, to which Canada is a signatory, and that we work within that system appropriately.

What I would say is that we can sit in this House and debate, but I have all kinds of quotes here from organizations from right across this country, and many from other countries, that represent refugees and are interested in the immigration system. They are saying that this is the right direction in which to go. We will work with the opposition and as long as we keep in mind the safety of Canadians, we will come up with an even better system.

• (1300)

**Ms. Siobhan Coady (St. John's South—Mount Pearl, Lib.):** Mr. Speaker, I am pleased to participate in the debate on Bill C-49.

Bill C-49 seeks to crack down on human smugglers and deter individuals from coming to Canada who use these smugglers.

One of the primary concerns of government should be the protection, security and safety of the country's borders. However, we must balance security issues with those of human rights and civil liberties.

When legitimate refugee claimants arrive in Canada, and because of religious persecution, human rights atrocities, political tyranny, or some other defined category, some of them have a legitimate claim to make, as a result of our laws and international obligations, we must review their claim. If, based on merits of that claim, they meet the defined criteria, they are lawfully allowed refugee status in Canada.

Let us be under no illusions. We reject thousands of people every year, people who simply jumped the queue or were caught or those

who made a refugee claim who did not meet the criteria, and we should. There are thousands of people who wish to live in our great country. It is not fair to them that others pay to be smuggled into Canada unlawfully.

However, Bill C-49 would create two classes of legitimate refugees: those who pay smugglers and those who arrive by some other means.

My hon. colleague from Etobicoke Centre raised what I thought was a very important point some weeks ago. The two most recent cases of large groups coming to Canada's shores were the *Sun Sea* in August and the *Ocean Lady* last October. Both carried Sri Lankans.

There were two other ships that came to Canada. One was the SS *St. Louis* back in 1939 which carried 937 European Jews. That ship was turned away and almost all of them lost their lives. In 1914 the SS *Komagata Maru* carried 354 Indians to Canada. That ship was also turned away, and many of those on board lost their lives.

I am sure that many of the people on both the *St. Louis* and the *Komagata Maru* paid a handsome sum for the chance to flee persecution. What would we do if that situation were to be repeated today? If Bill C-49 were law, would the ship's captain and crew be treated as criminals?

It is important to make a distinction between those who jump the queue and legitimate refugees. It is important because lives hang in the balance. It is important because this speaks to our fundamental values as a country that we seek to help those in need.

Human smugglers and anyone coming to Canada with terrorist or criminal links must be dealt with decisively. Migrants who are not legitimate refugees must be sent back to wait in line. However, Canada has the capacity and responsibility to assist refugees who are legitimately fleeing persecution.

The Conservatives have torqued up the arrival of the refugee boats and are purposely referring to immigrants and refugees interchangeably to divide Canadians. This is an important issue where partisan politics must be put aside so we can address how to handle future cases of migrants who have been smuggled into Canada versus future cases of refugees fleeing their homeland.

Any response must strike the right balance between catching and punishing human smugglers who are illegally profiting from human suffering while respecting our international obligations to be a safe harbour for legitimate refugees fleeing persecution.

I would like to discuss some of the specifics of Bill C-49 that I find of interest.

Although the status quo must be adapted to address new realities, the existing Immigration and Refugee Protection Act already has quite severe penalties for human smuggling, including up to \$1 million in fines and a maximum of life imprisonment for smuggling more than 10 people.



*Government Orders*

Bill C-49 would increase the scope of the anti-smuggling provisions and impose new mandatory sentences to serve as a further deterrent. I wonder if they actually would serve as a deterrent or if the increased cost of doing business would simply be passed along to the migrants who would have to pay even more money to smugglers.

Also, a number of critics have raised the question about whether deterrents like mandatory minimums or increased fines would have any effect without increased resources to law enforcement to investigate and prosecute the individuals who profit from smuggling.

• (1305)

The government claims that the legislation gives the Minister of Public Safety discretion to designate the arrival of a group of individuals who entered Canada in a manner that runs contrary to Canada's immigration laws as a human smuggling event. However, there is nothing in the legislation that deals with a human smuggling event. The legislation deals with the designation of an irregular arrival. This provision does not apply simply to mass arrivals by boat. It applies to all groups, two or more people, designated under either of the two very broad criteria that could apply to the vast majority of refugee claimants.

The discretion regarding such a designation would be extremely broad. According to the government's own material, it would include any group arrival where examinations relating to identity and admissibility of the persons involved in the arrival and other investigations could not be conducted in a timely manner, or if the minister had reasonable grounds to suspect that the arrival involved organized human smuggling activity for profit or support for criminal organizations or terrorist groups. Designated individuals would be subject to different detention rules and processing at the Immigration and Refugee Board, with restrictions on permanent residence, travel, and family sponsorship.

Bill C-49 appears to give a lot of discretionary power to the minister and the cabinet. Discretionary power, as we know, is sometimes susceptible to abuse.

Amnesty International says the bill violates the 1951 refugee convention, the International Covenant on Civil and Political Rights, and the Convention on the Rights of the Child.

The Canadian Council for Refugees states that many of the measures in Bill C-49 fail to honour our obligations toward refugees and will result in refugees being treated unfairly.

Many other organizations have voiced legitimate concerns. I am wondering how much consultation the government engaged in before drafting the bill and submitting it to the House.

While I appreciate the intent of the legislation and recognize the very serious challenges that law enforcement and our immigration officials face, clearly a number of areas of concern will require significant review and debate. I look forward to hearing more of that debate from all of my hon. colleagues.

**Mr. Derek Lee (Scarborough—Rouge River, Lib.):** Mr. Speaker, I thank my colleague for her informed and balanced remarks.

My constituents seem to be telling me that we need legislation in this area. As always, however, the devil is in the details.

In her remarks the member referred to the apparent increase in regulatory discretion being given here to the Governor in Council. Clause 4 of the bill would remove from the scrutiny of Parliament some of the regulatory orders made by the Governor in Council. It simply says that an order passed is not a statutory instrument for the purposes of the Statutory Instruments Act.

As everyone here should know, Parliament reviews every regulation passed. Why should it be the case in this instance that Parliament should not review a regulation after the fact, particularly when it relates to the freedoms and liberties of the individuals involved and when this provision itself would remove that regulation even from the scrutiny of the justice department?

• (1310)

**Ms. Siobhan Coady:** Mr. Speaker, my hon. colleague is very wise in the law. I respect his opinion greatly when it comes to specific areas of this particular law. I think he raises a very legitimate concern that speaks to this whole bill.

Is this bill actually addressing the concerns we have? Is it not raising more issues, such as the one my hon. colleague raised about the supremacy of the House of Commons? We should be looking at how we can improve the legislation. We should be cracking down on human smugglers and stopping boats from transporting desperate people in an unsafe way. However, the Conservative proposals perhaps would not do that.

I think what my hon. colleague raises about the supremacy of Parliament gives us one instance of the concerns in the bill.

**Mr. Chris Warkentin (Peace River, CPC):** Mr. Speaker, the hon. member has been hearing concerns from her constituents about people who come to this country as migrants and then get designated as legitimate refugees. Many constituents want to know why people who are protected as refugees are allowed to return to their country of origin for a vacation or a family holiday. Does that not undermine the credibility of a threat in their country of origin?

Why will the hon. member not support this legislation, which contains a provision that would rectify this? If someone says he or she had to flee their own country because of persecution, why do we allow them to return to their country of origin? Should we not address this problem through legislation?

**Ms. Siobhan Coady:** Mr. Speaker, my hon. colleague raises a legitimate point. I agree that it needs to be addressed in legislation. Let us move on with it.

**Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.):** Mr. Speaker, I want to relate a story. My colleague and I come from Newfoundland, and we know first-hand that in 1986, 152 Tamils showed up on our shore. Obviously this is something we have experienced before.

*Government Orders*

I wonder if she could answer the question that I had tried to ask earlier. Would my colleague agree that there is too much on the punishment side and less on the compassionate side with respect to the refugees even the government considers to be legitimate?

**Ms. Siobhan Coady:** Mr. Speaker, my hon. colleague has raised another legitimate point.

I think it is the same concern Amnesty International has with the bill. Where is the compassion? We do have treaties with the world. We want to be a compassionate nation. We want to make sure that people with legitimate concerns or those fleeing persecution are welcome on our shores. We want to be a good citizen to the world.

The member's point is very valid.

**Mr. Mike Wallace (Burlington, CPC):** Mr. Speaker, I am pleased to rise today to join in this debate on Bill C-49, the government's legislation to prevent human smugglers from abusing Canada's immigration system.

I am proud to rise in support of this fair and necessary piece of legislation that aims to turn those who want to live in Canada away from using smugglers to get into our country. It is no secret that international criminal organizations make huge profits by preying on the vulnerable and extracting large sums of money for a treacherous voyage to our shores. Such criminal activity is a threat not only to the well-being of the migrants involved but also to the safety and security of Canadians. As such, we do not want Canada to become an easy target for human smugglers.

Supporters of the status quo would have us believe that Canada has a humanitarian duty to treat human smuggling and illegal migration as an acceptable way to come to Canada. However, in arguing for leniency, they ignore the fact that human smuggling is a profitable business for the ruthless criminals who organize these voyages of great distance and peril. They ignore the fact that human smuggling is a dangerous and exploitive enterprise that puts lives at risk. Worst of all, they ignore the fact that human smuggling undermines Canada's security.

Human smuggling is a venture. I would remind my hon. colleagues that the venture operates on the lawless margins of the international transportation industry. The very nature of human smuggling means that virtually anybody can be among the human cargo destined for Canada.

Put another way, any individual with a criminal history or malice of intent can board, blend in with the crowd, and be on their way to Canada. Once they reach our border, the large scale of the arrivals makes it difficult to properly investigate whether those who arrive, including the smugglers, pose risks to Canada on the basis of either their criminality or national security.

It would be a mistake, one with potentially disastrous consequences, to give the benefit of the doubt to migrants lacking the proper identification. We cannot allow good intentions to get in the way of protecting the safety and security of our streets and our communities.

Under Bill C-49, the government proposes to introduce mandatory detention for up to one year or until a positive decision by the Immigration and Refugee Board that grants refugee protection,

whichever comes first. This would allow the determination of identity, admissibility, or illegal activity, thus helping to ensure the safety and security of all Canadians.

This is a cautious, common-sense approach. Quite frankly, it would be the height of folly to do otherwise. After all, we often do not know who the smuggled migrants are or whether they might be involved in criminal or terrorist activity. We need time to confirm their identities and to complete screenings and investigations.

Bill C-49 also aims to discourage migrants from putting their lives in the hands of those with a callous disregard for anything but ill-gotten profits. The bill would prevent those who would come to Canada as part of a human smuggling event from applying for permanent resident status for a period of five years, even if they successfully obtain refugee status. It would also prevent individuals from sponsoring family members for five years.

Canadians by and large support a generous and open immigration and refugee protection system. They also understand that the need to keep Canada's doors open to newcomers must be balanced by the need to protect our borders and the integrity of our immigration system.

This is especially true at a time when Canadians watch in anger and disbelief as irregular mass arrivals land on our shores and threaten the integrity of our immigration and refugee protection system. The recent spate of mass arrivals through human smuggling calls into question the most basic obligation of a sovereign country, which is to control its own borders.

● (1315)

The consequences of not acting against this threat are troubling. A failure to act, and to act strongly, could lead to a major collapse in public support for our immigration system.

The editorial board of the *Globe and Mail* agrees, arguing recently that "The government must act to safeguard the integrity of Canada's immigration system, which welcomes 250,000 newcomers a year".

The editorial continued, by noting that:

Polls show that the public's high level of support for immigration dipped by 20 per cent after the arrival of the *Sun Sea* and the *Ocean Lady*—even though asylum seekers and skilled immigrants are two very different streams.

The poll results are worrisome because Canada has been fortunate in having a level of public support for immigration that is unparalleled elsewhere in the world. As the minister has said, we cannot keep public support for immigration refugee protection and we cannot take it for granted.

This sentiment was echoed by Randall Hansen, Canada Research Chair in Immigration and Governance at the University of Toronto. Mr. Hansen pointed out in a recent article that support for immigration plummets as soon as people start to think that government has lost control of its borders.

*Government Orders*

The government believes it is of the utmost importance that we maintain the public confidence in the integrity of our immigration and refugee protection systems and in our borders. After all, our economy will need even more immigrants in the years ahead.

Canada is a generous and welcoming country for those who want to work for a better life, but there are proper ways that must be followed in order to do so. Human smuggling is not a legal or legitimate way to get into Canada, and it will not be tolerated. That is why we are taking decisive action to combat human smuggling and those who would abuse Canada's generous immigration system.

With this bill, the government is taking action to crack down on a reprehensible crime, protect the safety and security of Canadians and safeguard the integrity of our immigration system and our refugee protection system from those who pose as human smugglers and threaten our borders.

I therefore urge my hon. colleagues to support Bill C-49.

● (1320)

**Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windor, Lib.):** Mr. Speaker, there is no doubt in my mind that the point that is germane to this debate, which the hon. member made on several occasions, is about protecting security and the borders of which we are a sovereign nation. I have no issue with that whatsoever, for reasons that are obvious, as we all do.

The hon. member has put a lot of thought into this, but how does he envision this being enacted as far as enforcement is concerned?

On the east coast where I come from, fisheries policy is major, but it is not just about the legislation. The enforcement is more important.

In the case we had, which was really just the beginning, 152 Tamils showed up on the shores of Newfoundland back in 1986. This is a prime example of why we have to stop it. Ever since then, we have been dealing with situation after situation.

What would the member do to stop that at source? What does he envision to stop these smugglers from perceivably getting away with what they are doing and to make sure they do not make a profit from smuggling vulnerable people?

**Mr. Mike Wallace:** Mr. Speaker, I want to thank my colleague for that very good question on stopping the issue at source from the country where the potential migrants are being smuggled by illegal smugglers.

It is an important piece. As a country, part of our diplomatic effort is towards those countries where smuggling takes place and from where we get boat loads of individuals who pay exorbitant prices to illegal smugglers to get to this country. We have to nip that in the bud, at the source, and use all of our diplomatic strength, as a country, to make sure that does not happen.

I like to use the analogy of the drug smuggler who needs customers to smuggle drugs. We need to make sure that those who are potential customers of these human smugglers know that it is not a free ride here in Canada, that there are issues. This is what this bill does. It tries to take away at source the incentive to deal with human smugglers to come here.

**Mrs. Cathy McLeod (Kamloops—Thompson—Cariboo, CPC):** Mr. Speaker, as I listened to the opposition members earlier, they brought up the *St. Louis* and the very horrific consequences of what happened there, and they seemed to be trying to liken that to this particular piece of legislation.

For the sake of the opposition, it would be great if my hon. colleague could really explain that this piece of legislation is very different in how it treats the ship. It will not be turning ships away at sea, but it will be providing due process. Perhaps he could describe, in contrast, what happened with the *St. Louis* and how this legislation would never contemplate such horrific results or actions.

● (1325)

**Mr. Mike Wallace:** Mr. Speaker, there was an impression left by a previous question that the bill actually entitles Canada to go out and turn ships away at sea, which is absolutely not the case. However, it is important that the bill would enable us to go after the actual human smugglers when they are here and to have a system to deal with the people who are being smuggled here, to make sure they are legitimate refugees.

I get some jeers from our NDP colleagues. I challenge them to take the bill to the kitchen table, which their leader likes to talk about, and talk to Canadians from coast to coast to coast to ask them if we should be doing something about the smugglers and about those who are their customers. They will get the answer that we are getting on this side of the House. This government is acting.

**Hon. Irwin Cotler (Mount Royal, Lib.):** Mr. Speaker, I rise to speak in the matter of Bill C-49, whose formal title is "An act to amend the Immigration and Refugee Protection Act, the Balanced Refugee Reform Act and the Marine Transportation Security Act". Indeed the stated intent of the legislation can perhaps best be found in the short title of the act, "Preventing Human Smugglers from Abusing Canada's Immigration System Act".

In particular, the bill reflects the government's response to two ships full of Tamil migrants who landed on Canada's shores in the past year. It reflects also the larger public concern over illegal immigration and false refugee claims and indeed the need, as the government and our colleagues on the opposite side have put it, to maintain public faith in the immigration and refugee system.

Accordingly, the bill includes harsh penalties for smugglers, which have garnered a good deal of media attention, and not surprisingly, because who can object to legislation that purports to get tough with human smuggling and to deal with such smuggling in the manner required for that purpose? However what is being ignored here is that the government, with co-operative consultation with and indeed the support of the opposition, just five months ago enacted a comprehensive reform of our immigration and refugee law precisely for the purposes of, among other things, combating illegal immigration, false refugee claims and declining, as it put it even then, public faith in the immigration and refugee law system.

This bill, however, while purporting to be the same in its purpose and effect, ends up undermining the very integrity and effectiveness of the legislation that the government itself enacted some five months ago, while inviting, on closer appreciation of the legislation, the very loss of credibility and public faith in our system that Bill C-49 purports to decry, but which Bill C-49 will in fact invite.

*Government Orders*

Indeed an appreciation of the pith and substance of this legislation, its essential character and effect, invites the characterization of the bill, as a group of refugee scholars has put it, as “the punishing refugees and evading our constitutional and international obligations act”. In a word, the bill does not so much punish smugglers as indeed it punishes asylum claimers.

What follows is a summary of concerns respecting this bill, concerns that, for example, are reflected in the commentaries of experts in refugee law, such as Peter Showler, a former chair of the Immigration and Refugee Board, who last week characterized the bill as “littered with charter violations”. Immigration and refugee law and human rights experts have decried the lack of balance between the sanctions against the smugglers and, in particular, the manner in which the asylum-seekers end up being targeted. The critique of a group of law professors from different law schools across this country characterized it as not only being in breach of our charter rights but also in breach of our standing obligations under international law, such as under the international refugee convention.

In effect, this bill amounts to gratuitous punishment of those seeking our protection, in effect a double victimization of those who have been initially victimized by smugglers exploiting them and then end up being victimized when they seek protection on our shores.

As well, the legislation reflects a lack of understanding of what it means to be a refugee escaping civil strife. The legislation says detention is necessary until the identity of the refugee can be confirmed, but for people who understand what it means to be refugees fleeing civil strife, with all that attends it, it ends up being a legislation that punishes people who are illegal arrivals. As one editorial put it, Albert Einstein would have been punished under this legislation.

● (1330)

This brings me now to a summary of the specific concerns and I will do so in an abbreviated fashion for reasons of time.

First, the bill would authorize detention with no independent review for a minimum of 12 months, in clear breach of both charter rights and related Supreme Court jurisprudence that such detention without review is patently illegal. Moreover, the government has the power to detain persons until their identity is established, as I mentioned, or, irrespective of time, under present legislation, be it legislation with respect to the protection of public security or legislation with respect to enforcement of our anti-terrorist laws and, as such, this particular and prospectively illegal provision is as well a gratuitous and unnecessary given our present laws.

Second, those who are granted refugee status are nonetheless denied the right to bring their family members to Canada for a period of five years. Again, arguably that is in breach of our international human rights and humanitarian obligations under the Convention on the Rights of the Child or international provisions respecting family unification.

Third, there is no right of appeal from the initial rejecting refugee decision, which would not only immunize error in our refugee system, but prejudice the rights of prospective asylum seekers.

Fourth, it would reduce medical benefits. Refugee claims already receive only the most basic of medical coverage, but this type of

legislation would reduce that even further in respect of matters pertaining to the use of wheelchairs, canes, walkers and the like.

Fifth, the bill mandates that those coming to Canada as part of a smuggling event, as it is called, will not be permitted to apply for permanent residence for five years. This provides for different rules and standards for migrants smuggled on a ship compared to those who arrive illegally with forged documents by way of an airplane.

Finally, with respect to the overall purpose and effect of the bill, it might in this regard create two classes of refugees based on the means of arrival in Canada. The distinction and its drastic consequences offend foundational principles of international law, the Canadian Charter of Rights and Freedoms, as well as common sense and decency.

The majority of refugees and those involved in refugee law know only too well. As Peter Showler himself wrote just a short time ago:

The majority of refugees must resort to smuggling networks to escape the country of persecution and cross borders. Canadian and international laws have recognized this necessity and prohibit the prosecution of refugees for the violation of immigration regulations. Boat arrival, as opposed to individual arrival by land or air, does not mean that the refugee claims are more or less valid or that the passengers are a greater security threat: If anything, it is the opposite, since arrival by boat entails far closer scrutiny by the authorities. Boat arrival simply means that it was the only practical avenue of escape for refugees with no good options.

In summary, he says:

Government ministers have justified the punitive aspects of the bill by accusing boat refugees of “jumping the refugee queue” as opposed to “law abiding refugees” who wait their turn for resettlement. There is no refugee queue. There are approximately 13 million refugees scattered throughout the world, over half of them in godforsaken camps with few resources and less hope. Their average time of camp residence is 17 years;...

We should not be enacting legislation that ends up punishing the asylum seekers while not effectively sanctioning the smugglers themselves who exploit them.

● (1335)

**Hon. Keith Martin (Esquimalt—Juan de Fuca, Lib.):** Mr. Speaker, it is a joy and pleasure to listen to my colleague because he truly has one of the finest legal minds in Canada if not the world.

My question refers to the fact that detention without review sounds a lot like Gitmo and violates many of the laws of our land. Is not the aggressive refugees, in large part, a failure of foreign policy in that these people who are leaving areas of conflict reflects the inability of the international community to deal with these issues? We have a responsibility to protect but we do not have an obligation to act. We have a traditional framework without an enforcement framework internationally.

Does my colleague think that the Canadian government can do a better job by taking a more proactive response toward dealing with some of the large foreign policy challenges that we face and, in doing so, that would lessen the number of refugees seeking sanctuary on our shores?

*Government Orders*

**Hon. Irwin Cotler:** Mr. Speaker, first, I believe we need to have a proactive policy, as my colleague has put it, and that we need to look not only to the question of sanctioning of smugglers, which this bill in itself would not do effectively, but how we can work to improve the whole refugee and immigration system from a foreign policy point of view.

Second, we should work to stop the human rights abuses abroad that feed and, indeed, generate the refugee flows to begin with. We should at the same time work with transit states to ensure that asylum seekers can obtain meaningful protection abroad, which is now so sorely lacking.

Third, we should create avenues through which refugees in need of immediate protection can get to Canada without resorting to human smugglers.

I might add in that regard that the legislation presupposes that Canada lacks enforcement powers to prevent human smuggling, which is not the case.

**Mr. Derek Lee (Scarborough—Rouge River, Lib.):** Mr. Speaker, I will partly reiterate what the member said. If this bill foists upon the shoulders of the most vulnerable the difficulty of our country and many others in enforcing rules against human smuggling, where we end up going after the smuggled and placing the burden of sanctions of this anti-social activity on their shoulders, should Parliament not be monitoring this much more closely?

Also, should we not insist, for example, the provision in clause 4 that says that any regulations being made by the governor in council with respect to this activity, and there are three separate categories of regulations dealing with rights and liberties, that any of those regulations be reviewed by Parliament even after they are made to ensure there is good faith, fairness and compliance with the regulatory scrutiny criteria, which we already have in place?

**Hon. Irwin Cotler:** Mr. Speaker, I would agree with my colleague. Not only does it lack the necessary provisions for parliamentary scrutiny and oversight, but in fact it imbues the government with undue discretion to begin with. On the one hand, there is a lack of parliamentary oversight, which is so necessary, particularly in legislation of this kind, but on the other hand, we have the imbuing of the government with undue discretionary authority, let alone the provisions which themselves lack proper oversight, such as the mandatory detention for a year without, as I said, judicial oversight.

• (1340)

[*Translation*]

**Mr. Claude Bachand (Saint-Jean, BQ):** Mr. Speaker, I do not imagine that you will be surprised to hear that the Bloc Québécois cannot support Bill C-49. Our disagreement has to do with this government's ongoing desire to move forward with its infamous law and order agenda. This has been clear since the Conservatives took power, and young offenders, among others, have paid the price. Quebec had a very high rehabilitation rate. We reintegrated young people into society. But the Conservative government found a way to try to undermine that and to send 15-, 16- and 17-year-olds to prison, to crime school. What matters to this government is law and order.

There is more proof. In the upcoming budget the government wants to invest huge amounts of money to build prisons in Canada. That will not solve the problem. The Americans tried and made this quite clear. This will not make our society safer. Putting people, and especially young people, in jail is not the answer. I could also go on about the abolition of the gun registry. The government is kind of adopting the American philosophy that you can go around with a rifle in your truck, and if someone threatens you, you can shoot. That is the American vision that is completely embraced by the Conservative Party.

The Khadr case is another prime example of a child soldier turned prisoner. This young man received no support and is still rotting away in a Guantanamo prison. This has been going on for years, and this government has ignored the international treaties that it signed itself regarding child soldiers.

This bill flies in the face of many things. To begin with, it flies in the face of the Canadian Charter of Rights and Freedoms, which I believe to be a very important tool in the Constitution. I feel as though the Conservative government would sometimes like to simply abolish the Charter of Rights and Freedoms. That way, it could do whatever it likes and Canada could become not a military state, but a police state. The police would address any issues. This government sometimes gives the impression that it is blinded by its obsession with law and order, and we have to wonder why it introduces bills that fly in the face of the Charter of Rights and Freedoms, the 1951 Convention Relating to the Status of Refugees, the International Covenant on Civil and Political Rights and the Convention on the Rights of the Child. The Khadr case that I mentioned is a typical example.

All of that is tied in with this government's foreign policy. And the Liberals are more or less on the same page, or maybe very much on the same page. Coalitions often seem to make sense these days, and they are all the rage. When we see that the government's foreign policy is drifting ever closer to militarism at the expense of Canada's traditional image—that of a charitable, open-minded nation and an international mediator—the picture is complete. And that is why, we feel, this bill is in that tradition of law and order. Law and order always comes first.

So, not only is our foreign policy no longer mediatory, but rather militaristic, but Canada is also pulling back. For example, Canada's assistance to African countries has been slashed. On today's news we learned that Canada is thinking of closing six embassies in Africa. And yet people are surprised and wonder why we did not get a seat on the UN Security Council. The answers are right in front of us. When Canada dismisses Arab nations and abandons African countries, and then goes and asks them to vote for Canada to get a seat on the UN Security Council, it should come as no surprise that they said no. So this fits into the same pattern, that is, the notion of law and order.

*Government Orders*

And what did the Conservatives do with regard to immigration, the matter before us now? As everyone knows, a ship arrived in British Columbia with about 500 Tamils on board.

● (1345)

So the Conservatives decided to tighten up the law and are indeed making it quite strict. They invented a new category of immigrants or refugees, known as “designated foreign nationals”. At present, approximately 500 of these designated foreign nationals are languishing in jails. So this is the new approach to immigration. Once again, they are tightening the nuts and bolts of law and order even further. It is really unfortunate, because it goes against the traditional image of Canadians and Quebeckers as very welcoming.

The way this was handled was not complicated. When the boat arrived, the first order of business was to demonize these people: there must have been terrorists on board somewhere. A type of phobia was created and public opinion was manipulated. Then, they tabled a harsh bill, which confirms the fact that the public finds this quite odd. Not only is the government creating a new category of immigrants, but it is going one step further and saying these people may be spending 12 months in prison. What a fine category of immigrants. These people flee one country thinking that Canada is a welcoming land. They arrive here and are put in prison for 12 months. They are no better off than they were at home. How does this look to the international community? This is what the government has done by demonizing these people. It has added unbelievable restrictions.

If those who fall into this new category are given refugee status, they will have to wait five years before applying for permanent residency. As far as the family reunification policy is concerned, a legal void is being created by this case. What will become of these people? What will they do while awaiting permanent resident status? What will their legal rights be? In the meantime, their applications will be reassessed and they might get sent back to their country if they are deemed unacceptable. They will not be able to travel outside Canada, either, or to apply for permanent residency or Canadian citizenship. Accordingly, the family reunification policy no longer applies because that right is being taken away from them.

Designated foreign nationals whose claim for protection is dismissed will be able to appeal only to the Federal Court, not to the Refugee Appeal Division. There are all kinds of new things here. They are pushing the Immigration and Refugee Protection Act even further and creating ways to keep people out. All of this is based on how people arrive in Canada, not on rulings in individual cases. Usually, each case is ruled on individually. Each case is investigated, and those who are granted refugee status can stay here until they are granted permanent residence. They will not have access to the same health care benefits as other people, which is yet another legal vacuum. They will exist in a kind of no man's land. Nobody knows exactly how this whole thing will turn out.

Unbelievably, at this very moment, 350 men are imprisoned in the Fraser Centre in Maple Ridge, British Columbia. Another 50 are in the Alouette facility, and some 100 women and children are in jail too. Yes, it is a minimum security facility, but it is still a jail.

That is why the Bloc Québécois cannot support this kind of bill, which would restrict freedoms, create a new class of refugees and

further tarnish Canada's international reputation. The international community will think that Canada is no longer a welcoming country, that we are no longer mediators, but that we are people who care only about law and order. That is how it has been since the Conservative Party took power. It is a shame that the Liberals are inclined to join the Conservatives in their tendency to do battle rather than honour the long-standing Canadian way: negotiation.

● (1350)

[*English*]

**Hon. Keith Martin (Esquimalt—Juan de Fuca, Lib.):** Mr. Speaker, in countries where we have an egress of refugees, 90% of the refugees come through our airports and only 10% or less come by ships in the dramatic way we saw this past summer.

Would a possible solution be for the Canadian government to work with OCHA, the Office for the Coordination of Humanitarian Affairs, which has processing centres in those areas where there is an egress of refugees, so people can be identified, evaluated and processed to determine those who are true refugees from those who are not? That would simplify the system, give people an easier way to be assessed by countries in a safe environment away from the prying eyes of their country. In doing so, it would make the situation more efficient and not put people's lives at risk when they have to travel across the very dangerous ocean in very rickety boats. This would be one solution to help deal with the situation.

[*Translation*]

**Mr. Claude Bachand:** Mr. Speaker, I would like to commend the Liberal member, who has done a great deal of work on this file and suggested ideal solutions. The solution he is proposing is very good. The problem is that there is no political will on the other side of the House to implement this type of initiative.

What policy does the other side of the House wish to implement? If a suspicious vessel arrives in Canada, all of the passengers are first put in prison for 12 months, then we take the time we need to see if we can grant them refugee status. They also do not have the right to obtain permanent resident status until they have been in the country for five years. Women and children are currently being held in prison, a minimum security prison, I concede, but it is still a prison.

I urge the Liberal member to present his solutions since they are material. However, if the Conservative government is not at all receptive to these solutions, then we are back to square one. They are applying their law and order approach, and their increasingly strict laws are tarnishing Canada's reputation with the rest of the world.

**Mr. Christian Ouellet (Brome—Missisquoi, BQ):** Mr. Speaker, I congratulate my colleague from Saint-Jean on his very clear speech.

Does he believe that such a law indicates that the Conservative government thinks that there must be criminals among every group of immigrants that arrives? Should immigrants have to arrive alone, lining up one by one? We get the impression that there must be criminals among the passengers of every ship or plane that arrives. I would like him to clarify this point.

**Mr. Claude Bachand:** Mr. Speaker, I congratulate my colleague from Brome—Missisquoi on his insight.

The minister has created a new category of immigrants, which will allow him to designate an arrival as irregular. That is what will probably end up in the bill. This irregular arrival will trigger all of the restrictions and enforcement mechanisms that I mentioned earlier. This is what the Conservatives did with the arrival of the *Sun Sea*. They immediately thought that there were terrorists or Tamil Tigers aboard. So they created panic across Canada to justify a bill that takes things even farther than usual and that is in line with their law and order approach.

My colleague is absolutely right. The government has managed to demonize these people. That is why it has introduced such a tough bill.

**Mr. Daniel Petit (Parliamentary Secretary to the Minister of Justice, CPC):** Mr. Speaker, I am pleased to have the opportunity to participate in this debate today and to speak in favour of this important bill.

One of the aims of Bill C-49 is to protect the integrity and the fairness of the Canadian immigration and refugee protection systems. That is what I would like to talk about today.

Most Canadians are in favour of a generous and open immigration system. They also support protecting asylum seekers who enter Canada through the usual channels and who are true refugees. Canadians also support the resettlement of refugees who are victims of persecution. Our government is honouring its commitments in each of these areas.

However, Canadians are not naive, and the actions of people who enter the country without going through the usual channels are an affront to people's sense of fairness and respect for the rule of law. While leaving the door open to immigrants and refugees, our government is resolved to protect the integrity and fairness of our immigration and refugee protection systems by identifying and combatting fraudulent activities.

That is why we recently proposed legislative changes to crack down on consultants who take advantage of people by making them pay for bad advice or who help them enter the country or obtain their citizenship in a fraudulent manner. As everyone knows, these crimes take place in every country. Criminals often work in more than one country at the same time. For that reason, Canada is encouraging other governments to co-operate and prevent such abuses, mainly by cracking down on consultants who exploit people trying to immigrate to Canada.

All too often, those who fall into the trap realize too late that they have been duped and have lost their money. Human smugglers are ruthless profiteers.

As members know, we recently passed the Balanced Refugee Reform Act in order to improve the Canadian asylum system by speeding up the process that affords protection to those who really need it and the removal of those whose claims are denied.

However, it is important to remain vigilant with respect to new threats to the integrity of Canada's refugee protection system and abuses of that system, such as the recent arrivals of large numbers of immigrants by boat.

### *Statements by Members*

It is unfair for them to jump the queue ahead of those who are playing by the rules and waiting their turn to immigrate to Canada. It is completely unacceptable that people are abusing Canada's generosity to fraudulently profit from it. That is what it comes down to.

Canada welcomes and will always welcome those who wait their turn to come here in search of a better life. These brave and hard-working people from the four corners of the world have been enriching our magnificent country and our culture for hundreds of years.

Yes, Canada is a welcoming place. Canada welcomes thousands of new immigrants and refugees each year thanks to one of the fairest and most generous systems in the world. Our hospitality is a source of pride for our government as well as for the Canadian people; it is a testimony to the generous nature of our nation. However, our government has clearly stated that we cannot tolerate abuse of our immigration system, be it by human smugglers or by people who are not respecting the rules.

That is why our government has introduced a bill to keep smugglers from abusing Canada's immigration system. Through these amendments, our government is targeting criminals who smuggle people, abuse our generous immigration system and put Canadian communities in danger. We are creating a significant deterrent to those who would consider using a human smuggler to avoid having to wait to come to Canada. We are also ensuring the integrity and equality of the Canadian immigration system for years to come. We are also sending a message to criminal networks and groups that facilitating human smuggling will not be tolerated in Canada.

• (1355)

Specifically, Bill C-49 will make it easier to prosecute human smugglers, will impose a mandatory minimum sentence on convicted human smugglers and, finally, will hold shipowners and operators accountable for the use of their ships in human smuggling operations.

The amendments proposed by our government will allow us to ensure the safety of Canadian communities through a maximum one-year mandatory detention of individuals who enter Canada illegally.

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## STATEMENTS BY MEMBERS

• (1400)

[English]

### CANADIAN FORCES

**Mr. Bev Shipley (Lambton—Kent—Middlesex, CPC):** Mr. Speaker, last week I received a letter from my constituents in Grand Bend, Ontario. It reads, "Would you please go to bat for our military and tell the opposition that our air force needs the new jet fighters and helicopters for marine rescue? We feel badly that we are so dependent on the United States for our protection. Our military men and women are at such a disadvantage when trying to fulfill their duties to keep us safe".

*Statements by Members*

When it comes to making sure our brave men and women will keep us safe, the record of our government is clear. Whether it is our combat mission in Afghanistan, humanitarian relief in Haiti, search and rescue in Canadian waterways, or staking our claim to Arctic sovereignty, we will never play political games. We will make sure our men and women in uniform have the tools they need to do the job.

My constituents get it. Canadians get it. Our troops get it. It is time the opposition parties got it.

\* \* \*

**LESLIE NIELSEN**

**Hon. Larry Bagnell (Yukon, Lib.):** Mr. Speaker, Canada's pantheon of world-renowned comedic actors lost one of the great ones yesterday with the passing of Leslie Nielsen, brother of 30-year Yukon MP and deputy prime minister Erik Nielsen.

Born in Regina, Leslie Nielsen lived in Fort Norman, which is now known as Tulita, NWT, where his father was an RCMP officer, and later in Edmonton, Calgary and Toronto.

At 17 he enlisted in the Royal Canadian Air Force and trained as an aerial gunner.

Nielsen's acting career began in dramatic roles, including *Forbidden Planet*, *The Swamp Fox* and *The Poseidon Adventure*.

His real fame came later when he switched to comedy roles, including in the movies *Airplane!*, *Police Squad*, *The Naked Gun*, and as RCMP Sergeant Buck Frobisher on *Due South*.

Film critic Roger Ebert put it succinctly when he called Nielsen “the Laurence Olivier of spoofs”.

Nielsen appeared in over 100 films and 1,500 television programs, portraying 220 characters.

He was always deeply proud of his Canadian roots, once saying, “There's no way you can be a Canadian and think you can lose it”.

Leslie Nielsen was rightfully honoured with the Order of Canada in 2002.

Surely the world of cinema is greatly diminished with the loss of Leslie Nielsen, but as he would say, “don't call me Shirley”.

\* \* \*

[*Translation*]

**STÉPHANIE COUTURE**

**Ms. France Bonsant (Compton—Stanstead, BQ):** Mr. Speaker, on November 16, 2010, Stéphanie Couture, a recent graduate of the floral design program at the Centre de formation professionnelle de Coaticook, won the Prix de la Relève awarded by the Fédération Interdisciplinaire de l'Horticulture Ornementale du Québec and La Coop fédérée.

Ms. Couture created the Académie St-Élie, an innovative project that offers workshops, courses and seminars on floral design and gardening to clients and their children. Ms. Couture is well-known within the Serres St-Élie organization for her perseverance, her

cheerful personality and her entrepreneurial spirit. The jury was very impressed by Ms. Couture.

On behalf of the Bloc Québécois and the Compton—Stanstead community, I would like to warmly congratulate Stéphanie Couture, a dynamic young woman who is helping to keep the Eastern Townships' entrepreneurial spirit alive and well.

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[*English*]

**THE ECONOMY**

**Mr. Malcolm Allen (Welland, NDP):** Mr. Speaker, in the communities of my riding where thousands have lost their jobs and the unemployment rate is among the highest in the country at over 10%, less than one-third of those unemployed in Ontario qualify for employment insurance benefits.

Add on the fact that energy costs are skyrocketing and what we see are desperate families and seniors in Niagara who are struggling to pay the bills and put food on the table. A record 870,000 Canadians are using food banks, 80,000 for the first time, only to find many of the shelves are bare.

That is why we have called on the government to drop the 5% federal sales tax on home heating costs and to reinstate the additional five weeks of EI benefits to all regions, based on their need and unemployment rate.

Families and seniors in Niagara are already tightening their belts, and the soaring home heating costs this winter mean things will only get worse.

With temperatures set to drop across Canada, it is time for the government to act and take these first steps to end the affordability crisis for all Canadians.

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**MUNICIPAL ELECTION 2010**

**Mr. Bruce Stanton (Simcoe North, CPC):** Mr. Speaker, in the days ahead, the newly elected and acclaimed mayors and councillors of the eight municipalities in my riding will be sworn in for a four-year term.

I would like to take this occasion to congratulate all of the people in my riding who were elected and thank all who campaigned as candidates. In each contest they elevated the debate and got more people out to vote than in recent memory.

To our new councils, I share the best wishes of our community for their successful deliberations in the term ahead. The responsibilities of local governments continue to grow in volume and complexity. They are assuming a crucial role toward the betterment of our communities, and I look forward to working with them all in the term ahead.

Finally, I would like to thank the residents of the city of Orillia, the town of Midland, la ville de Penetanguishene, le canton de Tiny, and the townships of Severn, Tay, Oro-Medonte and Ramara, who turned out in big numbers to make municipal election 2010 a resounding expression of our democratic system.



*Statements by Members*

●(1405)

**GOVERNMENT SPENDING**

**Hon. Shawn Murphy (Charlottetown, Lib.):** Mr. Speaker, out of control spending and total disrespect for taxpayers' money shown by the Conservative government has to stop immediately. Some recent examples include over \$16 billion on fighter jets; an untendered sole-sourced contract; \$13 billion on American-style super-prisons when crime rates are falling; \$1.3 billion on a G8 and G20 photo op; and \$30 million to scrap the long form census when every stakeholder knows it is a bad idea.

The spending in the Prime Minister's Office has gone from \$7.6 million to \$9.9 million, a 30% increase. Last week it was revealed that the Conservatives are spending a record \$130 million of our money on partisan-style advertising, some of which shows up on sex sites. There has been \$1.3 million spent on taxis for cabinet ministers and their staff.

As a result, our nation's deficit is over \$50 billion each year. This money will have to be paid back by our children and generations to come. This is a burden that they will have to endure.

On behalf of every taxpayer living in Canada, I plead with the Conservative government to stop the insanity.

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**CYPRESS HILLS—GRASSLANDS**

**Mr. David Anderson (Cypress Hills—Grasslands, CPC):** Mr. Speaker, on November 27, 2000, 10 years ago this past Saturday, the class of 2000 was elected to the House of Commons. Millions of miles and thousands of memories later, it is still a privilege for us to serve our constituents. I have had the honour of representing the great people of Cypress Hills—Grasslands.

None of us has done this alone. My wife, Sheila, and children, Amy and Andrew, have made tremendous personal sacrifices. Dozens of volunteers, many of them now old friends, have helped out on four campaigns. I now have friends all over the riding.

I want to recognize and thank my very competent and compassionate staff. In Swift Current, Anita Hindley and Shauna Fjaggessund so capably take care of constituents. In Ottawa, Anna Marie Young and Lee Harding serve with enthusiasm.

While I have had the opportunity to focus on issues such as agriculture and the Canadian Wheat Board, natural resources and the national prayer breakfast, I still prefer to be at home in the riding, working and living with the best people in this country.

I want to thank all the folks of Cypress Hills—Grasslands for their continued support and prayers.

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[Translation]

**LAVAL UNIVERSITY'S ROUGE ET OR AND THE MONTREAL ALOUETTES**

**Mr. Michel Guimond (Montmorency—Charlevoix—Haute-Côte-Nord, BQ):** Mr. Speaker, Quebec was victorious in two football games in which two of its teams were playing this weekend.

On Saturday, in front of a hometown crowd, Laval University's Rouge et Or won quite convincingly, scoring 29 to 2 against the University of Calgary Dinos, whose offensive game fell short. The Rouge et Or capped off a perfect season by winning the Vanier Cup for the sixth time in six appearances at the grand finale of university football. Glen Constantin was named coach of the year.

And yesterday it was the Montreal Alouettes' turn to take the Grey Cup in back-to-back wins, something that had not happened since 1997. They defeated the Saskatchewan Roughriders 21 to 18 in a tight game where everything was on the line until Billy Parker's interception in the final minute.

We are very proud of these two victories by two teams from Quebec.

Congratulations to the Rouge et Or and to the Alouettes for their respective titles.

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[English]

**SOCIETY FOR EDUCATIONAL VISITS AND EXCHANGES CANADA**

**Mrs. Shelly Glover (Saint Boniface, CPC):** Mr. Speaker, I am pleased to welcome to Ottawa today my young constituent, Eamon Redpath, a student from Windsor School in St. Boniface.

Also, on behalf of the Minister of Indian Affairs and Northern Development, I would like to welcome his constituent, Kayla Moyes, from Mark R. Isfeld School in Courtenay, B.C.

They are visiting as part of a group of promising young people who sit on the youth advisory committee of the Society for Educational Visits and Exchanges Canada, otherwise known as SEVEC.

Twenty members of the committee have recently explored the cultural diversity of Canada through a SEVEC exchange. Some travelled between Saskatoon and Quebec to be immersed in their second language. Others travelled between urban and rural communities to lend their hands to a volunteer project. All of the youth joining us today were enriched by the program and are now giving back to their communities by sharing their experiences.

Their insight will help to build upon SEVEC's 75-year history in providing educational exchanges and forums to youth across Canada.

I would ask members to please help me welcome to Ottawa the visiting members of the SEVEC youth advisory committee.

*Statements by Members*

●(1410)

**COMMUNITY ACCESS PROGRAM CENTRES**

**Hon. Geoff Regan (Halifax West, Lib.):** Mr. Speaker, staff at community access program centres face an uncertain future. They are waiting to find out if the Conservative government will fund the program beyond March 31 and if they will still have a job.

These dedicated employees provide Internet access for rural and remote areas, assistance in accessing online services for seniors, and computer training for individuals and small businesses.

Despite repeated requests, the Conservative government will not say if it will continue to fund these CAP centres or if it plans to abandon this essential service.

These people deserve an answer now.

\* \* \*

[Translation]

**LAVAL UNIVERSITY'S ROUGE ET OR AND THE MONTREAL ALOUETTES**

**Mrs. Sylvie Boucher (Beauport—Limoilou, CPC):** Mr. Speaker, there have been two victories for Quebec. Laval University's Rouge et Or and the Montreal Alouettes rolled up their sleeves this weekend and captured the Vanier Cup and the Grey Cup respectively in well-fought battles where each yard gained was vitally important.

Saturday, the Rouge et Or braved the cold and the snow to win their sixth straight Vanier Cup, making short work of the Calgary Dinos in the Canadian university football final.

Sunday, it was the Montreal Alouettes' turn to rise to victory in a hotly contested game against the Saskatchewan Roughriders. This was the Alouettes' second straight Grey Cup win over the Roughriders.

This was definitely a great weekend for Quebeckers. At this time, we would like to congratulate all of the athletes who participated in these two finals. Bravo to our champions!

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[English]

**VOLUNTEERISM**

**Mrs. Carol Hughes (Algoma—Manitoulin—Kapuskasing, NDP):** Mr. Speaker, Jacques Côté is an example of how one person can have a profound effect on a community.

After 35 years in the Royal Marines and Canadian Navy, this native of Quebec City relocated to Hearst and made that place his own.

[Translation]

Mr. Côté did not move to Hearst to relax. He dedicated his time to volunteering as chief administrative officer from 1979 to 1986 without ever counting his hours. That is when he realized that many seniors were struggling, which led him to propose the creation of the position of seniors' ombudsman.

He was mandated with protecting the interests of seniors, particularly our poorest seniors, and was the only person in northern

Ontario to hold that position. The success he achieved in this role shows how important this position can be for the entire community.

[English]

After stepping down recently at the age of 82, it is clear his life has been defined by service to his country and his community.

Jacques Côté has made a significant difference to the lives of many and has shown us that we can all strive to make a difference.

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**STATUS OF WOMEN**

**Mr. Rob Clarke (Desnethé—Missinippi—Churchill River, CPC):** Mr. Speaker, ending violence against women requires a collaborative effort among governments of all levels, community groups and individuals.

Involving men as part of the solution is essential. Reaching out to aboriginal men and training them as facilitators, the Newfoundland Aboriginal Women's Network has developed a project that will facilitate leadership skills and development. The project will receive funding through the women's programs of Status of Women, and will involve 500 aboriginal women through 84 community workshops.

Since coming to office, our government has doubled the funding for women's programs. We have approved more than \$30.4 million in Status of Women funding for projects to end violence against women and girls.

The Newfoundland Aboriginal Women's Network project is just one example of how men are involved in the critical process of ending violence against women.

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[Translation]

**DEMOCRACY**

**Mrs. Claude DeBellefeuille (Beauharnois—Salaberry, BQ):** Mr. Speaker, at its conference this past weekend, the Fédération professionnelle des journalistes du Québec awarded the Prime Minister its darkness award, the Prix de la noirceur, for his life's work of keeping people in the dark.

The media have had no shortage of criticism for this Conservative government. Some of the things that won him the award were: ministers' offices intercept access to information requests; the Prime Minister refuses to answer questions at press conferences; and federal public servants are muzzled, which prevents them from answering journalists' questions.

This Conservative government, led by the Prime Minister, has no regard for democracy or its many embodiments, including access to information. It also has no regard for institutions, starting with this House, and does not hesitate to have decisions overturned by the unelected occupants of the Senate.

The Bloc Québécois will continue to force this Conservative government to debate questions and issues and to expose its partisan and ideological decisions to the light of day.

*Oral Questions*

● (1415)

**GREY CUP**

**Mr. Pablo Rodriguez (Honoré-Mercier, Lib.):** Mr. Speaker, all my colleagues join me in congratulating the Montreal Alouettes on last night's victory. Two Grey Cups in two years is a huge feat, and that feat kept us holding our breath until the very end. We will remember this game for years to come, particularly Billy Parker's interception with 56 seconds left in the game. The football game was just the way we like them: intense, hotly disputed and close until the end.

I would also like to congratulate the Roughriders who played quite a game. It is a great team that gave its all. Bravo to Edmonton as well; the city can be proud of this great success.

Special thanks and congratulations go to quarterback Anthony Calvillo, who has now become a Canadian football legend. We wish him luck in the challenges he will be facing in the coming months. Our thoughts are with him and his family.

Well done, Alouettes. Well done, Quebec City's Rouge et Or. Well done and thank you.

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[English]

**TAXATION**

**Mr. David Sweet (Ancaster—Dundas—Flamborough—Westdale, CPC):** Mr. Speaker, more and more Canadians are worried about the Liberal–Bloc Québécois–NDP coalition plans for reckless spending and job-killing tax hikes. Our Conservative government believes in low taxes and supporting job creators. We are fighting back against the Liberal plan for tax hikes. According to a major economic study, the Liberal tax hike would kill 233,000 jobs.

Canadians are worried. My constituents are worried. The Hamilton Chamber of Commerce and the 1,200 employers and the 75,000 employees who work for them are worried as well.

In a letter to all party leaders and all area MPs, the chamber recently wrote, “[the Hamilton Chamber] vehemently disagree[s] with this [tax hike] suggestion. These tax reductions have already been factored into company strategies. The tax reductions will free up capital that will immediately be at work growing businesses in Canada. If the tax changes are reversed, this will have a negative impact on economic growth”.

I will not let the Liberal Party kill jobs and our economy in the Hamilton area. It is time to fight back against the Liberal tax hike plan.

**ORAL QUESTIONS**

[English]

**NATIONAL DEFENCE**

**Hon. Ralph Goodale (Wascana, Lib.):** Mr. Speaker, the full story is dribbling out about the big, risky Conservative scheme to buy stealth fighter jets with no competition, no transparency, no accountability. The Auditor General calls it high risk and today there

is news about more risk, very expensive extra costs for maintenance, infrastructure and security, all in addition to the all-time record \$16 billion already admitted.

Where will it end? Does the government have any limit for this big, risky Conservative scheme?

**Hon. Tony Clement (Minister of Industry, CPC):** Mr. Speaker, the 2006 memo to which the hon. member refers was done at a time when the planning had not been done. In fact, when we look at Bagotville, when we look at Cold Lake where these jets are expected to be positioned, those facilities will be able to house those jets safely and in a secure manner.

That is not the real issue. The real issue is this. Why do the Liberals and their coalition allies continue to downgrade the importance of this purchase for our own sovereignty and for the jobs it will bring to Canada?

**Hon. Ralph Goodale (Wascana, Lib.):** Mr. Speaker, the big, risky Conservative stealth scheme is such a dud the government had to send out a travelling road show to try to peddle it to Canadians. Meanwhile, the Pentagon, the U.S. Senate, the British, the Dutch, Denmark, Norway are all having serious doubts and now this additional angst from our own defence department about big, new costs, unaccounted for costs, for extra infrastructure, maintenance and security.

Why does the government not accept the Auditor General's warning that its stealth project is at risk of overruns of 100%?

**Hon. Tony Clement (Minister of Industry, CPC):** Mr. Speaker, the hon. member is citing documents that happened years ago. He was part of a government that had every confidence in this jet. In fact, the Liberals were participants in its development and they wanted to see this project go forward.

Now, when they are in opposition, they flip-flip on the issue. They are risking our women and men in uniform and they are risking Canadian jobs. This government is on the side of our sovereignty, on the side of our women and men in uniform and on the side of Canadian jobs.

\* \* \*

● (1420)

**PENSIONS**

**Hon. Ralph Goodale (Wascana, Lib.):** Mr. Speaker, “stealth” means sneaking up on the enemy, not sneaking up on taxpayers or needy Canadians.

On the government's watch, the poverty rate among senior citizens has exploded by 25%. On the government's watch, hundreds of long-term disability pensioners from Nortel will lose all their benefits. In just 32 days they will be out on the street and Conservatives will not lift a finger.

Why does the government choose multi-billion dollar corporate giveaways, jails and jets ahead of pensions for needy Canadians?

*Oral Questions*

**Hon. Tony Clement (Minister of Industry, CPC):** Mr. Speaker, that is not the case at all. When we look at our policies when it comes to growth, jobs and opportunity and protecting our most vulnerable, this government is on the side of the Canadian people, as we are when it comes to the F-35s.

What I want to know is why is it always the member for Wascana or the member for Beauséjour who stand up on the F-35 issue. Where are the Liberal MPs from Montreal? Why are they not defending jobs in Montreal? That is what I would like to know.

\* \* \*

[Translation]

**NATIONAL DEFENCE**

**Mr. Marc Garneau (Westmount—Ville-Marie, Lib.):** Mr. Speaker, the Canadian Auto Workers' union, which represents 10,000 aerospace sector workers, wants the government to guarantee economic spinoffs related to decommissioning the CF-18s, but the Bloc-Conservative coalition wants to go ahead with a contract that provides no guarantees with respect to \$3.9 billion worth of spinoffs based on the sale of 5,000 aircraft, according to the Pentagon.

Why not launch a competitive bidding process to maximize spinoffs and jobs in our regions, including Quebec?

[English]

**Hon. Tony Clement (Minister of Industry, CPC):** Mr. Speaker, I am glad I have so much influence on the other side of the House. I welcome the hon. member to the debate, but he fundamentally does not understand the nature of this deal.

This is why Canadian industry and Canadian workers want this purchase. It means not only supplying parts for 65 planes, it means being part of the global supply chain so we can supply parts for 3,000 or 5,000 planes. Canadian industry has said to me that it wants to compete, that it wants to be part of these contracts for up to 5,000 planes. Why is the hon. member not speaking out for Canadian workers particularly in Montreal?

[Translation]

**Mr. Marc Garneau (Westmount—Ville-Marie, Lib.):** Mr. Speaker, this will be the biggest military contract in Canadian history. At the very least, the government should ensure that the money will be well spent and that there will be guaranteed spinoffs for our industry. Other companies are offering to guarantee 100% of the value of the contract, and we could get that if we were to launch a competitive bidding process.

How did the government manage to get the Bloc Québécois to support wasting taxpayers' money without even guaranteeing maximum spinoffs and jobs for our regions, including Quebec?

[English]

**Hon. Tony Clement (Minister of Industry, CPC):** Mr. Speaker, the hon. member need not listen just to me. This is what the president of the industry association said about this:

To say that by cancelling the current process and starting from scratch would somehow result in a greater number of jobs for our industry and without penalties is not only a stretch but it is completely misleading.

That is what Claude Lajeunesse said and he is right. We are on the side of Canadian workers. We are on the side of men and women in uniform. Those members are not.

\* \* \*

[Translation]

**THE ENVIRONMENT**

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, the Conservative government has always refused to move forward with measures to reduce greenhouse gas emissions, claiming that it was waiting for the new U.S. regulations and that it would go from there. Now we learn that the Conservative government may be reluctant to model its measures on those of our American neighbour.

Will the Prime Minister admit that, not only is he far from being an environmental leader but, by refusing to adopt the already less stringent U.S. measures, he is not even doing the minimum required to reduce greenhouse gas emissions?

**Hon. John Baird (Leader of the Government in the House of Commons and Minister of the Environment, CPC):** Mr. Speaker, I would have my colleague from the Bloc Québécois know that the government is working very closely with the United States government and President Obama. We are harmonizing regulations on transportation and we will find equivalents in other cases. It is absolutely necessary to work together with our partners to reduce greenhouse gases. We already have regulations for the major emitters as far as coal-based electricity production is concerned. Canada was the first country in the world to say it would do that.

• (1425)

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, the reason the Conservative government is no longer interested in following the U.S. lead on climate change is quite simple: the new regulations on clean fuel would harm the oil sands industry.

Will the Prime Minister admit that his priority is not to reduce greenhouse gas emissions, but to protect the interests of the oil industry?

**Hon. John Baird (Leader of the Government in the House of Commons and Minister of the Environment, CPC):** Mr. Speaker, our priorities are to fight climate change and to reduce greenhouse gas emissions in Canada and around the world. That is why we are working with President Obama. We will harmonize certain areas, such as transportation and we will have equivalent, if not stronger, measures. We want all the big countries and major emitters to work on this. We will continue to work hard to come up with a comprehensive agreement.

**Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ):** Mr. Speaker, against the advice of Environment Canada officials, the Conservative government lobbied intensely to ensure that certain provisions of the American Energy Independence and Security Act, passed in 2007, would not apply to the oil sands. The Conservative government was afraid that the American legislation would hurt exports of dirty oil to the United States.

Do these revelations not prove, once again, that this government has but one political motivation: to protect the interests of Alberta oil companies?

*Oral Questions*

[English]

**Mr. David Anderson (Parliamentary Secretary to the Minister of Natural Resources and for the Canadian Wheat Board, CPC):** Mr. Speaker, our interest is always to protect Canadian interests and protect Canadian jobs. The member opposite knows full well that there are 120,000 direct and indirect jobs associated with oil sands development.

We are well aware of the environmental challenges in developing the oil sands. We will work with the industry and those folks who are interested in working with us to ensure that it is done properly.

[Translation]

**Mr. Bernard Bigras (Rosemont—La Petite-Patrie, BQ):** Mr. Speaker, such an attitude on the part of the government does not bode well for the Cancun summit. While the European Union and the African Union have both announced their positions, we are still waiting to hear where the Conservative government stands.

Does the minister realize that if he goes to Cancun without a road map, he will be regarded not as an environment minister, but rather as a lobbyist for big oil?

**Hon. John Baird (Leader of the Government in the House of Commons and Minister of the Environment, CPC):** Mr. Speaker, a 17% reduction in greenhouse gas emissions is an absolute target. We are working with the United States and the Obama administration to harmonize the transportation sector. We will continue working with them to reach equivalent status.

\* \* \*

#### AFGHANISTAN

**Mr. Thomas Mulcair (Outremont, NDP):** Mr. Speaker, documents obtained by CBC clearly show that Canada arrested child soldiers in Afghanistan and transferred them to the Afghan secret service, the infamous NDS. The government knows perfectly well that the NDS practices torture.

Why did Canada transfer child soldiers to the NDS torturers? How many children were arrested? How many children were transferred? How many children were tortured?

**Hon. Lawrence Cannon (Minister of Foreign Affairs, CPC):** Mr. Speaker, our military men and women have always behaved honourably in Afghanistan. As we know, over three years ago, the inadequate detainee transfer agreement inherited from the Liberals was replaced with a new and improved agreement. Under this improved agreement, Taliban prisoners transferred by Canada are detained in a limited number of Afghan facilities in order to make it easier for us to conduct follow-up and monitoring.

[English]

**Mr. Jack Harris (St. John's East, NDP):** Mr. Speaker, Canada has a duty to protect children from torture, not simply wash its hands and walk away. The Conservatives may have silenced the other two parties about torture and mistreatment in Afghanistan, but the NDP will not be silenced.

International law is clear: Canada cannot treat child soldiers like any other insurgent. However, Canada did not hand over child soldiers to a civilian authority like UNICEF. They were handed over to the notorious NDS.

Why was Canada transferring children to the notorious NDS and how long has the minister known about it?

**Hon. Lawrence Cannon (Minister of Foreign Affairs, CPC):** Mr. Speaker, we have always said that when there is credible evidence of abuse, the Canadian Forces and our diplomats act with utmost integrity.

As a result of the supplementary transfer arrangements put in place by our government, we have full and unrestricted access to the detention facilities where Taliban prisoners transferred by the Canadian Forces are held.

• (1430)

**Mr. Jack Harris (St. John's East, NDP):** Mr. Speaker, these are children and international law is clear.

As recently as April of this year, a UN report cited the use of harsh interrogation methods and forced confessions of guilt on children by the very people we were handing them over to. The transfer of children to the NDS was Canadian policy until recently, and yet the Conservative government has been telling Canadians, as we just heard, that the detainee problem was fixed in 2007.

Why was this allowed to happen? How can the government justify handing over children to the NDS?

**Hon. Lawrence Cannon (Minister of Foreign Affairs, CPC):** Mr. Speaker, if my hon. colleague took a couple of minutes to read the supplementary arrangement, he would note that the arrangement also specifies that the Afghanistan Independent Human Rights Commission has the same unrestricted access.

This, of course, is the same question and we respond in the same manner. When there is credible evidence of abuse, the Canadian Forces and our diplomats will act.

\* \* \*

#### THE ENVIRONMENT

**Ms. Joyce Murray (Vancouver Quadra, Lib.):** Mr. Speaker, as the world comes together in Cancun to combat climate change, we learn more about the dinosaur tactics of the Conservatives.

Canadian embassy officials lobbied on behalf of the Conservatives to have American environmental standards remove all mention of the oil sands. The same diplomats dismissed Environment Canada's position to clean up the oil sands as "simply nutty", with the priority being "the oil keeps a-flowing".

Why are the Conservatives trying to sabotage legislation in the U.S.? Have they not done enough damage here?

*Oral Questions*

**Mr. David Anderson (Parliamentary Secretary to the Minister of Natural Resources and for the Canadian Wheat Board, CPC):** Mr. Speaker, is the member opposite and her party taking the position that the oil sands are not a strategic resource for Canada for decades to come? We know full well that they are. That is one of the reasons that we are working with the industry and with the provinces to ensure they are developed in an environmentally safe manner.

We will continue to do that and we will continue to look after the environment in that way.

[*Translation*]

**Ms. Joyce Murray (Vancouver Quadra, Lib.):** Mr. Speaker, during this time, in Canada, there have been even more delays and more deception by the government. The Conservatives are claiming that they are going to implement measures equivalent to American standards; however, the minister wants to force Canada to wait until every American state has implemented its new standards before taking action.

Why is the government working with the American Tea Party to take Canada's environmental policy hostage?

[*English*]

**Hon. John Baird (Leader of the Government in the House of Commons and Minister of the Environment, CPC):** Mr. Speaker, we strongly support harmonization wherever that is possible. In the transportation sector we have done that with cars and with light trucks. We will be moving forward in other areas of transportation.

In the guidelines that will be published and become effective in January, there will be a phasing in over three years. However, they are just that, guidelines

We support strong regulation and we will bring in equivalent regulations to ensure that we reduce greenhouse gases in concert with our American allies by the same 2017 absolute reduction.

\* \* \*

**PENSIONS**

**Hon. Gerry Byrne (Humber—St. Barbe—Baie Verte, Lib.):** Mr. Speaker, the Conservatives were forced to admit that they secretly changed pension rules that stripped up to 1.5 million lower income Canadian seniors of their GIS benefits. To pay for their deficit spending, they were secretly gutting public pensions.

Now, having been caught, the minister says that the government's decision is on temporary hold pending further review. It will not, however, suspend it. It is still very much on the table.

On behalf of the 1.5 million lower income Canadian senior citizens who receive GIS, why a review, why leave seniors wondering and why not a permanent repeal of this injustice to our seniors?

**Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC):** Mr. Speaker, as I mentioned in the House last week, I was very disturbed to learn of this situation and I immediately instructed officials to put this issue on hold while we did a thorough comprehensive review of it.

I also instructed officials to ensure they contacted all Canadians who would be directly affected by this, which, I would point out, is

not the number that the hon. member has been stating. It is much lower.

We are contacting Canadian seniors directly to re-evaluate their eligibility based on the old policies because we want to ensure we are doing the right thing for seniors.

• (1435)

**Hon. Gerry Byrne (Humber—St. Barbe—Baie Verte, Lib.):** Mr. Speaker, first it was income trusts, then it was Nortel pensioners and now it is every low income senior in the country, 1.5 million Canadians who draw on the GIS benefit.

The minister says that her department will now contact people who are affected by her cash grab. Already affected? What is she saying? Did Canadian seniors lose GIS benefits in 2010 from secret rules approved that were made to apply retroactively against their 2009 income? Is that what she is implying?

How can 1.5 million lower income Canadian seniors be expected to live and act within rules when the rules are kept secret and applied retroactively to circumstances a year before the policy was even enacted?

**Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC):** Mr. Speaker, it is clear that the hon. member either does not understand the policy or is deliberately trying to scare Canadians. That is irresponsible.

If the member will let me speak, I will assure him, the House and Canadians, particularly our seniors who helped build this country, that the vast majority of seniors will not be affected by this. Those who are, we are contacting to ensure they are treated fairly and that their applications are reviewed according to the old policy. We want to ensure we treat them fairly, unlike what the Liberal member is trying to do with his fear-mongering.

\* \* \*

[*Translation*]

**AFGHANISTAN**

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, information from reliable sources indicates that Canada transferred Afghan children to the Afghan intelligence service.

Could the Minister of Foreign Affairs tell us, yes or no, whether Canada transferred children to the Afghan intelligence service?

*Oral Questions*

**Hon. Lawrence Cannon (Minister of Foreign Affairs, CPC):** Mr. Speaker, once again, the hon. member knows that there is a system in place. There is an arrangement, and the government improved this arrangement, which obviously allows for the transfer of these Afghan prisoners. It also allows the authorities in place, as well as the Afghanistan Independent Human Rights Commission, to visit and have unrestricted access to these individuals.

**Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ):** Mr. Speaker, the chair of the Afghanistan Independent Human Rights Commission is worried about the attitude of the Canadians who allegedly transferred children to the Afghan intelligence service.

I would like a clear answer from the Minister of Foreign Affairs. The question could not be more clear. Did Canada transfer Afghan children to the Afghan intelligence service, yes or no?

**Hon. Lawrence Cannon (Minister of Foreign Affairs, CPC):** Mr. Speaker, the answer is very clear. I would tell my hon. colleague that when cases of abuse are alleged, the Canadian Forces in Afghanistan conduct the appropriate inquiries, depending on the circumstances.

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**TAX HARMONIZATION**

**Mr. Daniel Paillé (Hochelaga, BQ):** Mr. Speaker, the Prime Minister has given a whole new reason for the impasse in the negotiations between Quebec City and Ottawa about harmonized sales tax. The problem for his government is that there is not just one tax.

My question is simple: which tax is one too many, the GST or the QST? In its controlling and centralist mindset, which of the two taxes takes precedence over the other, the GST or the QST?

**Hon. Jim Flaherty (Minister of Finance, CPC):** Mr. Speaker, we will continue discussions with the Government of Quebec. We are having good discussions. There needs to be true harmonization of the two sales taxes.

**Mr. Daniel Paillé (Hochelaga, BQ):** Mr. Speaker, the Prime Minister is obviously confused about the collection agreement versus a tax policy.

The Government of Quebec has been collecting the GST and QST for 18 years on behalf of the two governments, and this system works very well.

Can the Minister of Finance assure us that the National Assembly's fiscal autonomy will be respected and that Quebec will continue to collect the sales taxes, which are already harmonized?

[English]

**Hon. Jim Flaherty (Minister of Finance, CPC):** Mr. Speaker, there are a number of issues with respect to this subject. Regardless of whether it is the Government of Quebec or some other provincial government in Canada that has negotiated, four or five fundamentals need to be addressed. These include what the base is, the harmonization of the base, what the exceptions may or may not be, of course collection, and the harmonization of legislation.

These are all matters that we have been discussing with the Government of Quebec. I spoke recently with my colleague in

Quebec on this subject. Some progress has been made, but we need to make more progress.

\* \* \*

• (1440)

**TASEKO MINES LIMITED**

**Ms. Siobhan Coady (St. John's South—Mount Pearl, Lib.):** Mr. Speaker, when the question of Taseko Mines' stock was raised, the minister oddly pointed to an environmental assessment as the reason for the dramatic price fluctuation. The minister's answer makes no sense.

Why is it that the company's stock held its price when the assessment was made public in July and only fluctuated in October, when the Conservative cabinet made the decision to block the project? Why?

**Hon. John Baird (Leader of the Government in the House of Commons and Minister of the Environment, CPC):** Mr. Speaker, the member opposite wants me to speculate on how markets operate. That would be quite interesting.

If the member opposite has any information with respect to the charge she makes, I suggest we call upon her and her party once again to place that information before the House of Commons.

**Ms. Siobhan Coady (St. John's South—Mount Pearl, Lib.):** Mr. Speaker, the House leader's other defence, that the House was not sitting the week of October 14, does not make sense either. The member expects us to believe that no decisions are made by cabinet while the House is recessed.

The minister cannot deny the fact that around the time cabinet made its decision on the Taseko project, stocks traded at ten times their normal volume. How could that be the result of anything but a leak?

**Hon. John Baird (Leader of the Government in the House of Commons and Minister of the Environment, CPC):** Mr. Speaker, the member opposite obviously has already come to certain conclusions. If she has additional information that would corroborate what she said, I would encourage her to place it in front of the House for us all to see.

[Translation]

**Mr. Marcel Proulx (Hull—Aylmer, Lib.):** Mr. Speaker, last Thursday, the Leader of the Government in the House of Commons tried to defend himself by saying that the leak took place when the members were not in Ottawa. All the better: there are fewer suspects.

My questions are straightforward. First, when did the cabinet meet in the two weeks prior to October 14? Second, when was the internal decision regarding Taseko made? Third, who was informed of the decision prior to the official announcement?

[English]

**Hon. John Baird (Leader of the Government in the House of Commons and Minister of the Environment, CPC):** Mr. Speaker, the member opposite before asking those questions made a number of statements that are absolutely false.

Members of the opposition are free to speculate and make innuendo, but if they have any evidence to suggest anything untoward, they should place it before the House for everyone to see.

*Oral Questions*

[Translation]

**Mr. Marcel Proulx (Hull—Aylmer, Lib.):** Mr. Speaker, if it is true, individuals illegally made millions on the backs of Taseko shareholders thanks to their contacts in the Conservative government.

Since we learned that Conservative ministers argue, at a cost of \$300 million in the case of Camp Mirage, we know that cabinet leaks are a common occurrence.

Can the Prime Minister tell us which ministers have been contacted by the RCMP in this affair and what steps he has taken to prevent insider trading in future?

[English]

**Hon. John Baird (Leader of the Government in the House of Commons and Minister of the Environment, CPC):** Mr. Speaker, an environmental assessment was done on this project. The project would have had terrible consequences for the environment and done irreparable harm. That is why the government did the right thing and did not approve the project. We did the right thing for the environment.

If the member has any facts or any basis for the speculation in which he engages, I encourage him to place them before the House.

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**JUSTICE**

**Mr. Stephen Woodworth (Kitchener Centre, CPC):** Mr. Speaker, Liberals are at it again. Last session Liberal senators gutted our legislation that cracks down on producing and trafficking drugs. Now they have introduced yet another unnecessary amendment to Bill S-10.

Last week coalition members forced unnecessary amendments to our bill to repeal the faint hope clause. That bill ensures that murderers spend the serious time they deserve behind bars and cannot re-victimize Canadians.

Would the Minister of Justice please update the House on these important plans?

**Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC):** Mr. Speaker, our government has been introducing legislation that would crack down on violent crime. The Liberals have taken a different approach. They want to crack down on the short titles of bills.

At the same time that we are moving to put serious drug dealers and producers behind bars, the Liberal solution to the drug problem in this country is to decriminalize marijuana. As their colleagues did at committee a couple of weeks ago, they voted to ensure that people who sell drugs around schools will not be facing mandatory jail time.

I have a question for you, Mr. Speaker, because I know you are a smart guy. When it comes to fighting crime, why do the Liberals always get it wrong?

●(1445)

**The Speaker:** The minister is an experienced member. He knows that speakers cannot answer questions.

The hon. member for Edmonton—Strathcona.

**THE ENVIRONMENT**

**Ms. Linda Duncan (Edmonton—Strathcona, NDP):** Mr. Speaker, correspondence between Canada's diplomats and trade lawyers reveals a three-year campaign to collude with oil companies to kill U.S. global warming laws and policies to keep oil sands product flowing from Alberta into the U.S. marketplace.

These same diplomats called their environment officials "simply nutty" when they advocated cleaner oil sands technology.

Could the minister clarify whether Canadians who wish to discuss our national climate policy should call the American Petroleum Institute or BP and ExxonMobil directly?

**Mr. David Anderson (Parliamentary Secretary to the Minister of Natural Resources and for the Canadian Wheat Board, CPC):** Mr. Speaker, why is the member working against her own province? Why does she so consistently stand and try to destroy the industry and the things that are so important to the province of Alberta?

The oil sands are crucial to the health of all Canada's economy. There are 120,000 jobs connected to this. We are aware of the environmental challenges. That is why we are working with the industry and government to deal with them.

**Ms. Linda Duncan (Edmonton—Strathcona, NDP):** Mr. Speaker, I am actually onside with the former minister of the environment. The government is in Cancun with little concrete action to report on reducing greenhouse gas emissions. In October 2009 the environment minister said the following:

At the outset, let me emphasize the need to harmonize our regulatory regime with the regime that is evolving south of the border. Harmonize. Not follow.

This year he said, "we need to proceed even further in aligning our regulations".

U.S. regulations take effect in January. Can the minister explain why Canada's rules for major emitters remain in limbo?

**Hon. John Baird (Leader of the Government in the House of Commons and Minister of the Environment, CPC):** Mr. Speaker, we are coming out in January with our guidelines on the establishment of rules that will be recommended to states if they wish to participate.

We support strong harmonization on tough regulations. We have done that on the auto sector. We have done that on light trucks. We are going to move forward in other transportation areas.

When we can move forward with the United States on equivalency with respect to large polluters, not just new polluters but also existing polluters, we believe that is where equivalency will be the best bang for our buck and will help reduce greenhouse gas emissions.



*Oral Questions*

[Translation]

**SECURITIES INDUSTRY**

**Mr. Robert Carrier (Alfred-Pellan, BQ):** Mr. Speaker, while Quebec and several provinces reject the federal government's plan for a Canada-wide securities commission, British Columbia is trying to make money off its support for such a commission by demanding exclusive responsibility for regulating venture capital for all of Canada. It seems that the minister will stop at nothing to shove his plan down the provinces' throats.

Can the minister tell us whether he will go as far as buying the consent of the dissenting provinces, one by one, by promising them certain benefits at Quebec's expense?

**Hon. Jim Flaherty (Minister of Finance, CPC):** Mr. Speaker, it is a purely voluntary initiative for all of the provinces. That is clear.

[English]

It is strictly a voluntary initiative. If a province does not want to join, it does not have to join. That is what voluntary means in English and what volontaire means in French.

[Translation]

**Mr. Robert Carrier (Alfred-Pellan, BQ):** Mr. Speaker, let me clarify my question a little more.

While British Columbia is taking advantage of the federal plan for a national securities commission to try to gain control of all regulation of venture capital, we are left with the impression that Canada is already in the process of divvying up Quebec's powers when it comes to controlling financial markets.

Does this not clearly demonstrate that the plan for a Canada-wide securities commission will have a negative impact on Quebec and its financial autonomy?

[English]

**Hon. Jim Flaherty (Minister of Finance, CPC):** Mr. Speaker, I am pleased that 10 Canadian provinces and territories have been working and participating with the transition office federally to design the future Canadian securities regulator. It is a highly decentralized recommendation.

The plan they are working on, which is available to the hon. member to read if he is so inclined to learn about what they are planning, is for a highly decentralized regional system. We have areas of expertise across the country in various aspects of securities regulation, and we are going to make use of those opportunities.

\* \* \*

● (1450)

**AFGHANISTAN**

**Hon. Bob Rae (Toronto Centre, Lib.):** Mr. Speaker, I have a couple of direct questions for the Minister of Foreign Affairs. He has not answered them yet in the House today. I would like to give him another opportunity to do so.

First, were children transferred to the NDS secretariat in Afghanistan?

Second, if they were transferred, why were no specific special measures put in place with respect to the protection of children?

**Hon. Lawrence Cannon (Minister of Foreign Affairs, CPC):** Mr. Speaker, individuals are detained only when they have either attacked or killed a Canadian soldier or official. It is not possible all of the time to know the age of the prisoner. I think everyone would be in agreement with that.

As a result, the Canadian Forces treat those who appear to be under the age of 18 as juveniles. Consequently, if there is doubt with respect to age, the prisoner is treated as a juvenile and given separate quarters.

**Hon. Bob Rae (Toronto Centre, Lib.):** Mr. Speaker, to try to be fair to the minister's answer, he seems to have responded to my first question with, yes, children were transferred. He even referred to them as juveniles. He said there was a special facility for juveniles. He said they were transferred.

I am giving the minister a chance to answer a question very directly. Canadians want to know. Precisely what are the special measures put in place with respect to the protection of children?

**Hon. Lawrence Cannon (Minister of Foreign Affairs, CPC):** Mr. Speaker, I have responded clearly that it does happen in some cases when we are not in a position to be able to determine the age of the individual involved in an attack or incident. The Canadian Forces have special provisions in those circumstances. That is what I am saying.

\* \* \*

[Translation]

**HEALTH**

**Ms. Megan Leslie (Halifax, NDP):** Mr. Speaker, according to *The Gazette*, doctors throughout the country accept envelopes stuffed with cash so that patients can jump the queue at the hospital. That is a serious breach of the Canada Health Act. It is unacceptable.

What steps will the Conservatives take to enforce the Canada Health Act and to deal with the problem of illegal cash payments?

[English]

**Hon. Leona Aglukkaq (Minister of Health, CPC):** Mr. Speaker, the delivery of health care is within the mandate of the provinces and territories. If the member has information relating to that, I would be happy to discuss those issues with the provincial and territorial ministers.

As the member knows, we support the Canada Health Act and we will continue to work with the provinces to implement it.

**Ms. Megan Leslie (Halifax, NDP):** Mr. Speaker, since 2008 we have had solid evidence that violations to the Canada Health Act are pandemic across the country. However, the government has abandoned its legal duty to uphold equality and fairness in public health care. Allowing illegal cash payments to continue will endanger the health of not only Canadians who cannot afford extra billing but also the health of Canadians generally.

When will the government stop allowing two-tiered health care and stop letting those with enough cash to jump the queue?

*Oral Questions*

**Hon. Leona Aglukkaq (Minister of Health, CPC):** Mr. Speaker, as I said before, the delivery of health care is a matter of provincial and territorial jurisdiction. We uphold the Canada Health Act. I will continue to work with the provinces and territories to deliver the program.

If the member has any information related to that, I would be happy to raise it with the provincial and territorial ministers.

[*Translation*]

**Mr. Bernard Généreux (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, CPC):** Mr. Speaker, the Minister of Health today announced that new reductions in lead levels will be implemented shortly. I believe that Canada will be a world leader in this area that is of concern to many Canadians.

Can the minister provide the House with details about this new measure?

[*English*]

**Hon. Leona Aglukkaq (Minister of Health, CPC):** Mr. Speaker, lead is toxic, even in small amounts. Our regulations will be amended to reduce the level of lead on surfaces, in paint, in children's toys and in other artists material, such as paint brushes and pencils. This regulation will be among the strictest in the world. As a mother, I am very pleased with this change in the regulations as young children, who tend to put things in their mouth, will be further protected.

Our Bill C-36, which is currently before the Senate, would help with the enforcement of this change.

\* \* \*

•(1455)

[*Translation*]

**OFFICIAL LANGUAGES**

**Hon. Mauril Bélanger (Ottawa—Vanier, Lib.):** Mr. Speaker, in 2005, Parliament amended the Official Languages Act and made part VII enforceable, which means that all departments and agencies now have an obligation toward official language minority communities. At the time, there were plans to implement regulations to make the new legislation meaningful.

Today, the Leader of the Government in the House of Commons is saying that his government believes in a strong regulatory regime, but here we are five years later, and there are still no regulations. Why not?

**Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC):** Mr. Speaker, all government departments and agencies have regulations. Each one is responsible for respecting Canada's official languages efficiently and responsibly, in all communities and provinces. That is the best approach. We listened to all of the agencies and official language minority communities. This is the program we have now, and it meets communities' needs with respect to both of Canada's official languages.

**Ms. Christiane Gagnon (Québec, BQ):** Mr. Speaker, given the appalling way French was treated at the Vancouver Olympic Games, particularly during the opening ceremonies, who is to say that the same thing will not happen at the 2015 Pan American Games in

Toronto? After all, the agreement between the government and the Toronto organizing committee is just as vague as the one for Vancouver.

Given the language fiasco in Vancouver, how could the federal government fail to nail down language clauses before signing half a billion dollars over to the Toronto 2015 organizing committee?

**Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC):** Mr. Speaker, those of us on this side of the House believe that the 2010 Olympic and Paralympic Games were a Canadian success story on all fronts, including official languages. Pascal Couchepin, the Grand Témoin de la Francophonie, said that the Vancouver Games set the standard in terms of linguistic diversity, and that it would be difficult to do any better. We will certainly maintain our strong support for Canada's official languages at the 2015 Pan American Games.

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[*English*]

**CITIZENSHIP AND IMMIGRATION**

**Ms. Olivia Chow (Trinity—Spadina, NDP):** Mr. Speaker, dramatic increases in both wait times and failure rates for Canadian citizenship tests is causing tremendous disappointment for immigrants who passionately want to become citizens.

The Conservative government now requires a 75% test score, up from 60%. Increasing the mark needed to pass without an adequate plan is setting immigrants up to fail. Vouchers for language lessons are just not enough.

What is the minister planning to do to solve the problems that his policies are creating for immigrants?

**Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC):** Mr. Speaker, the problem was a citizenship test that was passed by 97% of people, where there was widespread access to five standard sets of answers that people could buy on the market. Cheating was widespread. We are now scrambling the questions so people have to learn the material. The pass rate is settling in at about 85%.

The new Canadians I speak to are ambitious to know about our country, its history, its institutions and its values. We do not take the condescending approach that they are not smart enough to understand that material.

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**PRODUCT SAFETY**

**Mr. Mike Allen (Tobique—Mactaquac, CPC):** Mr. Speaker, I am glad to hear the Minister of Health talk about her announcement on reducing lead content in toys, as well as other consumer products.

The minister talked briefly about the products that she was actually going to be reducing lead in and what the impact would be. Could the minister now talk a bit about the broader context and our leadership in the world market on this issue?

*Speaker's Ruling*

**Hon. Leona Aglukkaq (Minister of Health, CPC):** Mr. Speaker, our record in dealing with toxic substances in products is as a leader in the world market. The regulations that will be in force by December 8 will be rolled out in the next six months. Again, I am proud to say that our country is taking a leadership role in getting unsafe products off the market.

I hope the Liberal senators will support Bill C-36 in the Senate this week and will pass it so we have modern legislation to further protect Canadians.

\* \* \*

● (1500)

[Translation]

**OFFICIAL LANGUAGES**

**Hon. Mauril Bélanger (Ottawa—Vanier, Lib.):** Mr. Speaker, I listened closely to the minister's response earlier to the lack of regulation giving effect to part VII of the Official Languages Act. He seems to be saying that everything is going well, but the official languages commissioner gave 8 out of 16 agencies a failing grade in his second report.

Is the minister saying that he is proud of the performance by the agencies and departments, instead of doing his job and presenting regulations covering the responsibilities of each agency and each department with regard to the Official Languages Act?

[English]

**Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC):** Mr. Speaker, maybe I will take another run at this. What the colleague also fails to report is that in his most recent report to the House, the Commissioner of Official Languages said that complaints with regard to the government's handling of official languages was down by over 30%. I think the system is working.

The government, in one and a half years, has had a reduction of over 30% in complaints with regard to how it handles official languages files. That is a record of success of which we are very proud.

What we have in our government is a system across the board where we encourage all departments and agencies to respect the Official Languages Act, rather than have it centralized in one department. It is working.

\* \* \*

**PENSIONS**

**Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP):** Mr. Speaker, unelected and unaccountable Conservative senators appointed by the Prime Minister are working in committee to block help for the disabled Nortel workers.

Tomorrow, if the Senate votes to support the committee, it will condemn 375 disabled Nortel workers to abject poverty. Those Conservative senators have chosen to ignore expert advice. Instead, they are taking their cues from Nortel's bankruptcy lawyers.

Why is the government directing its Conservative senators to put the interests of Bay Street ahead of the needs of these—

**The Speaker:** The hon. Minister of Industry.

**Hon. Tony Clement (Minister of Industry, CPC):** Mr. Speaker, I think every member of Parliament and every senator recognizes and sympathizes with the difficult situation facing Nortel pensioners and LTD recipients, but the fact remains that today's situation is as a result of a court-approved settlement agreement among all parties, which was enacted under the legislation in effect at the time.

It is our responsibility to look at situations and to manage expectations. However, based on the expert witness testimony, Bill S-216 will not help Nortel LTD recipients. In fact, it will lead them to endless litigation to the detriment of all involved. Expert witnesses were clear about this.

\* \* \*

[Translation]

**FOREIGN AFFAIRS**

**Ms. Johanne Deschamps (Laurentides—Labelle, BQ):** Mr. Speaker, after cutting bilateral development aid to a number of African countries and closing many embassies on that continent, the government is preparing to close embassies in four other African countries, including Cameroon and Tunisia. While China is investing heavily in Africa and a number of countries are noticing its cultural and economic potential, Canada is turning its back on Africa. How short-sighted.

Will the government give us the facts? Will it keep its embassies in Africa?

**Hon. Lawrence Cannon (Minister of Foreign Affairs, CPC):** Mr. Speaker, I would like to say to my colleague that the rumour mill is alive and well in the coalition. A few days ago the Liberal Party was spreading rumours; today it is the Bloc's turn. I want to say to them that Canada is firmly committed to African countries. If an embassy is to be closed, we will make an announcement; if one is to be opened, we will also make an announcement.

As for the rumours, they are just rumours. The government will not and does not intend to take such action.

\* \* \*

**REPORT OF THE STANDING COMMITTEE ON  
CITIZENSHIP AND IMMIGRATION**

BILL C-35—SPEAKER'S RULING

**The Speaker:** It has been brought to my attention that a clerical error has been found in the report to the House on Bill C-35, An Act to amend the Immigration and Refugee Protection Act.

[English]

During its consideration of the bill, the Standing Committee on Citizenship and Immigration adopted a subamendment to an amendment to clause 2. Regrettably, that subamendment was omitted from the report to the House and the reprint of the bill.

The report to the House should have indicated that Bill C-35, in clause 2, be amended by replacing lines 16 to 20 on page 2 with the following:

(5) The Minister may, by regulation, designate a body whose members in good standing may represent or advise a person for consideration—or offer to do so—in connection with the proceeding or application under this Act.

*Speaker's Ruling*

(5.1) For greater certainty, subsection (5) authorizes the Minister to revoke, by regulation, a designation made under that subsection.

[Translation]

Therefore, I am directing that a corrigendum to the report be prepared to insert the correct words to clause 2. In addition, I am ordering a reprint of the bill.

\* \* \*

[English]

**PRIVILEGE**

SEVENTH REPORT OF THE STANDING COMMITTEE ON FINANCE—  
SPEAKER'S RULING

**The Speaker:** I am now prepared to rule on the question of privilege raised on November 23, 2010 by the hon. member for Outremont concerning the premature disclosure on November 18, 2010, of the confidential draft report on the prebudget consultations of the Standing Committee on Finance by an employee of the hon. member for Saskatoon—Rosetown—Biggar.

[Translation]

I would like to thank the hon. member for Outremont for having raised this matter, as well as the hon. Parliamentary Secretary to the Leader of the Government in the House of Commons and the hon. members for Hochelaga, Mississauga South, Kings—Hants, Saint-Léonard—Saint-Michel and Acadie—Bathurst for their interventions.

[English]

As the House well knows, normally the Chair does not get involved in matters that arise out of committee proceedings. In this case, however, the House is in receipt in the seventh report of the Standing Committee on Finance, which was tabled on Tuesday, November 23, 2010. That report contains the following motion that was adopted unanimously by the committee:

[Translation]

That the Committee report to the House of Commons the potential breach of privilege resulting from the release of the confidential draft report of the House of Commons Standing Committee on Finance in respect of its pre-budget consultations for 2010, entitled “Canada's Continuing Economic Recovery: What People, Businesses and Communities Need”, prior to its presentation to the House.

The report also names persons to whom the confidential draft report was sent and identifies who sent it to them. Significantly, the House has since learned that two additional persons have received the confidential draft report.

[English]

At the same time, it is important to note that prior to the tabling of this report, on Monday, November 22, 2010, the hon. member for Saskatoon—Rosetown—Biggar came to the House to explain that the individual identified as being responsible for the premature release of the committee's draft report was a former member of her staff, that she had dismissed him upon learning of his actions and that she was “sincerely sorry for the leak of the report”. See the *Debates*, on page 6268. The Chair wishes to state at the outset that the actions she has taken are entirely to her credit. Indeed, this has been acknowledged by colleagues from all parties.

In his intervention, the hon. member for Outremont noted that the premature disclosure of this clearly marked confidential report to a number of lobbyists, in exposing the positions of the parties, may have had the effect of impeding members in their ability to discharge their responsibilities freely. Readily acknowledging that the committee accepted the apology of the member for Saskatoon—Rosetown—Biggar, the member underscored the fact that “...this is not an individual issue, but an institutional issue that directly affects our ability to do our work as parliamentarians unimpeded”.

Thus, the committee, having done all that it could do, unanimously agreed to place the matter before the House for its consideration.

[Translation]

The amount of time that had elapsed, reportedly four days, before the lobbyists were approached to return or destroy the copies in their possession was a particular concern to other members who intervened. This is of particular concern to the Chair, especially in light of the speed and ease of dissemination of electronic information.

[English]

For his part, the parliamentary secretary contended that it had become the usual practice of the House in recent years to consider a matter of privilege closed upon receipt of an apology by the offending member and that therefore there was no prima facie case of privilege in this instance given the member's immediate and proactive actions.

In deciding on matters of this kind, the Chair is of course guided by our rules and practices. In this regard, *House of Commons Procedure and Practice*, second edition, at page 1073, unequivocally states the following.

[Translation]

Committee reports must be presented to the House before they can be released to the public. Even when a report is concurred in at a public meeting, the report itself is considered confidential until it has actually been presented to the House. In addition, any disclosure of the contents of a report prior to presentation, either by Members or non-Members, may be judged to be a breach of privilege.

[English]

It is with good reason that draft committee reports are treated as confidential. To do otherwise might well prejudice the ability of committee members to engage in candid deliberations free from outside interference. Violation of this principle of confidentiality can thus be seen as direct interference with the ability of members to discharge their duties.

[Translation]

While it is true that an apology has on occasion been deemed sufficient to resolve a possible breach of privilege, each instance must be assessed on its own merits. Today, we are faced with a situation where a committee has taken the rare step of reporting to the House the matter of a premature disclosure, unanimously believing that it may warrant further consideration.

*Privilege*

[*English*]

This matter is thus not merely of direct personal concern to the member from whose office the leak came or even of concern to the finance committee which reported the leak. As I see it, this is a situation that is of importance to the whole House and all hon. members. It has an institutional dimension that cannot be ignored given the circumstances. The Chair must therefore determine whether it appears that the ability of members to carry out their parliamentary duties has been impeded.

Having considered carefully the arguments presented, I have reached the conclusion that, in this instance, members of the Standing Committee on Finance, individually and collectively, appear to have been impeded in their work. Accordingly, I have no alternative but to find that a prima facie breach of privilege has occurred.

Before I call on the member for Outremont to move the appropriate motion, I wish to again stress the institutional nature of this matter and to commend the member for Saskatoon—Rosetown—Biggar for her poise, sincerity and proactivity in being the first member to inform the House of this vexing situation.

[*Translation*]

I now recognize the hon. member for Outremont and invite him to move his motion.

● (1510)

REFERENCE TO STANDING COMMITTEE ON PROCEDURE AND HOUSE AFFAIRS

**Mr. Thomas Mulcair (Outremont, NDP):** Mr. Speaker, I move, seconded by my friend and colleague, the hon. member for Vancouver East, the following motion:

That the matters referred to in the seventh report of the Standing Committee on Finance, tabled in this House on November 23, 2010, be referred to the Standing Committee on Procedure and House Affairs.

Mr. Speaker, as usual, when such delicate questions are being asked in the House, we all rely on your experience and expertise, and once again, we are humbled by the quality of your analysis here today. In fact, you have defended this institution.

I would like to give a very recent, concrete example that demonstrates just how much our ability to do our job has been impeded. Ever since the work on the prebudget consultation was made public—in fact, it was publicized; that is the very definition of the term—to some lobbyists, we have begun receiving invitations, as individual members of the Standing Committee on Finance, to attend meetings with certain groups that want to know why their requests were not included in our recommendations. Therefore, we are no longer dealing with something theoretical, but rather a very concrete issue.

Mr. Speaker, I really appreciate the fact that you explained that, initially, we were informed that three Conservative lobbyists had received the information. The following day, Tuesday, the Chief Government Whip revealed that there was a fourth, and the day after that, we received a message stating that there was a fifth.

It goes without saying that, under the circumstances, when we ask that this matter be referred to the Standing Committee on Procedure

and House Affairs, we, the opposition parties, intend to study exactly what happened.

Is that how they usually operate? Is that how the government does things, or was this the action of a single staffer? According to the government's initial version, the young staffer was dismissed immediately. That is all well and good, but the government has done this kind of thing before.

● (1515)

[*English*]

In the old *Star Trek* episodes, we would always say, “Watch out for the guy in the red shirt. He is not going to make it to the end of the episode”. The Conservatives are experts at finding somebody in the red shirt to eliminate, to bear the blame, but when the documents came in that morning at 8:31, when those documents were sent to the members of the Standing Committee on Finance, how is it possible that this lone junior staffer working in the office decided that there was a specific list of Conservative-connected lobbyists who would be given individual direct access to this information? The only way we will get a full answer to that question is by taking this matter before a committee.

There is also a technical aspect to this. For example in the first run-through, we were told that a check had been done and that they were only able to identify on the computer of that employee three lobbyists to whom it had been sent. The next day we found out that there was a fourth and then a fifth. The information technology branch here on the Hill will have no difficulty whatsoever going into their systems, because even if it has been erased in the office, even if it has been erased on the employee's BlackBerry, the IT group here on the Hill will be able to go deeper into the matter and find out for the members of the House what the actual situation is. We will not rely on what we are being told by the government because what we were told on Monday was different from what we found out on Tuesday, which was again contradicted on Wednesday.

Members of the House have every right to be skeptical about the information that is being provided, because it simply has not been borne out.

[*Translation*]

This is a question of privilege. The information leak could have repercussions outside Parliament—I mentioned lobbyists who have started contacting us directly because they are well aware of what we have suggested, what we have not disclosed and what we have disclosed—and within Parliament. It has become very difficult for members of the Standing Committee on Finance to work together because none of us know whether the necessary level of confidentiality will be observed.

*Privilege*

This can have repercussions for the Commissioner of Lobbying and the Ethics Commissioner. There have been a number of cases in the past. We all remember the member who, as natural resources minister, had to fire one of her staffers. What information got out in that case? Many other examples have come up in the House concerning government behaviour that stands in stark opposition to what the Conservatives have been promising since the beginning. It is always worth going back to square one and reminding ourselves that, when they took power, the Conservatives promised to do things differently.

You probably recall, as I do, Mr. Speaker, that this was a so-called matter of accountability. I think that accountability is a more appropriate word than responsibility in the circumstances. In any case, the government said that from the day they took office we would have a government that is more open and more honest with people. Matters of conduct and ethics would be front and centre. What have we seen happening instead since they took office? We have seen the kind of access to information and privacy stories that make your hair stand on end. For example, the rights of this House have been systematically trampled. In fact, Mr. Speaker, you had to rule on the issue of the alleged torture of Afghan detainees. Regarding privacy, there is no shortage of examples. We will recall the personal medical information that the Conservatives disclosed concerning someone who, God forbid, had the gall to question the government about how he was treated by Veterans Affairs.

So, we have seen what kind of medicine the Conservatives use in such circumstances. Everyone is an enemy. Such conduct on the part of a government and its leader has not been seen since the Nixon era. There are enemies lists. Anyone who questions becomes a bad person, whether it is the RCMP public complaints commissioner or the woman who was in charge of nuclear safety in Canada. As soon as someone tells the Conservatives something they do not want to hear, they get the axe.

That is why the story about the junior employee in the office that morning is so hard to believe. The finance committee's report was received at 8:31 a.m. and, by 8:37 a.m., communication with each and every recipient was over. Would they want us to believe that he sat at his desk and made a list where everyone in their respective fields received a note that they returned, saying "We love you; that was great." They were receiving precisely the information they wanted. That was no coincidence. It was not the doing of a junior person working all alone.

When there is a lack of respect for institutions, it starts to catch on. The actions of the Prime Minister's Office are glaring and this behaviour is being transmitted throughout the machinery of government. I remind members that the deputy ministers, who were specifically declared to be responsible in the Conservatives' very first piece of legislation, the Accountability Act, are starting to balk. I mentioned earlier about expecting something bad to happen to the guy in the red shirt. In the end, people realize that if they say no, the deputy minister ends up under a lot of pressure because he remembers that he is the one named in the Accountability Act. It will now be the deputy ministers. This was the case with Louis Ranger, a man of incredible integrity who worked in the Department of Transport. He had 35 years of experience within the government but

he refused to do exactly what he was told regarding infrastructure spending.

He knew that not only was that improper, but also that, in order to generate good press, the Conservatives had decided from the beginning that ministerial responsibility would no longer be the norm; deputy ministers would assume responsibility.

● (1520)

It goes without saying that within the machinery of government, these actions did not go over well. There are no more coincidences. When someone sends a confidential prebudget document, we have every right to question who made that request and why. Was it simply to please these lobbyists?

We can verify whether one of the recipients had discussions with the member in Parliament in question during meetings of the Standing Committee on Finance. Was the request to be recommended by the government? Is that how it will work?

Mr. Speaker, you had every reason to remind us that, unlike the American system, in which there is a watertight separation between the executive and the legislative, in the House, the first row on the majority side consists of members of Parliament from the government itself, and they make up the cabinet. So, it is already not very watertight.

Imagine what it would be like if we, the elected members and lawmakers, could no longer work together. Remember that ministers are not members of parliamentary committees. Members of cabinet do not join us there. We are in a prebudget exercise; we have heard from hundreds of groups and individuals from all over Canada; and we are preparing our submission. It has often been said, but it is worthwhile remembering, that we are working with a minority government, which is our third minority government in a row. All sides must work together to ensure smooth operations.

Let us examine what is happening. On the one hand, as elected members, we are trying to see how we can work together in future, and, on the other hand, some members or their employees believe that the best thing to do is to divulge confidential prebudget information. It is up to the elected members to make recommendations to the Minister of Finance.

How are we supposed to carry out our work now? If the purpose of the exercise is to make a series of recommendations without interference from the executive, how can we, as members of the legislative branch, continue to do that?

If this way of doing things has been communicated directly from the highest level, that is from the office of the Prime Minister—who interferes everywhere, is a control freak and likes to stick his nose into everything—how are we supposed to believe that we are working on a level playing field?

Together with our colleagues, we work on making recommendations that are in the public interest. How can we not come to the conclusion, as we are doing, that the Conservative government always works in its own interests and ignores the best interests of the public? This way of doing things has become the Conservative hallmark.

For our part, as you so rightly acknowledged today in this place, Mr. Speaker, we believe that this is a question of privilege. We wish to know the ins and outs of this story, and we look forward to this matter going before the parliamentary committee.

• (1525)

[*English*]

As elected members and as members of the legislative branch of government, it is important for us to continue to work openly with our colleagues with a view to making recommendations to the executive branch of government.

It has often been mistakenly said that in Canada there is a separation of powers like in the United States. Unlike the United States, where there is an absolute separation of power, members of cabinet do not sit in the House of Representatives or the Senate. In Canada, the front benches on the majority side, on the government side, are those who sit in cabinet. They are the executive branch of government.

However, when we listen to hundreds of groups coming in from across Canada making representations we need to do it freely and with only one consideration in mind: what the best way is to look at the public interest with the information we are being given; and the precepts, the proposals and the positions of our respective political parties. When that is interfered with, it is interfering with something precious in our democracy.

Due to the leak of this information, which was supposed to remain confidential as we worked on this together, we put ourselves in a position where it will be extremely difficult for that parliamentary committee to do as it has always done in the past, which is to produce a report.

That report has a special and fairly solemn character to it, which is provided for specifically in the standing orders of this House. It is not just any report. This is an official *démarche* of this Parliament where we receive hundreds of observations and recommendations from individuals, groups and businesses from across the country and we are supposed to weigh the various asks that are being made.

These are tough economic times and we know the government will try to use all sorts of reasons to reduce programs that can help people. Many of us have different perspectives on that. We would like to have the ability to work on them but one can imagine the pressure on members of other parties when, in the real world, lobbyists are aware of one party's proposal that winds up being a unanimous proposal. If it is a Bloc proposal, one could imagine the type of name-calling that already exists on the government side. It will be a "separatist proposal". If it is coming from the NDP, it will be qualified as a "socialist proposal", and so on.

We can just imagine how this type of leak interferes with our capacity to do our jobs in the public interest. That is why your decision, Mr. Speaker, is so important today.

I mentioned the Afghan detainee documents, the Rahim Jaffer affair and the government's bullying tactics around the Canadian Wheat Board. We were promised there would be no interference with the unelected Senate in the work of this House but last week an important bill on climate change, a bill that is not only important for

### *Privilege*

today but for future generations as well, which was adopted by the duly elected members of this House of Commons, was defeated by the Conservative Party bagmen and hacks who it stuffed the Senate with. This was unprecedented. We have not seen that in 75 years.

We were told that we would have a new rule on fixed election dates. That is another knee-slapper because the minute it was in the Prime Minister's interest to call the election, notwithstanding the fixed date, the Prime Minister went ahead and did whatever he wanted.

That is to say nothing about the West Block renovations and, of course, there has been some talk of a cashmere coat. Personally, I have always been of the view that it must be a coat made out of asbestos. It cost so much because several hundred dollars would have to be included for the liability insurance to wear it around.

The access to information regime is broken. The public appointments commission was one of the main promises made by the Conservatives but it has never been set up. So we are seeing the same thing. We are seeing disturbing examples. By pure chance, out of the 22,000 lawyers in the province of Quebec, it happens to be the main organizer of the Minister of Natural Resources who gets named to an important tribunal. However, I dare anyone to say that it is not because he is the best one of the 22,000 lawyers in the province of Quebec. Of course he is the best one and that is why he got the job.

The public appointments committee was supposed to get rid of stuff like that. Instead, we are seeing a record number of purely partisan appointments. Lobbyists go directly into cabinet and we have seen that since the Conservatives came in.

• (1530)

We have seen all sorts of behaviour on the part of the Conservative government coming from and headed by the Prime Minister's Office, which is why this type of behaviour needs to be cut off the minute it appears.

We agreed with your decision today, Mr. Speaker, that this was a question that affects our privileges as members of the House, but especially our ability to do our jobs in the public interest. I insisted on it when we had the occasion to discuss it the first time out, which was that it was an institutional and not an individual question.

People understood relatively quickly that they were dealing with something serious. It was interesting because as we have morphed from the three lobbyists, to the four, the five and who knows how many it will be at the end and how many people in those offices shared in that information, but the first batch of three provided us with what can only be called the three monkeys defence: one had not heard about it; the other one would not see anything that was written there; and the other one promised not to speak about it.

However, at the bottom of it all, we are dealing with an institutional issue. We will be able to bring in every one of those lobbyists to find out whether they had communication with anyone in that member's office and find out whether the request came from them and that it was simply being rolled back to them. We will be able to go through all this information and that will be an abject lesson for everyone on how to behave on this matters in the years to come.

*Privilege*

For all those reasons, we make the motion that this be referred to the Standing Committee on Procedure and House Affairs so that all members of that committee can sit down and ask the appropriate questions, get to the bottom of this and ensure that at no time in the future will our ability to do our work that we have been elected to do in the public interest will be interfered with by anyone.

**Mr. Tom Lukiwski:** Mr. Speaker, on a point of clarification. Will the government have a chance to adequately respond to the remarks made by the hon. member for Outremont following questions and comments?

**The Speaker:** This is a debate on this motion, so the members can participate in the debate to their heart's content. I am sure the hon. member is aware that can happen on a procedural motion of this kind.

**Mr. Tom Lukiwski:** Mr. Speaker, I am aware of the procedural niceties that will occur following this. I was mainly enquiring whether the opportunity would be given now or whether this is only for questions and comments and how long that questions and comments portion of this debate may last.

**The Speaker:** We have a 10-minute question and comment period following the hon. member's speech, which was a 20 minute limited speech, and then there will be another speech by another hon. member on my list. I am sure the parliamentary secretary can guess who it is. So we are looking forward to his comments in due course.

Questions and comments, the hon. member for Kings—Hants.

**Hon. Scott Brison (Kings—Hants, Lib.):** Mr. Speaker, does the member for Outremont share my concern as a member of the committee about the length of time it took the government to respond to this leak, to actually make contact with the lobbyists who had received the document?

We understand that the hon. member whose staff leaked the document became aware of the leak on Thursday and that the whip of the Conservative government was notified later that day. I spoke with the hon. member and, to her credit, she phoned committee members, which was helpful. My advice to her when I spoke to her on Friday was to contact the individuals who had received the report and ask them to ensure that it was not transmitted to anyone else and, in fact, that it be destroyed, and to ensure they understand the gravity of it.

It is my understanding that the Conservative whip, the most senior role from a disciplinary perspective, was aware of this and that his advice was just to leave it with the committee. He took no action whatsoever to deal with this.

Does the hon. member for Outremont share my concern that it was highly inappropriate for the government whip to not take more serious action and potentially prevent a wholesale distribution of this document within the lobbyist community?

• (1535)

**Mr. Thomas Mulcair:** Mr. Speaker, we agree wholeheartedly, and that is the reason I put so much emphasis on the fact that on Monday we had three, by Tuesday we knew there were at least four, and by Wednesday we knew there were at least five. That is why we are going to have to use the IT people.

It is true that, now that we are dealing in an electronic world, at the click of the mouse it can be sent almost anywhere. However, the photocopier was almost as fast. Let us not kid ourselves. If we were dealing with a hard copy, I do not think it would have been that much different. However, there are certain things we can look at.

When something such as that is going around for 100 hours, we have to know who knew. One of the things that disturbs me as a member of the finance committee is that I am starting to get calls from lobbyists who had “asks”, to use the consecrated term, who were not in the report from us and who are now asking for specific meetings with me to find out why they are not in the report.

That is interfering with my ability to do my job, and that went on for 100 hours before anyone on the government side had the wherewithal to say, “That is what is wrong. Make sure that they do not send it around and are not using it.” That is why that also has to be analyzed for the future.

**Mr. Joe Comartin (Windsor—Tecumseh, NDP):** Mr. Speaker, one of the disturbing aspects of this is the cumulative effect that I have noticed since I have been here as a member, and in particular since the Conservatives have come into government, of their attitude towards undermining the role of the committees.

We saw the situation where the former House leader of the Conservatives actually wrote a manual in regard to how to undermine the work of a committee.

Then we saw the situation with the current House leader, before he was the House leader, in this bombastic approach in front of committee of defending staff members who fairly clearly, by their own admission, had been undermining the Privacy Act and the availability of information, again to members and to the committee.

So my question to the member for Outremont is whether we are seeing an ongoing pattern and the sense that the government has of just sending the member in, he or she will apologize and everything will be okay and we will continue on, and that has now permeated into the staff of the Conservative Party and its members.

**Mr. Thomas Mulcair:** Mr. Speaker, the simple answer is that it is repeat behaviour. It is a pattern of behaviour. That is what we have to stop.

I look at the example of the Minister of Natural Resources, who had a staffer whose repeat behaviour was to interfere in the transmission of the information that was duly requested under the Access to Information Act.

We have that sort of repeat behaviour and the only time there is a sanction is when it becomes public; only when it is repeat behaviour, caught and made public, do they actually do anything about it.

There is a basic rule with these things, that these are the parts that are coming out and we are actually catching, but there is a lot more beneath the surface.

It is that signal that this is a correct pattern of behaviour, to deny access and interfere but provide privileged access to the people who are close to the government. That is the behaviour we have to put a stop to.



*Privilege*

• (1540)

**Mr. Brian Jean (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities, CPC):** Mr. Speaker, I thank the member for his lengthy and robust statement.

I do think the member should look back, and I do have a question for him in particular. I think he is a member of the law society of Quebec. I believe that is the case. I know there are a lot of members of Parliament in this place who are or have been lawyers in law societies from coast to coast.

All of those professions that are considered to be very important because they deal with money and people's rights and privileges have one rule: that even though they are self-reporting or they take care of their own business and are self-insured, they require that a lawyer in good standing with the law society of whatever bar it is, wherever the rule of law is present, and especially here in Canada, must report as soon as they become aware of those situations, which may be uncomfortable for them, and in particular, situations where their staff misbehave. In this particular case, that is the situation.

Of course, the member for Saskatoon—Rosetown—Biggar immediately took steps, fired the person and reported it, as is required by law societies across this country, as is required by law societies across the world that understand and respect the rule of law.

That is what has been done here. What has been done here is beyond what is required by that particular member, and I think the members of this place should stand up and applaud that particular member for taking proper steps, for taking immediate steps, and for being the first person in this particular case to become aware and to report that.

I think that takes a lot of guts and a lot of courage. Instead of standing up and talking about that person in a derogatory manner, members should stand up and actually applaud that member for what she did.

**Mr. Thomas Mulcair:** Mr. Speaker, here is what it means to take steps.

If a former colleague of the House of Commons is lobbying one of us and he or she is an illegal lobbyist and not registered, then the MP does not meet with that person. If our staff has privileged access to confidential information, we make sure that we read them the rules and explain to them why they have access to it in our office. We do not use them as scapegoats to be executed when our office gets in trouble and it reflects badly on us.

We are going to be able to sit down and look at a series of examples that constitute a pattern of behaviour in the Conservative government, including the ones I have just mentioned.

**Mr. Jim Maloway (Elmwood—Transcona, NDP):** Mr. Speaker, it is admirable that the staff person took responsibility and resigned. The reality is that the employers, meaning MPs, are responsible for the actions of their staff. Whenever an MP's staff member gets into trouble, it is very convenient to simply fire that employee.

Is the member aware of any precedents that we could look at that could tell us how to proceed with this particular situation?

**Mr. Thomas Mulcair:** Mr. Speaker, what we especially have to find out in this particular case is whether the rules were ever given.

When the person transmitted the information that was not allowed to be transmitted to the Conservative lobbyist, was it the result of a request or was that individual acting on his own?

One of my colleagues was careful to point out that all of us received the same information at 8:31. Somehow there was a complete list with specific information ready and transmitted by 8:37. That is something worthy of our attention.

**Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC):** Mr. Speaker, I find it unfortunate that the debate has taken this kind of turn. We have heard from many of our constituents and we have certainly read in the media that most Canadians are quite concerned about what they consider to be hyper-partisanship in this place. One needs to look no further than the comments made by the member for Outremont to understand why Canadians are quite concerned about that.

Once the ruling was made that there is a prima facie case and this matter should be referred to the procedure and House affairs committee for further examination, all we needed to do collectively as members of this place is support that motion and allow the procedure and House affairs committee to do its work and to conduct a complete examination. Instead, we have a diatribe by the member for Outremont, and I suspect we are going to hear others later this day, rather than merely referring this matter as should be done succinctly and immediately to the procedure and House affairs committee to allow it to do a full examination.

I find that completely unfortunate and inappropriate, but that just speaks to the fact that many members in this place do not want to allow committees to merely do their work but try to make political and partisan statements, or in other words, to use the vernacular, "piling on". That is what we saw from the member for Outremont.

I will take this opportunity to make one statement to correct some misinformation reported by my friend from Outremont, who suggested that perhaps there were more emails sent out and asked why the member for Saskatoon—Rosetown—Biggar did not go to the IT services of Parliament to get it to examine whether only five emails were sent out.

I can confirm that this has been done. The member for Saskatoon—Rosetown—Biggar did confirm with IT services in the House that only five emails had been sent. I have that documentation in my hand. Following the conclusion of my presentation I would ask for unanimous consent to table that so we hopefully do not hear the same sort of dubious suggestions from other members that perhaps there is a larger conspiracy at work here. There were five emails sent, and only five.

As I said, since there was a prima facie case to a breach of privilege, and in light of the additional information we have heard since this matter was first raised in the House, our government will be supporting this motion. I would ask all members, if they feel likewise, to support it, support it briefly and succinctly, and allow this to be sent to the procedure and House affairs committee as quickly as possible.

*Privilege*

I would ask for unanimous consent to table the documents confirming the fact that IT services has examined the computer in question and only five emails were sent.

• (1545)

**The Acting Speaker (Mr. Barry Devolin):** Does the parliamentary secretary have unanimous consent to table that document?

**An hon. member:** No.

**The Acting Speaker (Mr. Barry Devolin):** On the same point of order, the hon. member for Outremont.

**Mr. Thomas Mulcair (Outremont, NDP):** Mr. Speaker, this is precisely what the Standing Committee on Procedure and House Affairs is being convened to look at. We will be able to interview people from IT. We will be able to find out. It is certainly not something he is going to give stealth here in the House.

That is why our privileges have been breached, because of behaviour like that, and we are not going to stand for it. The procedure and House affairs committee is going to study this matter.

**The Acting Speaker (Mr. Barry Devolin):** I take from that there is not unanimous consent.

Questions and comments, the hon. member from Mississauga South.

**Mr. Paul Szabo (Mississauga South, Lib.):** Mr. Speaker, the member has made a statement with regard to what he has been able to do in a very short period of time, but the representations were made that even the fourth document that was leaked turned out to have been sent one minute before the first three that we received but they were not found on the hard drive.

Did the member ask IT, or be advised by IT, whether the contents of the computer that was used and the account that I think was the surname of the hon. member and zero @parl.gc.ca was in fact altered, erased or otherwise changed so that it would not be visible to anyone actually looking at the computer when the matter first arose?

**Mr. Tom Lukiwski:** Mr. Speaker, since I asked for unanimous consent to table a document confirming everything I said in my first intervention but was denied, I would suggest that we just go along with the suggestion made by my colleague from Outremont. Let us let the procedure and House affairs committee deal with this. I am sure it will find and verify exactly what I said.

**Mr. Paul Szabo (Mississauga South, Lib.):** Mr. Speaker, I am pleased to provide some input on the ruling of the Speaker and the motion of the hon. member for Outremont to refer this matter to the Standing Committee on Procedure and House Affairs.

I think that all hon. colleagues understand that this is a very serious issue, to the extent that the member for Outremont has indicated that he has been contacted by the so-called lobbyist with regard to why certain things may or may not have been in the report. I found the same thing. I can assure the House that all possibilities are still on the table with regard to the report of the committee.

As members know, the committee consulted broadly across the country. There were some 455 submissions and about 155 witnesses. All of those participants in the prebudget consultation have an important role to play in terms of making their so-called asks and justifying them before the committee. Obviously we are going to get

probably \$100 of asks for every \$1 that would otherwise be available. That has usually been the case. Certainly it was my experience when I was on the finance committee a number of years ago.

The issue here is not to speculate; it is to find fact. That is the purpose of the referral to the procedure and House affairs committee.

I do not want to speculate but I am personally concerned that the finance committee report will never be issued, because this matter has taken up so much time. The deadline for issuing the report is December 3. It is going to be very difficult for the committee to do an objective job, to be able to present a cogent and thoughtful report for parliamentarians and for all Canadians to see where we have been in terms of leading up to this consultation, the kinds of input we received and the recommendations of the committee as a whole, and possibly some supplementary reports giving the recommendations of individuals or of other parties individually.

It is a very important responsibility and we will be judged by it. The quality of that report will be a significant indicator of the quality of the work of the finance committee and its members. The members take that very seriously. That is why this encroachment and violation of the committee's rights have been taken so seriously.

As a consequence of looking at this matter, when we look at the facts and the details, we would ask ourselves that if there were three leaks, and that is what was represented, anybody who is involved in something like this and understands how serious it is would ask if that was the extent of it. We would want that determined because we need to know what the dimensions of the problem are.

We then heard that there was a fourth and then a fifth. All of this happened at a time when people came forward to indicate that they were contacted finally after some four days. The question arises as to why those people were not contacted as the first course of action by any responsible party. That question has not been answered and the procedure and House affairs committee may be able to pursue it.

The parliamentary secretary to the government House leader has indicated that they took all possible steps. First of all, there was an apology in the House, and then there was, as I understand it, notification of the clerk of the committee.

• (1550)

I would challenge that that is all possible steps when a situation occurs. I was advised that the first step taken was that the matter was brought to the attention of the chief government whip. I do not know what the rules of the game are, but I understand that was the first step. I can only speculate that that step was taken to make sure that the party's position was well understood on how these matters are handled.

*Privilege*

The understanding is, and it was confirmed to me by a member of the Conservative caucus on committee, that the whip's position was that it should be left up to the committee to deal with. That did not happen. The committee did not get it until later. The apology did not come until after the in camera meeting in which the committee first had an opportunity to consider this. We have to ask ourselves, the member found out on the Thursday, I think as people were going home, so there was no real opportunity, but we have an understanding that at the first opportunity matters should be brought before the House. The rule was considered important enough that steps could have been taken to have that done, either directly or indirectly, by the member.

There was also an opportunity all day on Monday, but it did not happen until after the finance committee meeting, where this matter was under full discussion with the members who were just finding out the details. I raise that simply as a matter of fact.

Then there is the issue of mitigating the damage. I would have thought that reasonable recommendation or protocol would have said that there should be a mitigation step taken. How can we make sure this does not happen further? How do we stop that machine that is processing things? It did not happen until the Monday when the in camera meeting was held. From Thursday to Monday there was no communication. I am wondering why the chief government whip did not think it was important for the lobbyists to be advised that they got the report by mistake, that there had been a mistake and they should not circulate it, that they should destroy all these things and confirm that they had done it. It is not a big deal and it did not happen for some period of time.

I am going to disagree with the Parliamentary Secretary to the Leader of the Government in the House of Commons that all possible steps were taken. In fact, they were not, and whatever steps were taken, were not taken expeditiously in the public interest and in the interest of Parliament. We should consider that.

I raise this because I do not think members should have to go to anybody to determine what is the appropriate course of action when there is an incident which may have breached the privileges of Parliament or been a matter of contempt of Parliament. There should not be a guessing game as to what are the steps. Members of the procedure and House affairs committee will have an opportunity to consider what happened, how it happened, why it happened and how we can make sure it never happens again. I would encourage them to do that.

There has been a suggestion that there may be a pattern. I wanted to look at this as objectively as I could. Then I heard there was a fourth. That fourth one came out and we were notified at the public meeting of the finance minister last Tuesday when he was before committee, and it was communicated to us that someone had voluntarily come forward and said they got this, et cetera.

We have to wonder whether there are any more. The parliamentary secretary said he contacted the information technology group to examine the hard drive or whatever and found that there is only five.

● (1555)

One of the things I found out was that the person who leaked the report, Mr. Russell Ulyatt, his common law spouse's name is Ashley Brambles. Ashley Brambles is a registered lobbyist and in fact represents and works for the Canadian Medical Association, which appeared before the finance committee on the prebudget consultations. The question about whether it was just five emails is one thing, but I do not know how far five emails flipped and how the pyramid started to grow.

Now we know there is a linked party, a close party who is a lobbyist and has an interest in this. We would have to find out whether or not yet another registered lobbyist had in fact found this out. It is not going to be good enough just to look at the computer. We have to look at some of the other facts and that would be one example.

There is another one which I found kind of interesting. Mr. Ulyatt is the owner of two companies. One of the companies is called Bestmail.ca. Bestmail.ca says the following under "About Us":

Dedicating ourselves solely to political mailing and fundraising gives Bestmail.ca unique insight into the best practices within the political mail sphere. Having sent over 5 million pieces of mail in the last two years allows us to work with your organization....

In terms of number of employees, it says "n/a", not applicable or not available.

Mr. Ulyatt has another company called RU Thinking. RU Thinking is the company that owns Bestmail.ca and is involved in similar matters.

I will be receiving a copy of a picture of a printing press which was in the corridor outside the office of the member in question. It is not a computer printer; I will find out what it was, but it appears to be a commercial printer. I also found out that the amount in the last business year of the materials and supplies expenses for the member's office seemed to be extraordinarily high relative to those of other hon. members. I will not go through the details, but it would raise some questions about what else was happening in the office. What was Mr. Russell Ulyatt doing in that office? What business was he transacting in that office? What people was he dealing with in that office? What was his job in that office?

We do not have the tools to do this, but the procedure and House affairs committee may. If Mr. Ulyatt was in fact conducting commercial businesses out of that office using commercial printers and House of Commons materials and supplies for these millions of pieces of communications going out, either electronically or otherwise, through a couple of companies, this lends some potential credibility to the idea that maybe there is much more to this than we know. Is this part of the culture? Is this part of the routine? Is this part of challenging the facts, switching the channel and blaming somebody else?

*Privilege*

The member for South Surrey—White Rock—Cloverdale even demanded that I apologize for bringing to the attention of the House that there was a fourth email. He is on the finance committee. He was at the meeting when it was received and he knows it was at a public meeting with the finance minister with regard to the budget. It was a public meeting. He stood and said I should apologize because I leaked something that happened at an in camera meeting. That is not true. The subject matter of a leak occurred during an in camera meeting, but this particular information was elsewhere. He raised it. I got on my feet and said the member had his facts wrong, that I got the information, as did all other hon. members, on the day following.

• (1600)

Then the Parliamentary Secretary to the Leader of the Government in the House of Commons gets up twice and refers to that and says that the member refuses to apologize, even though I explained why it was not applicable to apologize for something that did not happen. Therefore, the government is continuing to try to switch the channel to try to put the blame elsewhere.

I have this feeling that there is much more going on here. I have this feeling that when a member has to go the government whip to get instructions on how to handle it and the government whip does not say the most important thing and mitigate the downside, fix it because it is a serious problem. I do not think he said that. I have a feeling the Standing Committee on Procedure and House Affairs will be able to determine those facts.

Public interest is the most important issue. We talk about the institutional importance, and the word “dysfunction” has been used often about this place. However, it started with a 200-page manual on how to disrupt committees in the House, which was made by the former House leader of the Conservative Party. It was applied time and time again, whether it be the in and out hearings by the Conservative Party, which had charges against it for laundering money during an election campaign, or on the whole issue of the violation of Access to Information Act by a staffer. The current House leader came to the House and said that government staffers were not responsible, that it was the minister who was responsible. I do not see them saying today that the minister or member is responsible for the actions of his or her people.

Now we have the government saying two things, depending on the circumstances. If it is going to be the victim, it certainly is going to say no, that this is the way it is going to be. I hope the procedure and House affairs committee will consider that we do need a protocol. We need to deal with things on an expedited basis. We really have to consider whether the Parliament of Canada and the public interest has to wait until the committee actually reports when there is an apparent breach of confidentiality or a contempt of Parliament. That is not in the best interests of Parliament or the public. We have to consider if we have a situation and a configuration at committee, where it is not possible for a consensus at a committee to issue a report, that a serious item that happened in committee may never come out. This is wrong.

I certainly support the motion of the member for Outremont to send this to procedure and House affairs. I do know it has an obligation to deal with it first before other business, but we have to convey to committee members, should this vote carry, that we have

to find out what we can learn from this experience. We do not want this to be repeated. We want it to get out to absolutely everybody who has all kinds of interesting things going on that it is time to clean up their act. It is time for this place to clean up its act because we are in a profession that is not held in high esteem. This matter is not helping. I believe the appropriate step is to get it to the Standing Committee on Procedure and House Affairs so we can start down the road toward getting the House back into a position of being a profession held in high esteem.

• (1605)

**Ms. Libby Davies (Vancouver East, NDP):** Mr. Speaker, I appreciate the comments from the member for Mississauga South. I obviously support the motion to send this issue to procedure and House affairs. I thank the member for Outremont for raising this in the first place as a point of privilege. He made a very important distinction that although the member apologized to the House, as the Speaker said today in his ruling, while an apology on occasion was sufficient, each case and situation had to be look at on its merits.

The Speaker very much agreed with the member for Outremont that this was also a question of the institution of the finance committee, which is at the core of our work in the House of Commons.

I heard the member for Mississauga South express his concern at the beginning of his comments that one of the problems was this report may never see the light of day because it may miss the deadline. That is a very serious concern. It does not detract from us needing to do the proper investigation, but it underscores the problem we face, that the credibility of the finance committee has been undermined and its ability to have a report come forward and to be part of the public record is now seriously in question.

Could the member comment on that because it will make it very difficult for the finance committee?

• (1610)

**Mr. Paul Szabo:** Mr. Speaker, the member is quite right. There has been a serious concern expressed about this. We understand that people take this process extremely seriously because it is their opportunity to communicate. They understand there are many priorities out there, but the assessment people make of those priorities and how reasonable their approach is to come. We have had people say that they do not want anything more. They want the status quo for now until we get our house in order. Others were asking for tens of millions of dollars for new initiatives.

It will be unfortunate if the views of those witnesses and the submissions we receive were given at least some consideration. We cannot comment on all 451, but we could bring some attention to those that we felt were worthy of further consideration by the Minister of Finance. That may not happen. That would be a disaster if it did not, but unfortunately it may have to be the reality this time around simply because there is very little chance it will be objectively handled at this time.

*Privilege*

**Hon. John McKay (Scarborough—Guildwood, Lib.):** Mr. Speaker, I sat on the finance committee for six years and participated in the same budgetary consultations that hon. members have had over the last number of months. I know at times the committee literally has gone from coast to coast to coast. At times, particularly under the previous government, the minister of finance was in some measure guided by the work of the finance committee in shaping his budget.

The member rightly raises this issue. With this kind of a leak, that opportunity should the government have wished to avail itself of the recommendations of finance committee will not occur. Therefore, the government will be left to its own devices to make up its budget.

This is a significant issue and it is unique to the finance committee. The finance committee, like the Minister of Finance, looks to a budget of something in the order \$230 billion. That is a lot of money and it is about 15% of the nation's GDP. As a consequence, potentially there will not be any recommendations coming from the people of Canada who came before the finance committee, who worked hard on their presentations. It will all be for naught.

That is unique too. I cannot think of any other parallel committee where the consequences of a leak are so devastating and so significant.

There are those who argue in favour of say WikiLeaks and things of that nature, where this is simply people having an opportunity to gain information. This is an entirely different category. This is where the people have actually come before a committee and made their contribution.

Is this of such magnitude as to require a very serious inquiry on the part of procedure and House affairs and what other consequences does the member think could accrue?

**Mr. Paul Szabo:** Mr. Speaker, the member is quite right. The finance committee over the years has earned a great deal of respect for its thoughtful consideration of the presentations from all sectors across the country. It is an important responsibility and I know all the members personally on the committee now. We have had some excellent sessions and learned quite a bit, as have others.

However, it comes down to we cannot report favourably or unfavourably on everybody. We have to pick and choose. That is an important responsibility. Because everyone knows this, that is why one of the first lobbyists who got the draft report in advance responded back to the person, "I love you".

That speaks volumes about how important it is to someone to finally get that last edge to see if he or she can change the wording a bit, maybe get someone dropped off that would help. There are so many things that could happen, and it is already happening.

This is the sad thing. No one will believe this report if we cannot say that we had full unrestricted serious and thoughtful consideration of each and every report and we put down what we believed were the most important issues for the consideration of the finance minister.

• (1615)

**Hon. Scott Brison (Kings—Hants, Lib.):** Mr. Speaker, my question for colleague is this. Is he concerned about the coziness that seems to exist between the lobbyist community and the government

and the obvious relationships between the government and Conservative lobbyists?

I have some information on the five individuals who received the document and there is something they all have in common, and that is their Conservative ties. Clarke Cross worked as a Hill staffer to the Conservative member for Vegreville—Wainwright and the member for Nanaimo—Alberni. Lynne Hamilton lists on her biography that she worked with Conservative governments federally, provincially and municipally. In fact, she used to work in the office of Mike Harris, Conservative premier of Ontario. Then there is Timothy Egan. The Elections Canada website has the fact that he has donated over \$1,500 to the Conservatives since the summer of 2008, including a donation of \$300 to the finance minister's 2008 campaign. Andy Gibbons has worked on the Hill as a staffer to the Conservative member for Vegreville—Wainwright. He sought the Canadian Alliance nomination for the riding of Ottawa West—Nepean. On the profile of Howard Mains, it says that he has been a resident of Ottawa—Vanier for 15 years and has worked on many federal and provincial Conservative campaigns over the years. In fact, he worked for a former Conservative minister in the Mulroney government.

Do these Conservative ties to the lobbyist community concern the hon. member? How does the hon. member feel about the fact that this information was distributed so broadly within the Conservative community?

**Mr. Paul Szabo:** Mr. Speaker, those are the facts with regard to the five. I could only speculate about all other lobbyists and what their political affiliations, if any, might be. Procedure and House affairs may find that of interest.

However, I want to repeat probably the most important point I want the members to understand, and that is we have to try to look beyond the actual leak and find out why this happened and why it was not resolved in what a reasonable man would say would be the best possible way. It did not happen. We should know why.

[*Translation*]

**The Acting Speaker (Mr. Barry Devolin):** It is my duty, pursuant to Standing Order 38, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for Québec, Veterans; the hon. member for Windsor West, Potash Industry.

Resuming debate, the hon. member for Hochelaga.

**Mr. Daniel Paillé (Hochelaga, BQ):** Mr. Speaker, I believe that we should very sincerely applaud the Speaker's decision to refer this matter to the Standing Committee on Procedure and House Affairs.

Sadly, the current Speaker has informed us this year that this is his last term of office. This ruling will be part of the remarkable legacy that he will leave behind. We should now have even greater respect for this Speaker and his ruling on the motion that this ethical issue must be addressed by the Standing Committee on Procedure and House Affairs.

*Privilege*

We and the members on the other side of the House have spoken at length about the fact that the member for Saskatoon—Rosetown—Biggar has apologized. I have already said, here and elsewhere, that it was easier to beg forgiveness than ask for permission. In this case, we were told that action was taken as quickly as possible, which is untrue. I believe that we have to recognize this. It is untrue. Although this incident may have occurred inadvertently or innocently, it is still untrue.

As everyone has stated, my colleagues and I received the report from our committee clerk at 8:31 a.m. on Thursday. The first emails were sent six minutes later. Our Liberal colleague from Mississauga South gave some background on the person who sent these emails, Mr. Ulyatt. He said that Mr. Ulyatt even has a company that specializes in sending these types of things. This person did not act innocently; what he did was premeditated. It was done right away, immediately.

I was personally informed of the situation on Friday at lunch when I was told, in a trembling voice, that it had been learned the previous evening that three emails had been sent inadvertently. Three copies of the report were sent to three people. However, that did not happen on Thursday evening but on Thursday morning. We were told about it on Friday at noon. And that is where it ended. It just hung in the air. The committee met last Monday, at about 3:30 p.m., and we began talking about it. And now I am being told that due diligence was done and apologies were made as quickly as possible?

Last Monday, the member for Saskatoon—Rosetown—Biggar spoke at 2:05 p.m., relatively early in the day, to congratulate the Saskatoon Hilltops, but she said nothing about the oversight, the error in judgment, the fundamental mistake that occurred in her office. Not a word.

At 2:55 p.m., 50 minutes later, like other committee members, I told myself that perhaps she had warmed up and was ready to talk about it, but the same member instead rose to ask a question about her bill on accountability and enhanced financial transparency.

• (1620)

Enough is enough. Accountable to whom? Three days earlier her office was accountable to a Conservative Party lobbyist. As for the financial transparency of elected officials, I will not even go there. It was not until 5:50 p.m., three hours later, that the member said she acted as quickly as possible and apologized. We accept her apology, but there comes a point when, as the expression goes, enough is enough.

This is a question of responsibility. Here in this parliament, as in many others, there is ministerial responsibility. When someone makes a mistake, the minister is responsible. In my opinion, a member of Parliament or parliamentary secretary is responsible when a mistake is made. Of course, we need to look at the kind of mistake, but the more we dig and the more the Standing Committee on Procedure and House Affairs digs, the more we will realize that this is no trivial matter. It is not a question of someone accidentally hitting “send” and wondering what he did. The person did it again. Who gave the order to hit “send”? No one knows.

The government is a control freak when it comes to sending information. Everything is managed by the Prime Minister's Office:

press conferences, statements and so on. Everything is managed from above. Do we really believe that it was a young rookie who hit the wrong button on his computer, not knowing what he was doing? Perhaps it was something else.

We were in the midst of our work, and some members said that the Standing Committee on Finance was a serious committee. As one of the authors, I have a copyright on the report that will be released, but they went ahead and copied it. That is what she did. They copied certain things, even though the committee—my Liberal, Conservative and NDP colleagues and I—still had serious work to do.

Ministerial responsibility is reflected in the answers. On Monday, we asked the hon. member whom she had sent the unanimous report to. She swore that she had sent it to three people only. One of those three people sent us a message saying they had not received the report. That is odd. The other two then said they did receive it. The answer provided by the hon. member, maliciously or innocently, was not worth anything. We have to find out exactly what is behind such an answer.

We received other vague answers. We were told she had checked her BlackBerry, but it was turned off. Give me a break. Who does she take us for? When it comes to responsibility, the other members of the committee, including the Conservative members, should not be taken for fools. Perhaps someone has something to hide. That is why we support the motion of the hon. member for Outremont to refer the matter to the Standing Committee on Procedure and House Affairs.

• (1625)

We still do not have an answer. Who received the report? It is highly likely that many people in Canada received this report and are smacking their lips. I am sure of it. They have the list of recommendations made by each party, which is rather unusual. They are seeing what was kept and what was not, and how we proceeded. The documents were confidential.

I have asked whether we could have assurance that the documents were received, whether they were destroyed and whether we could get what we call in financial jargon, certification of destruction. So far, no one has given me any certification of destruction. I was told in one case that the document had been deleted and in another case, that it had never been received. In yet another case, the response I got was, “I heart you”, which is more than just a thank you very much. It is a declaration of love. That goes above and beyond appreciation. That is what we got. Those are the types of questions that need to be asked.

The Standing Committee on Finance plays an important role. Any finance minister faced with the leak of his budget or a draft of the budget would have to resign. We are talking about fiscal matters here. Does the member who was here earlier understand how important that is? Does the House understand how serious this work and the leak that happened are?

We conduct serious consultations about fiscal matters. These are either serious or not, either bogus or not. Consultations took place. Earlier, one of our colleagues said he sat on the finance committee for six years and went from coast to coast to coast. These are my second prebudget consultations. We have heard from more than 100 people, and nearly 500 wanted to appear before us. This is an important fiscal matter.

I will draw a parallel with something that has been on everyone's mind in recent days. Could this be insider trading? For the past three or four days in the House, questions have been put to the government about the sudden drop in the Taseko Mines stocks because insider trading was suspected. In that instance, a 165-page plus fiscal document was leaked. We are told that the member made a mistake, and we forgive her. I want to believe her, but this is more serious than the lump in her throat as she spoke. This is a serious matter.

Were any sanctions imposed? We were told that she booted out her secretary, Mr. so-and-so. Fine, but under what terms? Where is he now? Has he been recruited by a lobbyist of hers or by the Prime Minister's office? Who hired him? Will this be taken further? Someone who gets caught insider trading is prosecuted. Who will be prosecuted? Who is responsible? Someone in that office is the boss.

●(1630)

A simple apology is perhaps not enough. We are proud of the ruling made by the Speaker. I have been a member of another parliament, and I know that the rights and privileges of parliamentarians are sacred. We were all elected. We very often have differences of opinion. We sometimes make somewhat disparaging remarks and you are right to call us back to order, Mr. Speaker. I sometimes cannot contain myself when confronted with the slanderous remarks from the other side of the House, but we respect the fact that everyone here was elected by the public and was chosen to represent them. Our privileges are our rights as parliamentarians.

As vice-chair of the Standing Committee on Finance, I get the impression that my rights and those of the people of Hochelaga who elected me and the people who elected the 13 members of the committee have been violated. That is why the Speaker's ruling is special; the Speaker is showing respect for all the witnesses who have appeared since the beginning of the fall and who will appear in the future.

Next year, when we ask someone from Nova Scotia, Quebec, Winnipeg, British Columbia or Prince Edward Island to come and tell us what they think about the upcoming 2012 budget, they will say that there is no point, since anyone can hit the send button and send that information anywhere. Is that serious?

That is why this ruling is so important. I have been a member of this Parliament for one year, and I am very proud of this ruling. Obviously, the members of the Bloc Québécois are in favour of the motion by the member for Outremont. I should point out that that does not happen often.

I am sure that the Standing Committee on Procedure and House Affairs will ensure that these actions are punished—that word is

### *Privilege*

justified—because our reputation, our loyalty, our rights and our privileges are at stake.

●(1635)

[*English*]

**Mr. Derek Lee (Scarborough—Rouge River, Lib.):** Mr. Speaker, I will be supporting the motion. However, I want to say to the member that what has happened here has disrupted the work of the Standing Committee on Finance. It has undermined the trust of the members amongst themselves. It apparently has obstructed the tabling of the finance committee's report in the House. It has disrupted the work of this House today. It has totally pre-empted the order paper.

As well, the procedure and House affairs committee, if it does report, may recommend further disciplinary measures based on contempt.

Given all of that, could this still be a teachable moment? Could it be a teachable moment not for members but for staff and for the lobbying profession that works on the Hill?

The hon. member probably feels quite bad. If the facts as we know them up to now are true, she probably feels quite bad about what has happened.

Given that in many cases in the past a leak has been a one-off to a journalist, and given that we now think we know most of the facts, would the member agree that this could be and should be a teachable moment for us?

[*Translation*]

**Mr. Daniel Paillé:** Mr. Speaker, it will be up to the committee to decide. Unfortunately, it is currently sitting. It is continuing as though nothing has happened. Clearly, there are other members that sit on this committee but, in my opinion, they could have desisted. Nevertheless, the committee is currently sitting and we have to decide what to do with our report, which has two parts. The first part provides the context while the second makes recommendations. If we were to publish only the context, we would be publishing a truncated version of the report. But, how are we going to be able to discuss all of the recommendations? This is an issue that must be addressed by the committee members.

We have already discussed meeting with lobbyists, since we have already met with some. It bothered me to meet with, for example, the Parliamentary Budget Officer, who was speaking to us about economic variables, and two or three private economists, one of whom was apparently a lobbyist, at the same time. Everything was a bit mixed up. I think there is a lesson to be learned here. Lobbyists do have a job to do but, as parliamentarians, we should meet with individuals and organizations mandated by the public rather than by special interest groups.

●(1640)

[*English*]

**The Acting Speaker (Mr. Barry Devolin):** Is the House ready for the question?

**Some hon. members:** Question.

*Routine Proceedings*

**The Acting Speaker (Mr. Barry Devolin):** The question is on the motion.

Is it the pleasure of the House to adopt the motion?

**Some hon. members:** Agreed.

(Motion agreed to)

## ROUTINE PROCEEDINGS

[English]

### 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 four petitions.

\* \* \*

[Translation]

### COMMITTEES OF THE HOUSE

#### OFFICIAL LANGUAGES

**Mr. Steven Blaney (Lévis—Bellechasse, CPC):** Mr. Speaker, I have the honour to present, in both official languages, the third report of the Standing Committee on Official Languages, entitled "Recruitment, Intake and Integration: What does the Future Hold for Immigration to Official Language Minority Communities?"

[English]

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

\* \* \*

### PETITIONS

#### HOUSING

**Ms. Libby Davies (Vancouver East, NDP):** Mr. Speaker, I am pleased to rise in the House today to introduce another set of petitions signed by folks in the Lower Mainland of Vancouver and elsewhere in Canada who are supporting the need for a national housing strategy.

The petitioners want to see the government play an increased role in not-for-profit housing, housing for the homeless, access to housing for those with different needs, including seniors and persons with disabilities, and sustainable and environmentally sound design standards for new housing.

The petitioners call upon Parliament to ensure swift passage of my private member's bill, Bill C-304, An Act to ensure secure, adequate, accessible and affordable housing for Canadians.

#### ANIMAL WELFARE

**Mr. Brian Masse (Windsor West, NDP):** Mr. Speaker, it is my honour to present a petition signed by hundreds of my constituents from Windsor and Essex County. They are calling for stricter animal cruelty legislation to be passed and for fines and penalties to be improved.

The petitioners note that we are among the worst regarding penalties and fines and for bringing to justice those with criminal behaviour. We have had a series of abuses in the communities. The petitioners are very clear that they want to see Canada modernize this legislation.

It is important to note that animal abuse is also connected to human abuse. The petitioners would like to see the government do something on this issue.

[Translation]

#### DEMOCRATIC REPRESENTATION

**Ms. Christiane Gagnon (Québec, BQ):** Mr. Speaker, I am presenting today a petition signed by Quebeckers who refuse to see the weight of Quebec in this House be reduced.

The Conservative government introduced in the House Bill C-12, to increase the number of seats from 308 to 338. But this increase would only be for Ontario, British Columbia and Alberta, which would mean that Quebec's weight would be reduced from 24% to 22%. We know that, in 1867, Quebec's weight was 36%. Yet, Quebec was recognized as a nation by this House. Clearly, this is one way to muzzle our nation, and also to fight the Bloc Québécois, because this is the only way this government has found to try to secure a majority.

The petitioners ask that a minimum representation threshold of 25% of seats be set for Quebec, so that our nation is represented adequately in accordance with its political weight.

● (1645)

[English]

#### VETERANS AFFAIRS

**Ms. Irene Mathysen (London—Fanshawe, NDP):** Mr. Speaker, I have two petitions to present today.

The first petition is from a group of Canadians of all ages and from all walks of life. They state that they genuinely support and value the contributions of our veterans. They regard a veteran as a veteran, regardless of where or in which deployment the veteran may have served.

These petitioners call upon the Government of Canada to extend the mandate of veterans hospitals and include veterans who have served in conflicts and peacekeeping operations since 1953, to eliminate the clawback of veterans pensions, to eliminate the reduction of veterans pensions at age 65, to change the widows benefit to a non-taxable benefit, to create a veterans advisory panel that will provide input on the selection of future ombudsmen for Veterans Affairs, and to ensure that Veterans Affairs Canada remains as a stand-alone department.

#### ABORIGINAL AFFAIRS

**Ms. Irene Mathysen (London—Fanshawe, NDP):** Mr. Speaker, the second petition is from those who support the Native Women's Association of Canada.

The Sisters in Spirit campaign has identified nearly 600 missing and murdered aboriginal women whose cases go back as far as 1970. The equivalent number in the whole Canadian population would be 18,000 missing or murdered women.



These petitioners believe that the research conducted by NWAC has convinced Canadians that violence against aboriginal women must be stopped and that we need to find the strategies, resources, and tools to stop women from disappearing. They call upon Parliament to ensure that NWAC receives sufficient funding, as was promised, to continue its important work protecting women through its Sisters in Spirit initiative and to invest in initiatives recommended by NWAC to help prevent more women from disappearing.

## CHILD PORNOGRAPHY

**Mr. Malcolm Allen (Welland, NDP):** Mr. Speaker, I have two petitions to present today.

The first is from members of my riding who are seeking to end the Internet being used as a place for crimes against children when it comes to pedophilia and the distribution of pornography.

## MULTIPLE SCLEROSIS

**Mr. Malcolm Allen (Welland, NDP):** Mr. Speaker, the second petition comes from literally hundreds of MS sufferers and their families from across my riding and Niagara. They talk about CCSVI, the opportunity to be tested, and the opportunity for clinical trials.

I remind the House that just a couple of weeks ago, a gentleman from St. Catharines, which is part of my riding, died in Costa Rica. He had surgery performed in Costa Rica, came home with complications, went back to Costa Rica, and died on the operating table. I am convinced that if clinical trials had been the case here, this would not have happened to that gentleman.

The petitioners are asking for clinical trials to be set up to allow them to be treated at home.

## AFGHANISTAN

**Mr. Jim Maloway (Elmwood—Transcona, NDP):** Mr. Speaker, my petition is signed by dozens of Canadians calling on the government to end Canada's military involvement in Afghanistan.

In May 2008 Parliament passed a resolution to withdraw Canadian Forces by 2011. The Prime Minister, with agreement from the Liberal Party, broke his oft-repeated promise to honour the parliamentary motion. Furthermore, he refuses to put it to a parliamentary vote in the House.

Committing a thousand troops to a training mission still presents a danger to our troops and an unnecessary expense. Our country is faced with a \$56 billion deficit, and the military mission has cost Canadians more than \$18 billion so far. This money could have been used to improve health care and seniors pensions right here in Canada.

The polls show that a clear majority of Canadians do not want Canada's military presence to continue after the scheduled removal date of July 2011. Therefore, the petitioners call on the Prime Minister to honour the will of Parliament and bring the troops home now.

\* \* \*

## QUESTIONS ON THE ORDER PAPER

**Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC):** Mr. Speaker,

## Routine Proceedings

the following questions will be answered today: Nos. 434, 435, 437, 439, 440, 465, 475, 476, 505, 518, 520 and 522.

[Text]

Question No. 434—**Mrs. Michelle Simson:**

With respect to missing and murdered Aboriginal women and the \$10 million announced in Budget 2010 to address this issue: (a) with whom has the government consulted to determine where this money should be spent; (b) what process was adopted for determining where this money would be spent; (c) what groups has the government considered funding with this money; (d) how much of this money has been allocated; and (e) when will the rest of this money be allocated?

**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 action will be taken to ensure that law enforcement and the justice system meet the needs of aboriginal women and their families.

On October 29, 2010, the Minister of Public Works and Government Services and Minister for Status of Women, announced the seven concrete steps the Government of Canada is taking to address the disturbingly high number of missing and murdered aboriginal women and to make our communities safer: [http://www.justice.gc.ca/eng/news-nouv/nr-cp/2010/doc\\_32560.html](http://www.justice.gc.ca/eng/news-nouv/nr-cp/2010/doc_32560.html), [http://www.justice.gc.ca/eng/news-nouv/nr-cp/2010/doc\\_32564.html](http://www.justice.gc.ca/eng/news-nouv/nr-cp/2010/doc_32564.html) and [http://www.justice.gc.ca/eng/news-nouv/nr-cp/2010/doc\\_32565.html](http://www.justice.gc.ca/eng/news-nouv/nr-cp/2010/doc_32565.html). As the news release and background indicate, four of the seven initiatives involve additional program funding, which was made available to aboriginal groups and communities through application to either the Department of Justice, <http://canada.justice.gc.ca/eng/pi/pb-dgp/fund-fina/index.html>, or the Department of Public Safety, <http://www.publicsafety.gc.ca/prg/cor/ac/index-eng.aspx>. The Minister of Public Works and Government Services and Minister for Status of Women Canada also announced at the same time a \$500,000 investment this year to the Native Women's Association of Canada's "From Evidence to Action" program.

*Routine Proceedings***Question No. 435—Mrs. Michelle Simson:**

With regard to Bill C-471, An Act respecting the implementation of the recommendations of the Pay Equity Task Force and amending another Act in consequence: (a) which organizations, lobbyists and interest groups did each minister consult before May 5, 2010; (b) did any ministers receive briefing materials about this Bill; (c) what department or organization prepared these briefing materials; (d) what did these materials state; and (e) who were these materials given to?

**Hon. Stockwell Day (President of the Treasury Board, CPC):** Mr. Speaker, with regard to Bill C-471, An Act respecting the implementation of the recommendations of the Pay Equity Task Force and amending another Act in consequence, and in response to (a), the President of the Treasury Board did not consult with any organizations, lobbyists or interest groups between January 19, 2010 and May 5, 2010. Treasury Board Secretariat does not hold the records of meetings for previous ministers and therefore cannot respond for the time period prior to January 19, 2010.

In response to (b), the President of the Treasury Board was briefed by officials of TBS.

In response to (c), TBS prepared the briefing materials.

In response to (d), the material provided to the President of the Treasury Board is protected under the Access to Information Act and therefore cannot be provided.

In response to (e), briefing materials were presented to the President of the Treasury Board.

**Question No. 437—Mr. Andrew Kania:**

With regard to the Building Canada Fund (BCF) projects in the riding of Brant, what is the total number of jobs created or sustained for each project, according to reports submitted to the government, pursuant to Schedule "C" of the BCF Communities Component Agreement?

**Hon. Chuck Strahl (Minister of Transport, Infrastructure and Communities, CPC):** Mr. Speaker, Infrastructure Canada does not collect this information through any sections or schedules of the building Canada fund communities component agreements with provinces. Analysis on the job creation impacts of the Government of Canada's economic action plan was presented in the sixth report to Canadians on the economic action plan released on September 27, 2010.

**Question No. 439—Mr. Andrew Kania:**

With regard to the Building Canada Fund (BCF) projects in the riding of Brampton West, what is the total number of jobs created or sustained for each project, according to reports submitted to the government, pursuant to Schedule "C" of the BCF Communities Component Agreement?

**Hon. Chuck Strahl (Minister of Transport, Infrastructure and Communities, CPC):** Mr. Speaker, Infrastructure Canada does not collect this information through any sections or schedules of the building Canada fund communities component agreements with provinces. Analysis on the job creation impacts of the Government of Canada's economic action plan that was presented in the sixth report to Canadians on the economic action plan released on September 27, 2010.

**Question No. 440—Hon. Maria Minna:**

With regard to the negotiations between the British Columbia Maritime Employers Association (BCMEA) and the International Longshore and Warehouse Union (ILWU): (a) how much did it cost to produce the report by mediators Hughes and Rooney, from the time of their appointment to the end of their mandate; (b) has

the Minister reviewed the report, including submissions from the BCMEA and the ILWU; (c) has the Labour Program made recommendations to the Minister on the report and, if so, what were those recommendations; and (d) will the Minister appoint an industrial commission as recommended in the report?

**Hon. Lisa Raitt (Minister of Labour, CPC):** Mr. Speaker, in response to (a), the mediation process headed by mediators Hughes and Rooney took place from March 2010 to July 2010 and resulted in two reports to the minister on July 30, 2010. The cost of the process was \$372,026.14.

In response to (b), the minister has reviewed the reports and the submissions from the BCMEA and the ILWU.

In response to (c), while recommendations were provided, we are not permitted to disclose such information pursuant to section 21(1) (a) of the Access to Information Act.

In response to (d), to date, no decision has been made regarding the appointment of an industrial inquiry commission.

**Question No. 465—Hon. Judy Sgro:**

What programs at Human Resources and Skills Development Canada are currently under program spending review?

**Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC):** Mr. Speaker, responsible spending and sound management of tax dollars are important at all times. A key pillar of this sound management practice is the ongoing assessment of all program spending.

**Question No. 475—Mr. Glen Pearson:**

With regard to the Canadian International Development Agency: (a) what amount of Official Development Assistance is allocated to Sudan; (b) what specific regions in Sudan have received these funds; and (c) what specific sectors or programs are receiving these funds and what are they for?

**Hon. Bev Oda (Minister of International Cooperation, CPC):** Mr. Speaker, in response to (a), CIDA's allocations to Sudan are up to \$100 million annually.

In response to (b), CIDA applies a whole of Sudan approach. CIDA's programming in Sudan is focused on humanitarian assistance and early recovery programming throughout Sudan, including in Darfur, the south, the north, and the east. Furthermore, the majority of CIDA's humanitarian funding is provided at the national level, through multilateral agencies, which then determine where needs are greatest.

In response to (c), in 2009, the following thematic priorities were identified and approved through the country strategy by the Minister for International Cooperation: children and youth, food security, governance, and humanitarian assistance. Gender equality and environmental sustainability are crosscutting themes and thus integral to program development. Last, based on Canada's G8 commitments, Sudan is one of 10 countries selected to focus on maternal, newborn and child health, MNCH. Children and youth projects aim to increase the social and economic contributions of at risk young men and women and girls and boys, age 12 to 24, to their communities and to enable them to cope better and manage risks and vulnerabilities related to ongoing instability.

*Routine Proceedings*

Food security projects aim to increase the subsistence agriculture production of men, women and their households to enable them to become more resilient and cope better with the physical, nutritional, and economic risks and vulnerabilities related to ongoing instability.

Governance projects aim to increase the ability of state institutions and Sudanese men, women, young males and females to execute and actively participate in democratic processes and manage public resources.

Humanitarian assistance is provided to meet immediate, life-saving needs and includes emergency food aid, water and sanitation, medical care and nutritional support, emergency shelter, and protection.

**Question No. 476—Mr. Glen Pearson:**

With regard to the Canadian International Development Agency and the government's Child and Maternal Health Initiative: (a) how much has the government promised to contribute to the Initiative; (b) what percentage of the funds have already been spent on or earmarked for specific projects or programs; and (c) what percentage of the funds will be allocated to the Global Fund to Fight AIDS, Tuberculosis and Malaria?

**Hon. Bev Oda (Minister of International Cooperation, CPC):** Mr. Speaker, in response to (a), the Government of Canada recognizes the importance of addressing the health needs of women and children in developing countries. At the 2010 G8 summit in Muskoka, the Prime Minister announced that Canada will contribute \$2.85 billion over five years to improve maternal, newborn and child health, MNCH. This commitment includes \$1.1 billion in new funding over the next five years, in addition to maintaining existing levels of funding estimated to be \$1.75 billion over the same period.

In response to (b), of Canada's \$1.1 billion contribution in new funding to the Muskoka initiative, \$241.4 million, or approximately 22%, has been earmarked for specific projects and programs.

In response to (c), at the September 2010 Millennium Development Goals Summit in New York, the Prime Minister announced \$540 million to the Global Fund to Fight AIDS, Tuberculosis and Malaria for the third replenishment cycle, 2011 to 2013, of which \$41.4 million, or approximately 8%, is sourced from Canada's \$1.1 billion contribution to the Muskoka initiative.

**Question No. 505—Mrs. Lise Zarac:**

With regard to the transfer of Saint Anne's Hospital to the Government of Quebec: (a) what is the anticipated benefit to Canadian veterans; (b) what are the cost savings to taxpayers; and (c) how much does the government anticipate that this transfer will cost?

**Hon. Jean-Pierre Blackburn (Minister of Veterans Affairs and Minister of State (Agriculture), CPC):** Mr. Speaker, in response to (a), the first priority of the Government of Canada is ensuring that our veterans at Ste. Anne's Hospital continue to receive the exceptional care they have earned and deserve. The number of veterans eligible for admission to Ste. Anne's Hospital is steadily declining and it is anticipated the number of vacant beds will increase.

In order to ensure high quality care to veterans, Ste. Anne's Hospital needs to maintain a minimum number of patients. The transfer of Ste. Anne's Hospital to the province of Quebec would allow the hospital to be fully utilized, maintain its high quality of

care, and be of benefit to a greater number of Canadians. Key considerations for the Government of Canada in any transfer are the continued priority access to quality care and services for veterans and the interests of employees.

In the late 1950s and early 1960s, as the delivery of health care became a provincial responsibility, and with the inauguration of universal hospital insurance, the 1963 Glassco commission recommended to the Government of Canada that Veterans Affairs Canada's departmental health care facilities be transferred to the provinces. At that time Veterans Affairs Canada was offering care to veterans in 18 federally administered facilities, including Ste. Anne's Hospital. In response to this recommendation, it has been a long-standing policy of the Government of Canada to transfer Veterans Affairs Canada facilities and 17 departmental facilities, with the exception of Ste. Anne's Hospital, have been transferred to the provinces in which they were located. Ste. Anne's Hospital is the last remaining federally owned veterans hospital.

Veterans Affairs Canada is committed to providing quality care for veterans at Ste. Anne's Hospital and this commitment will be protected in any eventual agreement to transfer Ste. Anne's Hospital. All veterans who are eligible to receive care at Ste. Anne's Hospital will continue to receive expert care in their time of need.

In response to (b), actual financial impacts would depend on many factors. These include the date and terms of any eventual transfer agreement reached with Quebec, and the number of veterans residing at Ste. Anne's Hospital at the time.

In response to (c), the financial breakdown would depend on several factors including the date and the terms of any eventual transfer agreement reached with Quebec. Therefore, the financial details cannot be estimated at this time.

**Question No. 518—Mr. Paul Szabo:**

With regard to Building Canada Fund (BCF) projects in the riding of Mississauga South, what is the total number of jobs created or sustained by each project, according to reports submitted to the government pursuant to Schedule "C" of the BCF Communities Component Agreement?

**Hon. Chuck Strahl (Minister of Transport, Infrastructure and Communities, CPC):** Mr. Speaker, Infrastructure Canada does not collect this information through any sections or schedules of the building Canada fund communities component agreements with provinces. Analysis on the job creation impacts of the Government of Canada's economic action plan was presented in the sixth report to Canadians on the economic action plan released on September 27, 2010.

*Routine Proceedings***Question No. 520—Mr. Paul Szabo:**

With regard to Building Canada Fund (BCF) projects in the riding of Mississauga—Erindale, what is the total number of jobs created or sustained by each project, according to reports submitted to the government pursuant to Schedule “C” of the BCF Communities Component Agreement?

**Hon. Chuck Strahl (Minister of Transport, Infrastructure and Communities, CPC):** Mr. Speaker, Infrastructure Canada does not collect this information through any sections or schedules of the building Canada fund communities component agreements with provinces. Analysis on the job creation impacts of the Government of Canada’s economic action plan was presented in the sixth report to Canadians on the economic action plan released on September 27, 2010.

**Question No. 522—Hon. Shawn Murphy:**

With respect to the reception at Rideau Hall on Friday, October 1, 2010, following the Governor General’s installation: (a) which Members of Parliament and Senators were invited to the reception; (b) which Members of Parliament and Senators received additional invitations; (c) how many additional invitations were sent to each Member of Parliament and Senator in (b); and (d) what are the names and titles of the persons responsible for compiling the guest list?

**Mrs. Sylvie Boucher (Parliamentary Secretary for Status of Women, CPC):** Mr. Speaker, the Privy Council Office responds that for part (a) of the question, the members of Parliament and senators who were invited to the reception were: the right hon. Prime Minister; the hon. Noël Kinsella; the hon. Speaker of the House of Commons; the hon. Leader of the Opposition, the hon. Member for Toronto—Danforth; the member for Laurier—Sainte Marie; the hon. Minister of Justice and Attorney General of Canada; the hon. Minister of Veterans Affairs and Minister of State (Agriculture); the hon. Marjory LeBreton; the hon. Minister of Transport, Infrastructure and Communities; the hon. Minister of National Defence; the hon. President of the Treasury Board and Minister for the Asia-Pacific Gateway; the hon. Minister of Public Safety; the hon. Minister of Public Works and Government Services and Minister for Status of Women; the hon. Minister of Human Resources and Skills Development; the hon. Minister of International Cooperation; the hon. Jim Prentice; the hon. Leader of the Government in the House of Commons and Minister of the Environment; the hon. Minister of Foreign Affairs; the hon. Minister of Industry; the hon. Minister of Finance; the hon. Minister of Intergovernmental Affairs, President of the Queen’s Privy Council for Canada and Minister for La Francophonie; the hon. Minister of International Trade; the hon. Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board; the hon. Minister of Citizenship, Immigration and Multiculturalism; the hon. Minister of Natural Resources; the hon. Minister of Canadian Heritage and Official Languages; the hon. Minister of Health; the hon. Minister of Labour; the hon. Minister of Fisheries and Oceans; the hon. Minister of National Revenue, Minister of the Atlantic Canada Opportunities Agency and Minister for the Atlantic Gateway; the hon. Minister of Indian Affairs and Northern Development, Federal Interlocutor for Métis and Non-Status Indians and Minister of the Canadian Northern Economic Development Agency; the hon. Minister of State for Sport; the hon. Minister of State and Chief Government Whip; the hon. Minister of State for Seniors; the hon. Minister of State for Transport; the hon. Minister of State for Western Economic Diversification; the hon. Minister of State for Democratic Reform; the hon. Minister of State for Science and Technology and for the Federal Economic

Development Agency for Southern Ontario; the hon. Minister of State for the Economic Development Agency of Canada for the Regions of Quebec; the hon. Minister of State of Foreign Affairs for the Americas; and the hon. Minister of State for Small Business and Tourism.

In regard to part (b) of the question, each of the above guests was invited to be accompanied by a spouse or family member.

In regard to part (c) of the question, no additional invitations were sent to each member of Parliament and senator in part (b).

In regard to part (d) of the question, the guest list was determined by the representatives of the departments and agencies working on the transition. By tradition, it is the Secretary to the Governor General, Mme Sheila-Marie Cook, who issues the invitations to this installation event.

\* \* \*

• (1650)

[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, if Questions Nos. 432, 433, 436, 441, 442, 444, 447, 449 and 455 could be made orders for returns, these returns would be tabled immediately.

**The Acting Speaker (Mr. Barry Devolin):** Is that agreed?

**Some hon. members:** Agreed.

[Text]

**Question No. 432—Mrs. Michelle Simson:**

With regard to the Universal Child Care Plan: (a) how many child care spaces have been created each year, broken down by province, since the program’s inception in 2006; (b) how much has been spent each year, since 2006, on the development of child care spaces; (c) how many companies have made use of the 25 percent tax credit to create new child care spaces; (d) how many spaces have been created to date using this credit; and (e) what is the dollar value of the credits used?

(Return tabled)

**Question No. 433—Mrs. Michelle Simson:**

With regard to the firearms training program for Canada Border Services Agency (CBSA) officers: (a) how many CBSA officers have participated in firearms training since the program’s inception in 2006; (b) how many CBSA officers have successfully passed the program; (c) how many CBSA officers are currently armed; (d) how many years will it take to train and arm all remaining CBSA officers and how much money does the government expect to spend on training for these CBSA officers; (e) what dollar amount has been spent so far on this program; (f) what government studies have been done on the effectiveness of this initiative; (g) for every study in (f), what is the (i) title, (ii) author, (iii) date of publication, (iii) brief synopsis of its conclusions; (h) how many times has a CBSA officer used his or her weapon in the line of duty; (i) for every incident in (h), where did the incident take place and what is a brief description of the incident?

(Return tabled)

**Question No. 436—Mr. Andrew Kania:**

With regard to projects funded by the Recreational Infrastructure Canada program in the riding of Brant, what is the total number of jobs created or sustained for each project, according to reports submitted to the government, pursuant to Schedule “H” of the Recreational Infrastructure Funding Agreement?

*Government Orders*

(Return tabled)

Question No. 441—**Mr. Bruce Hyer:**

With respect to Canada's Economic Action Plan signs, broken down by government department, agency, foundation and Crown Corporation: (a) how many signs were distributed, broken down by province and by federal riding, during the 2009-2010 and 2010-2011 fiscal years; (b) what was the installation cost of each sign; (c) what is the maintenance cost of each sign; (d) who were the contractors responsible for the installation and maintenance of the signs, broken down by province and by federal riding; (e) which department, agency, foundation or Crown Corporation is responsible for each sign and sign location; and (f) how many signs, broken down by province and federal riding, are planned to be installed by the end of fiscal year 2010-2011?

(Return tabled)

Question No. 442—**Hon. Lawrence MacAulay:**

With respect to the 400th anniversary of the founding of Cupids, Newfoundland and Labrador: (a) what is the total dollar amount spent by the government for the 400th anniversary of Cupids; (b) what non-monetary support was provided by the government to assist with the celebrations; (c) what was the government's budget for the celebrations; and (d) how much was actually spent on the celebrations?

(Return tabled)

Question No. 444—**Mr. Bruce Hyer:**

With regard to government polling from January 1, 2006 to September 22, 2010: (a) how much was spent annually (i) broken down by department, crown corporation, foundation, agency, board and commission, (ii) broken down by department, crown corporation, foundation, agency, board and commission and by province and territory; (b) how much was spent, broken down by type of polling technique (phone, online, focus groups, etc.), (i) annually, (ii) annually by each department, crown corporation, foundation, agency, board and commission; and (c) what companies received contracts to complete this polling work, broken down by type of polling technique, (i) annually, (ii) annually by each department, crown corporation, foundation, agency, board and commission?

(Return tabled)

Question No. 447—**Hon. Mauril Bélanger:**

With respect to the site of the former CFB Rockcliff: (a) how much has the Canada Lands Company spent over the past ten years, charged to what budget item, on the site's development; and (b) of the funding granted to external firms or consultants for this development, how much has gone to each firm or consultant and what are the names of these firms or consultants?

(Return tabled)

Question No. 449—**Mrs. Bonnie Crombie:**

With regard to the Canadian Food Inspection Agency: (a) what specific system is in place to determine exactly how many food inspectors the agency has; (b) how many food inspectors were in place prior to August 31, 2008; (c) how many food inspectors have been hired per quarter since October 15, 2008; (d) what exactly does each inspector inspect; (e) where exactly is each inspector stationed; and (f) what is the total cost per calendar year, beginning in 2008 to present, for the hiring of these inspectors?

(Return tabled)

Question No. 455—**Mr. Charlie Angus:**

With regard to the expenses of the Department of Foreign Affairs and International Trade (DFAIT) for each fiscal year since 2006-2007, up to and including the current fiscal year: (a) what was the total global amount spent on hospitality expenses by each Canadian embassy overseas; (b) how much has each Canadian embassy overseas spent on leasing expenses, catering services, restaurants, alcohol and beverages, bottled water, and petty cash; (c) how much has each Canadian embassy and consulate spent on advertising overseas; (d) what cuts have been made to DFAIT expenditures on Canadian missions overseas during the economic recession and what was the cut in expenditure for each embassy and consulate; (e) what companies have received sole source contracts to provide services

for Canadian missions overseas; and (f) how much have Canadian diplomats spent on limousine services, private air services, executive class commercial air services, economy class commercial air services and car rentals?

(Return tabled)

*[English]*

**Mr. Tom Lukiwski:** Mr. Speaker, I ask that the remaining questions be allowed to stand.

**The Acting Speaker (Mr. Barry Devolin):** Is that agreed?

**Some hon. members:** Agreed.

**GOVERNMENT ORDERS***[English]***SUSTAINING CANADA'S ECONOMIC RECOVERY ACT**

The House proceeded to the consideration of Bill C-47, A second Act to implement certain provisions of the budget tabled in Parliament on March 4, 2010 and other measures, as reported (without amendment) from the committee.

**The Acting Speaker (Mr. Barry Devolin):** There being no motions at report stage, the House will now proceed without debate to the putting of the question on the motion to concur in the bill at report stage.

**Hon. Lawrence Cannon (for the Minister of Finance)** moved that the bill be concurred in.

(Motion agreed to)

**The Acting Speaker (Mr. Barry Devolin):** When shall the bill be read a third time? By leave, now?

**Some hon. members:** Agreed.

**Hon. Lawrence Cannon (for the Minister of Finance)** moved that the bill be read the third time and passed.

**Mr. Andrew Saxton (Parliamentary Secretary to the President of the Treasury Board, CPC):** Mr. Speaker, thank you for the opportunity to start third and final reading of the sustaining Canada's economic recovery act. Before continuing, let me quickly thank the House of Commons finance committee for its timely consideration and adoption of this important legislation.

The sustaining Canada's economic recovery act, which includes numerous initiatives from budget 2010, is a key element of Canada's economic action plan, a plan that has helped ensure that Canada has weathered the recent global economic storm better than all other countries in the G7, a plan that has given the Canadian economy a \$62 billion shot in the arm when it needed it the most, a plan that was well designed.

As Auditor General Sheila Fraser, following her examination of Canada's economic action plan, recently concluded, "I would give the government high marks.... [T]hey paid a lot of attention to managing the risks" and they deserve "a lot of credit" for that.

It is a plan that worked and is still working.

Indeed, listen to what prominent Canadians have said about it.

Bank of Montreal economist Doug Porter exclaimed:

### Government Orders

Canada has arguably had one of the most successful stimulus programs in the industrialized world...

Federation of Canadian Municipalities president Brock Carlton, has applauded:

the economic action plan has been very successful

Canadian Public Works Association president Darwin Durnie has remarked:

Conceived in response to the chaos of the global economic recession, the Economic Action Plan has saved jobs and generated economic activity

Likewise, our continued economic growth also clearly shows that Canada's economic action plan is working and that our Conservative government is on the right track on the economy.

Let us look at the facts: Canada's economy has grown in 11 of the past 12 months; Canada has created almost 430,000 net new jobs since July of last year; and Canada is projected to have the strongest economic growth in the G7 over the next few years by both the IMF and the OECD. Little wonder countless independent experts and observers have been near unanimous in their praise for Canada's economy.

Canadian Federation of Independent Business president Catherine Swift has noted:

Canada is currently faring better economically than most other developed countries around the world

TD Bank Financial Group chief economist Craig Alexander, has declared that Canada's "economic performance was better than any other industrial nation".

A recent *Victoria Times Colonist* editorial has heralded:

far from needing a lecture on financial management or sound public policy, Canada should be delivering one.... Our handling of the economic downturn has been an example for the world.

Even the *Toronto Star*, no friend of our Conservative government, has grudgingly admitted:

Canada has come through the worst financial crisis since the Great Depression remarkably well — better than any other industrial nation in the world.

Without a doubt, our Conservative government is on the right track on the economy and for Canadian families. However, as our government has said all along, the global economic recovery remains fragile. As witnessed by the ongoing fiscal challenges currently affecting European countries such as Ireland, we are not out of the woods yet. That is why our government's main focus has been and will remain the economy, including implementing Canada's economic action plan.

The sustaining Canada's economic recovery act does exactly that, moving ahead to protect Canada's economy and further strengthen the recovery.

Today's act accomplishes that objective in numerous ways, through a group of key steps, steps to help Canadian families get ahead, such as indexing the working income tax benefit, allowing registered retirement savings plan proceeds to be transferred to a registered disability savings plan on a tax deferred basis, allowing a 10-year carry forward for registered disability savings plan grants and bonds, implementing employee life and health trusts, and further strengthening federally regulated pension plans; steps to cut red tape,

such as helping registered charities with disbursement quota reform, allowing taxpayers to request online notices from the Canada Revenue Agency, and reducing the paperwork burden for certain taxpayers; steps to close down tax loopholes, such as better targeting tax incentives for employee stock options, and addressing aggressive tax planning related to tax-free savings accounts; steps to further protect consumers by improving the complaint process for consumers when dealing with the financial services industry; and finally, steps to promote clean energy by expanding access to accelerated capital cost allowance for clean energy generation.

● (1655)

I would like to pause here a moment to highlight a few of the key steps in greater detail, especially outlining what they mean for everyday hard-working Canadian families and businesses.

To start, I would like to explain how the sustaining Canada's economic recovery act's proposal to index the working income tax benefit will help better ensure that Canadian families can better get ahead.

Our Conservative government has made a lot of progress to help low-income Canadians since 2006, including key investments in social housing and removing over one million low-income Canadians from the tax rolls.

We have also fought hard to make sure that no Canadian is penalized for taking a job. This has been underlined by the introduction of the working income tax benefit, or the WITB, in 2007. This benefit was designed to ensure that Canadians would be better off as a result of taking a job, and not face unintended and perverse disincentives for taking that job. Taxes, reduced income support, and loss of benefits had often discouraged individuals receiving social assistance from working, clawing back nearly 80% of their income.

WITB helps address that situation by both increasing income support while simultaneously strengthening work incentives. I am happy to report that approximately 1.5 million individuals and families benefit from the WITB each year.

What is more, since our Conservative government first introduced it, WITB has been roundly applauded.

The Caledon Institute of Social Policy has called it:

a welcome addition to Canadian social policy.... [It] fills a long-recognized gap in Canada's income security system.

McMaster University Professor William Scarth has observed that WITB:

stimulates employment rather than subsidizes people not to work. So it's a fundamental and beneficial change.

The United Way of Greater Toronto has declared that WITB is a positive change "that will help to improve the situations of low-income families".

When we introduced it in 2007, our government also indicated it was only a first step that we hoped to build on. Indeed, we have done exactly that.

In budget 2009, we effectively doubled the tax relief provided by WITB, increasing benefits by an additional \$580 million. This further strengthened work incentives for low-income Canadians already in the workforce and encouraged low-income Canadians to enter the workforce.

In the sustaining Canada's economic recovery act we propose to further improve WITB in a small but important way. Each year, certain personal income tax and benefit amounts are indexed to inflation using the consumer price index. This act will ensure that WITB amounts will also be indexed to inflation on an annual basis.

Following royal assent, WITB amounts payable in 2010 and subsequent years will be indexed to inflation on an annual basis, providing a few extra dollars to Canadian families that need it most. This is particularly important coming out of a recession where we understand that low-income Canadians have taken the brunt of the impact.

The next key step in sustaining Canada's economic recovery act that I would like to highlight in greater detail relates to cutting red tape for charities.

Supporting the good work of charities across Canada is obviously a shared goal among all parliamentarians. In that respect, we have heard from many charities throughout the years about the need to cut their red tape so they can devote more of their time and resources to actually helping others, not dealing with needless administrative paperwork.

One measure being proposed through today's act helps cut red tape facing charities, specifically significant reforms to the disbursement quota regime to reduce administrative complexity and better enable charities to focus their time and resources on charitable activities.

The disbursement quota, originally introduced in 1976, has been criticized by many as antiquated and failing to take into account the varying circumstances of charities. The disbursement quota has also been criticized as imposing an unduly complex and costly administrative burden on charities, particularly small and rural charities.

● (1700)

Additionally, in recent years, Canada Revenue Agency's ability to ensure the appropriateness of a charity's practices has been strengthened through new legislative and administrative tools. These tools have provided a more effective and direct means to fulfill many of the purported objectives of the disbursement quota. As a result, today's act proposes to cut that red tape overlap by eliminating the majority of antiquated disbursement quota requirements.

I note the feedback that has been received to this move has been extremely positive. Imagine Canada has applauded it for providing greater flexibility for charities as they seek to meet the increasing and changing needs of Canadians. The disbursement quota added layers of red tape and reduced flexibility in responding to the needs of Canadians and communities. It would help charitable organiza-

### *Government Orders*

tions, especially smaller and rural ones, to better plan their activities to meet the real needs of their communities.

The Salvation Army has cheered it, stating:

The removal of the quota will provide The Salvation Army; one of Canada's largest charities, with increased flexibility....

We are very pleased with this announcement. The proposed changes will allow us to better respond to the needs of the people we serve in 400 communities across Canada.

Community Foundations of Canada has enthusiastically added:

This move is a win-win situation – it has a dramatic impact on communities, making it easier for charities to serve people in need.... We applaud the government's decision to reform the disbursement quota policy.

The next steps in sustaining Canada's economic recovery act I would like to look at in greater detail, also focused on cutting red tape. Parliamentarians often hear complaints from constituents and small businesses about the unnecessary paperwork and red tape they face around filing their annual taxes. This is especially true for small and medium size businesses, the engines of growth in the Canadian economy.

Indeed, the Canadian Federation of Independent Business estimates that businesses in Canada currently spend over \$30 billion each year complying with regulations. Our Conservative government understands the burden unnecessary red tape places on taxpayers, and that is why we have taken important steps to reduce the administrative and paperwork burden.

Over the past few years, we have taken important steps to reduce the administrative and paperwork burden on Canadian businesses and taxpayers. In March 2009, for example, we met our target of reducing the paper burden on companies by 20%, eliminating almost 80,000 redundant regulatory requirements. This was done by streamlining regulations, eliminating duplicate or overlapping requirements and reducing excessive information requirements.

To build on our record and further reduce the administrative red tape burden on taxpayers, today's act would take another two steps. First, it would provide the Canada Revenue Agency with the authority to issue online notices, if the taxpayer so requests, for those notices that can currently only be sent by ordinary mail. This would help reduce the volume of paper to be dealt for both the taxpayers and the government.

Second, it would allow certain small businesses to file and remit semi-annually rather than monthly. With this change, many small businesses would be allowed to invest more of their time in managing and growing their businesses and the jobs it will create in our communities.

Before I conclude, I would like to highlight in detail one final item in the act: expanding access to accelerated capital cost allowance for clean energy generation.

*Government Orders*

Our country's energy supply is of vital importance to Canadians, especially promoting clean energy generation technologies. For that reason, the tax system provides incentives through accelerated capital cost allowance to help promote investment in generation equipment that conserves energy or relies on renewable or waste sources.

Today's act would expand the scope of that tax incentive to assets used in heat recovery and clean energy distribution across a broader range of applications. This extension would encourage investment in technologies that contribute to a reduction in greenhouse gas emissions and air pollutants.

The four or so steps I have reviewed in greater detail are only a small sampling of the many steps in sustaining Canada's economic recovery act aimed at supporting everyday, hard-working Canadian families and businesses. Clearly, this act would help make certain the Canadian economy continues to move in the right direction.

● (1705)

With the timely and effective support of Canada's economic action plan, the Canadian economy has weathered the global recession better than our peers. As the global recovery remains tentative and fragile, Parliament must continue to remain squarely focused on the economy and provide the steady guidance needed to keep Canada on the right track to recovery.

Accordingly, I strongly urge all members to support the continued implementation of Canada's economic action plan and pass the sustaining Canada's economic recovery act.

**Hon. Shawn Murphy (Charlottetown, Lib.):** Mr. Speaker, why is it that the whole issue of poverty never gets mentioned by the government in its speeches or in the bill that we are presently debating?

We heard last week that under the government's watch the poverty level of senior Canadians has increased by 25% over the last two or three years and that 610,000 Canadian children now living in poverty. We have very clear evidence of the close association between poverty and future health care costs, poverty and future interactions with the criminal justice system and poverty and the productivity of the nation.

Two studies have been tabled recently, one by the Senate committee and one by the House of Commons committee. They are both excellent studies that make sound recommendations.

Why is it that issue never comes to the attention of the government?

**Mr. Andrew Saxton:** Mr. Speaker, I would remind my hon. colleague opposite that billions of dollars have been spent on helping those who are underprivileged in our society. We have also cut over 100 taxes putting over \$3,000 a year back into the pockets of the average Canadian family. Over one million lower income Canadians are no longer on the tax rolls. We have allowed income splitting for seniors. We have doubled the age credit amount for seniors. We have raised the age for converting RRSPs to RRIFs from 69 to 71 years of age, which is a huge benefit to seniors who can now defer having to pay taxes for another two years. We have also introduced the tax free savings account and almost five million Canadians have already

opened accounts. We are taking action to help those who are underprivileged in our society.

● (1710)

**Mr. Brian Masse (Windsor West, NDP):** Mr. Speaker, a rosy picture of the economy is counter to what is happening out there. *Reuters* just posted an interesting story stating, "Canada record-high current account gap spurs worry". It goes on to say:

Canada entered the club of countries with oversized current account deficits in the third quarter, posting the biggest shortfall on record as its worsening trade profile heralded a further slowdown in economic growth.

This is the eighth consecutive deficit and this one is \$13 billion. Doug Porter, the deputy chief economist at the BMO Capital Market, said:

Canada suddenly finds its broadest trade deficit in the company of countries that have typically been cited as extravagant over-spenders/under-savers.

Part of the problem is that our trade deficit with the United States is growing. That is part and parcel because we have a government with a petro-dollar philosophy that has pushed the Canadian dollar significantly up and is destroying manufacturing across this country. I would like to ask the parliamentary secretary about that.

How long will the government continue to fuel an artificial dollar up when it is clearly affecting so many value-added jobs in Canada, which is different than the jobs that have been added?

**Mr. Andrew Saxton:** Mr. Speaker, I would remind my hon. colleague that this government believes strongly in expanding the markets for Canadian goods. That is why our Prime Minister made record-breaking trips to Asia last year and went to India and China. He was able to get approved destination status for Canada, something that, after 13 years, Liberal governments were unable to achieve. This will result in hundreds of millions of dollars coming to Canada through increased tourism and trade with those two rapidly growing important nations.

**Hon. Steven Fletcher (Minister of State (Democratic Reform), CPC):** Mr. Speaker, in the world today we see economic turmoil in many countries. Ireland has just recently had a major bailout in the eurozone. We see economies collapsing all over the world. However, we see Canada's economy growing, jobs increasing and a banking system that is the envy of the world. In fact, I understand the Finance Minister is ranked the best finance minister in the world.

I wonder if the member could speak a little more to why the budget has been so positive for Canadians, especially in light of the very bad suggestions that come from members across the aisle.



*Government Orders*

**Mr. Andrew Saxton:** Mr. Speaker, the member is absolutely right. Canada's economic performance and recovery during the global recession has made us the envy of the world. In fact, the World Economic Forum has called Canada's banks the soundest in the world for the third year in a row. The IMF says that Canada is leading the G7 out of the recession. As the member mentioned, *Euromoney* magazine named Canada's finance minister, finance minister of the year in 2009.

However, that is not all. I will give the House more quotes. For example, the *Economist* called Canada "an economic star". Standard & Poor's said, "Of the other G7 countries, Canada is posting the best fiscal results. Canada also best weathered the financial crisis and is now well-positioned to continue to outperform".

Let us not stop there. The BBC said, "Nowhere is immune, but by most key measures the Canadians are coming out of this crisis in a league of their own".

Why is that? It is because our government has focused on helping Canadian families get ahead. We have indexed the working income tax benefit. We have allowed registered retirement savings plan proceeds to be transferred to a registered disability savings plan on a tax deferred basis. We have cut red tape. We are helping registered charities with—

**The Deputy Speaker:** Order, please. I will have to stop the member there. I understand there are a few more members who would like to ask questions. The hon. member for Scarborough—Guildwood.

**Hon. John McKay (Scarborough—Guildwood, Lib.):** Mr. Speaker, I would not want to interrupt the hon. member's happy little litany of apparent accomplishments, which are not accomplishments in and of themselves.

He neglects to mention that under his government's watch it has run a \$13 billion surplus into a \$60 billion deficit, which will cumulatively over the next five years go up to \$165 billion, all because the government cannot control its own spending, in part because the government has an inability to constrain its spending beyond twice the rate of inflation on an annual basis, which cumulatively over a number of years has resulted in an extraordinary deficit where there was no deficit that was necessary.

The member also neglects to mention that the most significant reason that the banking system is in such good shape is because of the good efforts of the previous government that denied the desire on the part of the banks to merge.

We can only imagine that had the Liberal government of the day consented to the merger, as the banks aspired to do, the Canadian taxpayer would have ended up on the hook for literally billions of dollars as bailouts likely would have been necessary because the banks in a merged state would have wanted to acquire other banks and those banks would not have been the most successful assets in the world.

Does the member, in his excessive litany, think that possibly his government inherited a tremendous fiscal, monetary and banking foundation on which the government has not totally destroyed?

● (1715)

**Mr. Andrew Saxton:** Mr. Speaker, my colleague's question allows me to explain the largest debt in Canadian history measured by deficit to equity ratio was actually in 1984 after successive Liberal governments were in power. It was over 8%, compared to 5% today.

The Liberals and the opposition over the past two years have been encouraging us to spend even more money. So it is not as a result of anything they have been doing.

However, I explain what we have been investing in. We paid down \$40 billion of debt prior to the recession, which placed us in a very strong position to tackle the recession when it actually happened. We cut over 100 taxes, putting over \$3,000 back into the pockets of the average Canadian family. Over one million lower income Canadians are no longer on the tax rolls. We have allowed income splitting for seniors. We have doubled the age credit amount for seniors. We have raised the age for converting RRSPs to RRIFs from 69 to 71 years. We have introduced the tax free savings account which almost 5 million Canadians have taken advantage of.

I have much more if the House would like me to continue.

**Hon. Geoff Regan (Halifax West, Lib.):** Mr. Speaker, I am pleased to speak to Bill C-47, the implementation act for budget 2010.

Canadians across the country are struggling to pay their bills and plan for the future and so obviously is the government. The government has shown itself to be so fiscally irresponsible that Canadians no longer trust it. They cannot trust it to manage the fiscal future of Canada. They are growing tired of the constant missed budget targets, ballooning budgets and reckless spending. Unfortunately for Canadians the government governs with ideology instead of facts and even then its outrageous spending is hardly conservative.

While the Conservative government focuses only on the electoral cycle and short-term progress, it fails to plan for the future of Canadian industry and for the jobs of tomorrow. Its visionless spending risks Canada's fragile economy and threatens to create even larger issues down the road. Canadians are aging and their government has no plans to help them.

The finance minister recently lectured Canadians saying, "This is not the time for dangerous and risky new spending schemes that will increase deficits and raise taxes". However, Canadians are wondering why he does not take his own advice. Canadians are wondering why he is lecturing them and not his own government.

As the finance minister asks Canadians to tighten their belts, he continues to borrow from their already underfunded futures and recklessly spends on everything under the sun. His risky spending outlined in budget 2010 delivers deafening blow after blow to the future of our economy and our country.

To really get an idea of the lack of vision and lack of value for tax dollars the government has provided, we need only look to its record of reckless borrow and spend fiscal irresponsibility.

*Government Orders*

The Minister of Finance talks about restraint when his government has never shown an ounce of fiscal restraint. I do not have enough time to tell the House about all of the finance minister's own risky spending schemes. I would need infinite and unlimited time for that, so instead I will take this time to tell the House about some of the risky and reckless, borrow and spend Conservative schemes that are leaving Canadians scratching their heads and asking where their tax dollars have disappeared to.

Even before the downturn, the Conservative government burned through the \$13 billion surplus it inherited from the previous Liberal government. The government claims to want to eliminate the deficit when the only thing it ever eliminated was the surplus.

Under the Conservative government, Canada holds the largest deficit in Canadian history, at \$56 billion. The Conservative spending that led to the deficit is exactly the kind of risky spending Canadians cannot afford.

In October 2008 the finance minister said, "At a time of global economic uncertainty, no responsible economic manager would suggest experimenting with...massive increases in government spending". He then increased government spending by 17.8% the next year. Imagine that. In fact, before the economic downturn, the finance minister increased spending by 18% over three years. He put the country in deficit before the recession. He took a \$13 billion surplus and turned it into a deficit before the recession began.

**Hon. John McKay:** It's a talent.

**Hon. Geoff Regan:** It is quite a talent, as my hon. colleague from Scarborough—Guildwood says.

That is over three times the rate of inflation the way he increased spending. It seems that even the finance minister, based upon his quote, finds his own massive increases in government spending irresponsible. Surely he must.

The Conservative, out of control, borrow and spend fiscal policy put Canada into a structural deficit. The finance minister needs to stop the government's risky spending and show some leadership when it comes to fiscal responsibility.

He said, "The record shows we take a principled, practical, and prudent approach to leadership". What a claim. Has he looked at his own record? I do not think so. As a Conservative member himself described, one of my colleagues, has he been too busy "spending like it's Christmas"? That is what a member on that side actually said the government was doing. It is spending like it is Christmas.

• (1720)

Let us take some more time to look at the minister's record since he seems to have forgotten about it.

The fact is he has never been right on deficit projection in his history as both a provincial finance minister and a federal finance minister. Even now, against all logic, the finance minister is guessing there will be a \$2.6 billion surplus in five years when the Parliamentary Budget Officer has said that in five years there will still be an \$11 billion deficit. The Parliamentary Budget Officer, or PBO, reports that by that time the government will have added over

\$200 billion to the national debt. It inherited a \$13 billion surplus and it will add \$200 billion to our country's debt. What a record.

The PBO predicts that there is an 85% chance the finance minister will break his promise to balance the budget by 2015-16, basically because the numbers are not there based upon what he has been given so far. We are not talking just a little off. There is a \$13.6 billion spread between the government and the budget officer.

The government's willingness to gamble Canada's future on a 15% chance is disturbing. Does the finance minister not understand that when he is wrong, like he has been in the past, Canadian citizens will be left holding the bag and the bill?

The Conservatives talk of leadership, but they do not lead. At a time when it should be curbing frivolous spending, the government spent \$10 billion on expensive Conservative consultants.

Let us just look at one of the examples of these costly consultants. While the finance minister speaks of fiscal prudence, the Conservative government paid an outside consultant \$3,400 to write two simple press releases for VIA Rail and then promptly hired the consultant to work in a Conservative MP's office. Is \$3,400 for 1,300 words the finance minister's definition of "fiscal prudence"?

The Conservatives have recklessly issued thousands of irresponsible contracts at a time when most Canadians are struggling to make ends meet. Budget 2010 continues the Conservative history of risky spending schemes.

Even at the height of the economic downturn, when Canadians were drowning in debt, the Conservatives continued their trend of risky spending schemes by tripling the advertising budget to a whopping \$130 million, with no clear benefit or value to Canadians, a \$130 million of taxpayer dollars for Conservative propaganda. The borrow and spend government added to its record \$56 billion deficit by wasting \$130 million on shiny billboards and flashy ads, while Canadian families struggled through the recession.

It is time that Canada's money went toward Canadian priorities instead of Conservative propaganda.

Canadians want the finance minister to put a leash on his Conservative spendaholics and urge them to stop their risky spending schemes. Instead of helping Canadians recover from the downturn, the government was busy blowing over a billion dollars on the G20 photo op. Only that government could find a way to spend six times more on G20 security than the previous equivalent G20 summit in Pittsburgh. Only that government could recklessly borrow and spend so much on the G20 photo op, making it a priority ahead of helping Canadian families.

A Liberal government would put that money to much better use with our family care plan, which would help Canadians deal with the difficult task of caring for their ill-lived loved ones.

*Government Orders*

Has the finance minister considered his government's G20 purchase of \$14,000 in glow sticks and building a fake lake responsible and prudent leadership? Canadians hope not, because they certainly do not want their money being wasted on costly photo ops for the Prime Minister.

Adding to the Conservative risky spending schemes is the ever-increasing expense of an untendered F-35 stealth fighter jet contract. The Auditor General warned us that its F-35 contract "carries significant risk of delays or cost increases. They represent it as being off the shelf or what would be a simple purchase. But this was anything but the case".

● (1725)

Even the Pentagon is worried about escalating costs and delays with their F-35 contract. In fact it is reviewing its contract, yet the Conservative government refuses to review ours. Even John McCain is calling the F-35 costs "outrageous". He has also said, "I share our allies' and friends' deep disappointment about the cost overruns and the difficulties that we've experienced in development of this aircraft".

The Conservative government seems to be the only government that does not have a problem overpaying for things, as its fiscal record continues to show.

Originally the Conservatives falsely claimed that their prison bill would only cost \$90 million when they introduced the legislation. They later amended these estimates to \$2 billion. The Parliamentary Budget Officer has priced the bill at between \$10 billion to \$13 billion. It started at \$90 million and we know now that it is likely to be in the range of \$10 billion and \$13 billion. What kind of control of spending is that?

It is beyond risky for the Conservative government to ask Parliament to vote on its legislation when it grossly misrepresents the true cost of implementing that legislation. Risky spending schemes that build unnecessary, U.S.-style megaprisons for a country with a declining crime rate is not an effective use of taxpayer dollars.

Bank of Canada governor Mark Carney said that an abrupt correction in Canada's housing market was in fact possible. *The Economist* says that Canada's housing is overvalued by 23 points. That is 7.3 points more than it rates Ireland's housing overvaluations. Even the *National Post* reports that there is a housing bubble. Yet the finance minister defies them all by saying there is no housing bubble. He also said, "It's a long stretch to compare our housing market with that of Ireland".

Unfortunately he is right because our houses, according to these experts, are 32% more overvalued than Ireland's. Let us hope that is not the case. Let us hope there is no bubble here and it does not burst, but we should be concerned about this. This reckless and risky strategy of ignoring the facts by the finance minister is what steered Canada into deficit in the first place.

As Aldous Huxley famously said, "Facts do not cease to exist because they are ignored".

A Liberal government would clean up the fiscal mess created by the borrow and spend Conservative government. I remember the challenge that faced the Liberal government in 1993 when it came

into office, because I was there. I was part of the process and watched as the prime minister and finance minister worked very hard, and as Canadians sacrificed, to get us back to balanced budgets, to get us into surpluses. When the Liberal government left, there was a \$13 billion surplus that the Conservative government inherited and then quickly blew.

The Conservatives have to stop ignoring the facts and focus government spending on the Canadian priorities of family care, seniors, the economy and job creation. Budget 2010 has been a complete disaster in this regard. The Conservative method of governance unfortunately is ideologically based. It is based on ideology instead of on facts. That is why they do not like information such as a census, for example.

The finance minister's arrogance in telling Canadians not to ask for things they need during the upcoming budget consultations because the government has spent the cupboard bare is disheartening for all Canadians. The Conservatives talk of restraint, but they do not restrain. It is time the government takes its own advice and stops its risky borrowing and spending and stops raising the deficit.

● (1730)

**Mr. Brian Jean (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities, CPC):** Mr. Speaker, I listened to the Parliamentary Secretary to the President of the Treasury Board. He started to talk about the capital cost allowance that had been brought in by this government on clean energy initiatives. The Prime Minister has said that we want to be a clean energy superpower. Certainly we have a lot of natural and competitive advantages to do that.

The Liberals, under Jean Chrétien, brought in the capital cost allowance in the nineties to kick-start the oil sand industry in Northern Alberta. It was very successful because it cost a lot more to develop that kind of oil than other places in the world.

What does the member think about the capital cost initiative by this government on the issue of clean energy and the clean energy initiative? What are some of the ways he sees it being utilized for Canada's advantage in the future?

**Hon. Geoff Regan:** Mr. Speaker, I am surprised that a Conservative member wants to talk about clean energy and the government's record on clean energy when we consider what has happened over the past almost five years since the government was elected. It removed the renewable power production incentive and killed the wind power production incentive. The government has had very little interest over that five-year period in anything related to clean energy. The capital allowance is finally something toward clean energy but it is not very much.

*Government Orders*

Overall, the government has shown little appetite or interest for this matter at all. Until August, I was the critic for the last year or so on natural resources and had occasions to sit in the Standing Committee of the House of Commons on Natural Resources and heard from people working in this industry about how frustrated they were.

These were people working in renewable energy, for instance, assessing homes, examining the energy efficiency of a house and helping people to renew them based upon the program that existed until the end of March last year, which the government killed. They said that it had a devastating impact on an industry that was involved not only in examining and assessing the energy standards in a house and giving advice to people on how they could improve their energy use, reduce their costs and better insulate, but also on the companies that were doing the renovations to actually reduce heating costs. Those are lost jobs because of the government's action.

• (1735)

**Mr. Brian Masse (Windsor West, NDP):** Mr. Speaker, I have a question for my colleague regarding the account gap that is growing and the trade deficit that is happening because of the petro-dollar.

We know the government has been using the oil industry to inflate Canada's dollar and now we have lost hundreds of thousands of value-added manufacturing jobs. That is important to note because some of the job creation has been through public spending, through borrowing and a lot of part-time jobs in which Canadians cannot sustain themselves. I would simply ask the member about that.

As well, it is now projected that the actual growth rate that will be announced for GDP tomorrow will be lower than expected and will create further problems.

**Hon. Geoff Regan:** Mr. Speaker, when we consider this issue, it is one that has been a real challenge for the member's ridings, I realize, but also for much of industrial Ontario, the industrial heartland of the country, when we have seen so many jobs lost in manufacturing largely because of the high dollar. We have seen the same thing in Nova Scotia. It not only affects manufacturing but also the resource industries. It affects, for example, the forestry sector, but it certainly affects the fishery. In Boston, which is a major seafood market, when our lobsters are costing more because our dollar is higher, it is harder to sell them. We end up having to lower the price of the lobsters in order to sell them. It has an impact.

By the way, in my part of Atlantic Canada, fishermen went out today. Today is the first day of the lobster fishery, the last Monday of November in much of my province. People are out on the sea and I pray and hope that they will all be safe because today is a day we all worry about. They go out with their boats fully laden with lobster pots and it can be a dangerous day. Let us hope they are all right.

It is a problem for many people, not just manufacturers. At the same time, what is interesting is that the U.S. dollar is so low. The Canadian dollar is high largely because of our oil sector. The oil sector is actually impacted by that as well because barrels of oil are priced in U.S. dollars. With the U.S. dollar being low, from what I have been reading and hearing, it has a negative impact on places like Alberta and Newfoundland. They are doing better than most places still, thank goodness, and that—

**The Deputy Speaker:** Order, please. I must to stop the hon. member there because I think there are a few other members who wish to ask a question.

The hon. member for Scarborough—Guildwood.

**Hon. John McKay (Scarborough—Guildwood, Lib.):** Mr. Speaker, I was listening to the previous Conservative speaker patting his government and himself on the back. I thought at one point that he would get back strain from so much self-adulation. One of the things he was back-patting about had to do with the shape in which Canadian banks find themselves. Canadian banks are in good shape certainly relative to international banks. The most significant reason that they are in good shape has to do with the previous Liberal administration which denied them the opportunity to merge, plus set out some fairly stringent capital ratio requirements.

The finance minister, whose party opposed all of the regulations put forward by the previous Liberal government, now wanders around the world saying what good fellows they are and how brilliant they are in their management of our financial services sector. I wonder if the hon. member would wish to comment upon the hypocrisy of the Minister of Finance with respect to our financial services sector.

**Hon. Geoff Regan:** Mr. Speaker, I almost do not need to answer what my colleague has said because the words he used are very accurate. He has made the argument and the case very strongly.

However, it is an important point to restate because I cannot imagine a finance minister going around the world, as the finance minister has, taking credit for doing nothing about the banks, or actually that he and his party were opposed to the regulations that kept our banks solvent during the crisis that happened two years ago.

It is important to set the record straight in this regard, because we are thankful in this country that our banks have been secure and have weathered the recession so very well. Obviously they had some problems. There were cases where some banks had a little too much asset backed commercial paper and that was risky. It bothered me that we had banks that were holding basically paper but had not really done the job of checking out whether the loans that paper was based upon supported that value, that they paid for those.

Basically, the loans were sold between banks but the ones that were buying them were not going back and checking before they bought the stuff whether people who were being given the loans could afford to make payments. I have heard horror stories. People who might qualify in this country for a mortgage of \$30,000, in the U.S. actually getting a mortgage in the range of \$500,000. When we hear that kind of story it is no wonder that the system in the U.S. fell apart the way it did. However, thank goodness our banks did not have much of that and that they had regulations that made sure they had to be governed better.

*Government Orders*

• (1740)

[*Translation*]

**Mr. Daniel Paillé (Hochelaga, BQ):** Mr. Speaker, I would first like to reassure the member for Mississauga South. There are days when a lot of talking happens, but I have no intention of taking as much time here in the House as he has, with so much imagination.

This bill is a perfect example of how thorough the Bloc is. Yes, we said that that we were against the overall budget speech and we voted against it. But now that it has been passed, we need to move on. That is what we are doing.

We have thoroughly analyzed this bill and our opinion is: why not? We should vote in favour of passing this bill at this stage because we have done a thorough analysis of it.

It is unfortunate that not all the opposition parties work like that. We know full well that the Liberals say they will vote against it, but when it comes time to vote, they will not be here. The NDP will vote against it because they are against it. Do not ask them why, but they are against it. At least they will be here.

Certain measures in this bill are important, and it would be proper for us to point out what we agree with. Some measures deal with personal income tax. The first measure I will talk about would allow the following benefits to be shared between parents who have shared custody of children: the universal child care benefit, the Canada child tax benefit and the GST or HST credit.

It can be a sad thing for families, but we have to accept the fact that, in Quebec and Canada, many families are blended and many children's parents do not live together. More and more parents share custody of their children. For example, the universal child care benefit is \$100 per month, and as we know, it is given to parents of children under the age of six. This bill would divide that benefit between the two parents who share custody of their children. This is why the Bloc is so important. This is our hallmark. Having thoroughly analyzed this measure, how can we oppose it? The answer is clear for anyone who has done a thorough analysis. I cannot see myself telling my Hochelaga constituents that we will vote against this kind of measure because we are ideologically opposed to the government.

Another measure that we find completely acceptable is the one that would enable people to roll over the proceeds of a registered retirement savings plan to the lesser-known registered disability savings plan (RDSP), where investment income accumulates tax-free. Everyone knows about RRSPs, but RDSPs were created to enable parents to save for the long-term financial security of a child with a severe disability. These measures make it possible to save money depending on the degree of the child's disability. In many cases, parents of such children have RRSPs.

• (1745)

What happened when they die? These registered retirement savings plans have been taxed like any other. Now, parents and grandparents of a child with severe disabilities will be allowed to roll their RRSP, if they have one, into a registered disability savings plan, which will help meet the child's needs. If the child should pass away, it will be taxed in the usual way.

How can anyone be against such a beneficial social measure that—fortunately—will not affect very many people, but that can help families caring for a child with a severe disability get through the grief of losing a parent or grandparent?

These measures apply to personal income taxes, but there are also other measures that apply to charities. We all have charities in our respective ridings. Some of the administrative rules that were—pardon the expression—a bloody nuisance have been repealed. Everyone knows how hard the people who run charitable organizations work. These people work all day long, sometimes seven days a week, to achieve their charity's goals. Yet those organizations are weighed down by completely unreasonable administrative requirements.

Charities will now be allowed to give the Canada Revenue Agency information. That agency was already receiving information from charities, but it forced them to give information concerning the percentage of donations it had to spend in a year based on the tax receipts they had issued, for example. Thus, a charitable organization that has issued \$100,000 in tax receipts for 2010 has to spend at least \$80,000 the next year. Sometimes charities would not meet that standard and near the end of the year, they would have a tax problem. That standard will be reviewed and charities will simply have to fill out the information requested by the CRA, and that will be sufficient.

Charities were also obliged to spend the equivalent of 3.5% of the organization's assets every year. If a charity wanted to accumulate a certain amount of capital in a given year, it could not do so, because it absolutely had to liquidate 3.5% of its assets. That was another administrative nuisance.

The government finally seems to realize that the left hand was asking for information while the right hand—the Canada Revenue Agency—already had all the information. I do not see how anyone could be against more flexible requirements for charitable organizations.

• (1750)

As far as charities are concerned, there were different stories. However, we think that the government should not be saying that it was nice to charities while it is cutting funding to NGOs and development agencies around the world. The Bloc Québécois position on that is very well known: we must not stop pressing the government to give 0.7% of GDP to international development agencies. We will continue to press the government to achieve that objective, which obviously was set by the UN. Nevertheless, we must commend the establishment of more flexible administrative rules.

*Government Orders*

Other measures have to do with corporate taxation. In January, the Bloc Québécois toured Quebec. It asked the Minister of Finance to do better when it comes to taxing stock options. We said that a certain number of bonuses should be taxed more, in other words excessive bonuses should not be deductible from corporate profits as an expense. We regret that such a measure is not included.

Let us now talk about a measure related to performance bonuses. Sometimes corporations offer their employees stock options. There is nothing wrong with that. It is part of the benefits offered to the employees. However, when the stock options are issued, a loophole in the legislation allowed a double deduction, in other words, the employee and the employer could both deduct those options. That is no longer the case. The government is announcing that in 2014 and in 2015, it will bring in \$400 million thanks to the elimination of this double deduction.

We agree with this measure, but it does not go far enough. The government could take this even further. What the government is showing us is that it is possible to close loopholes in the legislation and tax stock options. It is not as though the Conservatives are being adamant about not touching this. In fact, the Conservatives are handling this quite well in Bill C-47, and we are supporting them.

The measure is good, but the government could do better. That reminds us of school report cards. We have all received the comment “good behaviour, but could do better”.

The rules related to tax-free savings accounts, TFSAs, have also been tightened. Last week, my colleague from Saint-Lambert asked a question regarding the guaranteed income supplement. The Parliamentary Secretary to the Minister of Human Resources and Skills Development and to the Minister of Labour told her that the government was doing everything it could for seniors living close to the poverty line by creating TFSAs. Clearly, he did not understand the documents he had before him at all. The bill also resolves a number of issues with the TFSA. Everyone knows that someone can contribute \$5,000 per year after taxes to a TFSA and that the income generated by the account will not be taxed.

• (1755)

Some wily investors were depositing much more than \$5,000 per year into their TFSAs. They had to pay a penalty of 1%, which was not really a penalty at all considering that returns could be far higher than 1%. Now the bill will close the loophole. How? Any amount over \$5,000 will be taxed at 100%. I find this interesting. What does this tell me? It tells me that this government, when it wants to close loopholes, can impose tax rates of up to 100% on excessive income. It is doing that very thing. However, last year, when we suggested a very high tax rate on extremely large bonuses, we were told that implementing such a measure would be impossible. I have been watching the government and I say that it is possible. Yes, it is possible. The government is doing that very thing and we support its actions. We are in favour of this bill because of these types of measures.

There are also clean energy measures. Very few people are interested in the phenomenon of capital cost allowances, or depreciation. Many people do not have any idea what that even means. I understand. When it does not fall within the realm of your occupation, it can be a bit of a dry topic, but capital cost allowances

permit businesses or individuals who have investments to deduct the cost of an asset based on the useful life of that asset.

Naturally, when you own a business and you purchase a truck, you do not depreciate the truck over 20 years. It will not last 20 years. There are many formulas and tables used to calculate depreciation of an automobile or computer hardware, for example, over three years. However, when the goal is to help the business and to foster a form of investment, accelerated capital cost allowance makes it possible to recover the cost more quickly. This is the case for geothermal equipment.

Our colleague from Brome—Missisquoi is an expert in geothermal energy in Quebec and Canada. He could talk about it for hours. When we examined solar heating, geothermal energy and distribution equipment for district energies, we obviously agreed.

For that reason, the Bloc Québécois, which is known for its thoroughness and which examines bills one after another, says that unfortunately with regard to geothermal equipment, we agree. We have to agree.

The bill also contains measures concerning the implementation of international standards. It will allow international accounting standards adopted by everyone to be used by public corporations. We will no longer use generally accepted Canadian accounting principles. We will be using accounting principles from international financial reporting standards. Can we oppose this? Everyone uses them. Therefore, we support this measure.

This bill will also authorize the Canada Revenue Agency to issue online notices. It is about time. The time has come to issue online notices of assessment. Everything is online. Is the Conservative government behind the times? Yes. Is it far behind? Yes, but it is catching up. It is getting there, and we cannot vote against that. We must at least mark the gesture. It is behind the times but at least it is getting there in situations such as these.

It is because of these types of measures, and after thorough study of the bill, that we are making an exception and voting in favour of the bill. However, we voted against the government's budget as a whole and we were present. The Liberals were against it but they were not present. The NDP were against it, although they do not know why, but at least they were present.

• (1800)

[*English*]

**Mr. Paul Szabo (Mississauga South, Lib.):** Mr. Speaker, at committee last Tuesday when the minister and officials were there, I asked about the tax-free savings account that the member referred to in his speech. The amendments in this bill include things like: to make any income attributed, to deliver overcontributions and prohibited investments subject to existing anti-avoidance rules.

As the member laid out, there are about four or five different provisions amending the tax-free savings account regulations or legislation.

*Government Orders*

The question I had to the officials was whether or not they had considered if there would be any overcontributions when they first brought it in. Had they considered whether there would be any ineligible or prohibited investments? Had they considered the fact that, in their experience, there would be certain people who would figure out that the penalty of 1% may not be sufficient to deter overcontributions because returns greater than 1% could be received?

The response from the government officials was basically that there are these very sharp tax lawyers, et cetera, and they figure these things out.

I do not know whether the member agrees, but my point is that it would appear that in this particular case the government had not used due diligence in formulating the tax-free savings account rules and regulations. It caused a lot of grief to a lot of Canadians inadvertently. The government does not seem to have used the same kind of rigour and due diligence to make sure that proposed legislation, in the first place, was in fact given proper sign-off at all levels. That does not seem to be the case. In fact, it seems to be inept.

I wonder if the member would care to comment.

[*Translation*]

**Mr. Daniel Paillé:** Mr. Speaker, I thank the member, who is a valuable member of the committee. He did ask that kind of question, and we absolutely got that kind of answer. I remember making a comment, it may have been in camera, that that was the only answer the senior officials could give. That is why, in this kind of standing committee, it is a bit frustrating to ask questions to senior public officials because we know very well that although we have an excellent public service here in Canada, the officials can only give responses that correspond to what the government put in its bill or the government's tax policy.

Should the bill have some more teeth? Did the government look carefully at all the ways the law could be circumvented? We do not know. This is why tax laws have become so huge, because when a government introduces tax legislation, the main goal of tax experts, whether they are from law firms or major corporations, is to look for loopholes. That is why tax laws never last longer than a year or two. Then they need to be amended. That is how tax laws in Canada are created. Everyone knows that the goal of the vice-president of finance of a public corporation is to maximize profit, but the goal of the vice-president of finance or the CFO of a private corporation is to minimize taxes.

• (1805)

[*English*]

**Hon. Steven Fletcher (Minister of State (Democratic Reform), CPC):** Mr. Speaker, I would like to thank the member for his compliments to the government on the budget.

In this debate some discussion has been made around the *The Economist* magazine. I would like to quote from *The Economist*, this week's print edition, November 25. It said:

Compared with many other developed countries, Canada has had a good financial crisis. Its banks and public finances are sound, and the economy recovered quickly and strongly from recession....

I think this demonstrates the fact that the government has dealt with an extraordinarily difficult situation better than other countries in the developed world and throughout the world. Does the member agree with *The Economist* and virtually every other economist, profession-wise, throughout the world?

Also, does the member agree with the strong savings measures, like the tax-free savings account, the RRSP contribution issues and so on, to make it better and easier for Canadians to save for their future?

[*Translation*]

**Mr. Daniel Paillé:** Mr. Speaker, let us not get carried away. The minister said that I complimented the government. Hold on, now. Let us not jump to conclusions. All I said was that for this kind of technicality and this kind of technical bill, I was more or less in agreement. But let us not forget that the Minister of Finance was in favour of bank mergers. We should give the previous government credit for not letting banks merge. Of course, that government was later booted out of office, and deservedly so.

I also want to point out that some things are going well in Canada, such as securities trading, which works very well. Can anyone tell me why the government wants to mess with that?

Today we talked about how Quebec has been doing a good job of collecting harmonized sales taxes for the past 18 years. What does the government plan to do about that? I want to make one thing clear to the minister who asked me the question. When we say that we support this bill, he should not blow things out of proportion and say that the Bloc Québécois now supports the Conservative government. No, if the Conservative Party wants to form a coalition, it will find that other parties are much more inclined to form coalitions with it than the Bloc Québécois is. Something about that does not work.

[*English*]

**Mr. Brian Masse (Windsor West, NDP):** Mr. Speaker, there is an important point that needs clarification in tonight's debate. The banks have been used as a model and have been upheld as making the right decisions, but I was here in the chamber when John Manley and the then Alliance tried to actually Americanize our banks. It is important to point out that the stability is here today because of a campaign to push against that and prevent it from taking place.

It is important to look at the fiscal capacity of Canada and the process we are doing right now. I would like the member's opinion. Is it because of the Liberals and the Conservatives voting earlier to make large corporate tax cuts, and it is interesting that the Liberals are now opposed to this, that we are actually borrowing money to do that and paying interest on it, similar to the HST, where there were \$6 billion of expenditures federally to implement this new tax on Canadians? We will have to borrow for that and pay interest on it. I would like the hon. member's comments on those two issues.

*Government Orders*

[Translation]

**Mr. Daniel Paillé:** Mr. Speaker, the NDP member is quite right to say that Canada has a huge fiscal capacity that has not been tapped into. Some say maximum tax rates have been reached, and that is true when it comes to poor citizens, but not in the case of corporations, and more specifically, banks.

There are six major banks in Canada. As required by the Bank Act, every year, around pages 140 to 150 of their annual reports, the big banks publish a list of their investments in tax havens and the tax savings they achieve by putting money in those tax havens. In this case, the left hand knows exactly what kind of savings the banks are achieving in tax havens, but the right hand is too stupid to ask for the information and to tax the banks' holdings in tax havens.

There is indeed a huge fiscal capacity in Canada. I agree with the hon. member that borrowing more to pay for certain things is not the answer. Last year, when we proposed realigning spending—which we will do again this year—by helping the forestry industry, for example, we also proposed new financing formulas to go after more of the available tax room.

• (1810)

**Mr. Thomas Mulcair (Outremont, NDP):** Mr. Speaker, it is interesting to hear the Bloc Québécois support the Conservative government's budget policies, but it is also a little surprising. In fact, we have often stood alongside the Bloc to denounce, for example, the theft from the employment insurance fund. Bills C-9 and C-47 are spinoffs of this. The employment insurance fund is in there. For example, they are imposing new airline security taxes, which are inflating airline ticket prices in Canada. The Bloc is supporting that. There is a new regulation concerning the harmonized sales tax. The Bloc has not done anything to obtain compensation for Quebec for the harmonization it has already undertaken in this area. We are very surprised to hear the member for Holcheha kowtow to the Conservatives once again and support the government's budget policies. We are very surprised by that.

Let us take a look at what is in Bill C-47, which the Bloc is supporting, and in the Conservative government's economic policy. Everything that happens in politics happens in a certain context. I would like to read a Reuters article from today, which was written by business journalist, Louise Egan.

[English]

I will read from this article from Reuters entitled “Canada record-high current account gap spurs worry”.

Louise Egan says this on behalf of Reuters:

Canada entered the club of countries with oversized current account deficits in the third quarter, posting the biggest shortfall on record as its worsening trade profile heralded a further slowdown in economic growth.

That is today.

Statistics Canada said on Monday:

The country's eighth consecutive quarterly shortfall in the current account—a measure of transactions in goods, services and investment income—totalled C\$17.54 billion...compared with a revised second-quarter gap of C\$12.98 billion.

Analysts surveyed by Reuters had forecast \$15 billion.

What is interesting to note is that we are getting observations from people like Doug Porter at BMO Capital Markets, who said “Canada suddenly finds its broadest trade deficit in the company of countries that have typically been cited as extravagant over-spenders/under-savers”. He also said, “This may prove to be a passing phase but it is in fact an early warning that the country may be living beyond its means”.

In the days leading up to the G20 summit of the world's leading emerging and advanced economies, the U.S. treasury proposed capping current account surpluses and deficits at 4% as a way of achieving a better balance between surplus nations like China and debt ridden importers like the United States. We are above that 4% right now.

What we have to look at is how this fits into the overall budgetary plan of the Conservatives, such as it is. That is probably more of a compliment than they deserve to even mention the word plan when discussing the tragedy that has been visited upon the Canadian economy in the past five years since the Conservatives came to power.

We occupy the second largest land mass in the world and we have only 35 million people to try to give that value. That has always required the understanding of a government that placed value on the creation of jobs, on the creation of long-term growth and on the idea that we would try to go into those sectors of the economy that were the most forward-looking and the most productive. The Conservatives will have none of that.

The Conservative ideology is that anyone who seeks to have the government take a look at the economy, to balance it out and to have it grow long-term and make sense in some way is trying to pick winners. Their central thesis is a pristine marketplace that effectuates the best choices in all circumstances.

What we have had is an across the board tax cut being proposed by the Conservatives since they arrived in power. That is their panacea. That will solve all the problems. There is one slight difficulty with that. Any company, especially in the manufacturing field, that was not making a profit had not paid any taxes, so they did not get anything from the Conservatives tax decreases. The most profitable companies received those tax decreases, companies in the oil sector. The banking sector saw the same thing.

We will see a bit later this week the most recent quarter of bank profits, but for the first nine months of this year, Canada's chartered banks made \$15 billion in profit. That is not because they are clever managers. It is because they have a quasi monopoly and they can charge people basically whatever they want, especially since the Conservatives came into power. Paying 25% on a credit card is no problem. Banks gouge customers every time they go to the banking machine. No problem. Why not? As far as the Conservatives are concerned it is normal to give a tip to the bank president every time someone accesses money at an ATM.



*Government Orders*

The real problem is the Conservatives have been destabilizing the erstwhile balanced economy that Canada had so painstakingly built up since the second world war. They are doing it by giving these across the board tax cuts, blind to any notion of productivity, blind to any notion of the creation of stable, long-term jobs which would allow people to raise a family. That is a thing of the past. As far as Conservatives are concerned, the market can decide.

When companies like Encana and Enbridge get millions of dollars in windfall because they have had a reduction in their taxes, we are still hollowing out the manufacturing sector. We are superheating the petroleum sector, bringing in an artificially high number of U.S. dollars, putting increasing pressure on the Canadian dollar, something that the textbooks refer to as “the Dutch disease”. This was after the situation that existed in Holland in the 1960s where the discovery of gas meant that a large number of foreign currencies were coming into the country, pushing the guilder ever higher. All of a sudden the Dutch realized that what was supposed to be manna from heaven was in fact destroying their economy because they could no longer afford to export their goods.

● (1815)

When we look at today's StatsCan figures, we realize the only thing that Canadian companies are spending is on equipment coming in from other countries. We can no longer produce on a competitive basis. Our manufacturing sector is being hollowed out. It is interesting to note that StatsCan, shortly after the Conservatives came to power, almost in a defensive statement, which I have never seen anything like it from StatsCan, said Canada was not suffering from the “Dutch disease”. When somebody bothers to use a term like that and then to affirm that it does not apply, my radar is automatically starting to ping. Why is it even mentioning it if it is not the case? That statement was made in 2006.

Between 2004 and 2008, in other words in 2008 before the current crisis hit, StatsCan put out new figures that showed precisely the opposite of what it had affirmed two years earlier. Between 2004 and 2008, Canada, mostly in Ontario and Quebec the industrial heartland, had bled off 322,000 good paying manufacturing jobs. The prime reason for that was we failed to internalize the costs of the oil sands. Instead of taking the fiscal space that was available and trying to help those sectors of the economy that needed it the most, we were giving the money to those sectors of the economy that were already making the largest profits.

How did we create the fiscal space for the \$60 billion in tax increases that had been given to Canada's most profitable corporations? It is not very complicated. The Conservatives finished off the job started by the Liberals. They took \$57 billion out of the employment insurance account and transferred it to general revenues of the government. A lot of people would look at that and say “so what, who cares”, that it was government money before and it government money after, but there is a huge difference. Every company, whether they were making money or losing money, had paid into that EI account as had every employee. We had that \$57 billion purpose built, dedicated to take care of the inevitable cyclical aspect of the job market in Canada and when the recession hit, there would be money there to pay people employment insurance benefits.

The Conservatives cleaned out the account and now there was no more money there. There is going to be a \$15 billion deficit that is going to have to be paid back again by all companies. Whether they are making profits or not or whether they are paying taxes or not, they are going to have this payroll tax for every job in their companies. That is what the Conservatives did. They created that fiscal space to give the tax decreases to the most profitable corporations by looting the employment insurance account, by taking the money that was there to create the fiscal space to do it.

When we talk about sustainable development, the notion that comes most immediately to mind is the environmental aspect. That is after all the driving force behind the United Nations report by Brundtland, the former prime minister of Norway. He put together this important report with a view to the Rio summit in 1992. That was a way of saying every time the government had to come to a decision with regard to a problem, it had to look at not only the environmental but also at the social and economic aspects.

As we have cleaned out the manufacturing sector in Canada, we have shovelled forward onto the backs of future generations not only the environmental debt, which I will talk about in a minute with regard to the tar sands, but we have shovelled the financial and fiscal burden onto their backs. Hundreds of thousands of people will be coming to retirement in the next decades. They will no longer have a proper pension plan. At least in the manufacturing sectors those used to be provided for. We have seen what has happened to companies like Nortel, but more generally, employers that take over companies in Canada with the complicit attitude of the Liberals especially and the Conservatives, the first thing they go after is the pension plan of their employees. That is for the social aspect.

However, let us look now at the long-term deficit with regard to the environment and how that is continuing to cause one of the biggest problems in the Canadian economy. One of the basic principles of sustainable development is we have to internalize the costs of the environment. These are basic principles like user pay, polluter pay. We have to ensure we look at the life cycle analysis of anything that is put on the market.

Right now we are as guilty as a company that is manufacturing a product that is pushing all of its garbage into a river and claiming that it is making a good profit because it can sell cheaper, the way we are developing the tar sands. Right now we have a way of developing them which means we are not cleaning up the mess, we are not including it in the price. We are not even including the price of attempts to go after carbon capture and storage. That is being left on the general tax burden on the backs of every Canadian.

● (1820)

We have an unusual situation. We claim that we have the strategic resource that we are exploiting in the public interest, but in fact we are leaving a huge environmental burden on the back of future generations in addition to the fiscal and financial burden.

I talked about the \$57 billion looted from the EI account. I talked about the \$60 billion in tax reductions for Canada's richest corporations. It is no coincidence that Conservatives have also racked up the largest deficit in Canadian history also to the tune of \$60 billion, and the three are related.

*Adjournment Proceedings*

If we continue like this, we will have hollowed out manufacturing sector, we will have become, for all intents and purposes, a third world country relying almost exclusively on the exploitation and extraction of resources that we pump to our neighbours as quickly as possible. That is not a figure of speech, that is literally the case.

Let us look at what we have done with the tar sands. There are projects like Keystone, Alberta Clipper, Southern Lights and we are putting in these pipelines. The Conservatives had them approved rapidly since they became government. They have scrapped the Navigable Waters Protection Act since they came to power. Just recently, they scrapped the whole environmental assessment process in Canada to send it over to the National Energy Board, which has no experience or expertise in the matter, to ensure these large energy projects get approved as quickly as possible.

Then the North American Free Trade Agreement moved in to provide its impetus in all of this. Under the North American Free Trade Agreement, there is a proportionality clause that means, essentially, that once we have started exporting the raw bitumen in such large quantities to the United States, we cannot reduce the quantities we export unless we reduce what we send to ourselves.

An independent outside analysis of just one of those projects, the Keystone project, concluded that there were 18,000 jobs being exported to the U.S. at the same time. Like a third world country, we do not even add the value here. There is no processing. Nothing is added. There is no refining. We are not doing anything with it to create permanent, long-term jobs here. It is a shameful way of destabilizing the balanced economy that we have built up since the second world war.

The government has always argued that it is not what is really happening, that those of us who say that the government can and should play a role in building a stable economy are trying to pick winners. The Conservatives have chosen their winners and it is the oil companies and the banks. People are going to pay for those lousy choices. Instead of looking at the most productive jobs and the most forward-looking parts of the economy, things that could be helping us for the future, creating a system of green renewables across the country, that is all going to be lost.

We have had an extraordinary occasion for the past five years to do something for future generations, but the vituperative, closed, narrow-minded attitude of the Conservatives has meant that they spew their venom at those who want the government to do something right with the economy. They claim to be doing a good job, but today's Reuters article, which will be in various forms in all of the economic papers across Canada tomorrow, prove just the contrary, that what the NDP has been saying for years in the House, that the Conservatives are destroying the balanced economy that Canada built up since the second world war, is in fact true.

• (1825)

[*Translation*]

The NDP is not alone in saying that Canada is suffering from the Conservatives' political and economic choices. It is now proven by today's statistics from Statistics Canada. That is why the NDP has no issues with saying that Bill C-47 will never receive our support, no more than Bill C-9 will, because it reflects the Conservatives' overall budget policy.

Earlier, I listened patiently to the member for Hochelaga, who said that the NDP was going to vote against, but he did not know why. I will return the compliment to my friend and colleague, the member for Hochelaga, by saying that, aside from general remarks about Bill C-47—he seems to have plenty to draw on—it would have been nice if he had told us exactly which clauses in Bill C-9 he likes. Furthermore, with everything we now know about the awful consequences of emptying the employment insurance fund, how can he support a bill that deals yet another blow to employment insurance? How can he support a bill that imposes yet more taxes on people who buy airplane tickets? How can he stand there and vote on the harmonized value-added tax without saying a word about how Quebec was the first province to harmonize its taxes? I was in the National Assembly when that happened. When the maritime provinces later did the same thing, I was there, and I saw how Bernard Landry reacted, with good reason, by saying that Quebec had already harmonized its taxes and was entitled to the same compensation the maritime provinces received.

They said the rules had changed. Even though Quebec was the first, its harmonization was not the same as theirs, so only the maritime provinces would receive compensation. It just so happens that the maritime provinces were about to vote in a federal election, and the Liberals really needed their support.

Then the same thing happened in British Columbia and Ontario. We have already spoken out against that, and we know how the story played out. Still, they said that the rules had changed again.

For all of these reasons, the NDP will once again vote against the Conservative government's budget policies.

**The Deputy Speaker:** The hon. member for Outremont will have two minutes to complete his remarks the next time this bill comes before the House.

---

## ADJOURNMENT PROCEEDINGS

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

[*Translation*]

### VETERANS AFFAIRS

**Ms. Christiane Gagnon (Québec, BQ):** Mr. Speaker, I rise today to speak on a question I asked the Minister of National Defence regarding the changes to the veterans charter and the lifetime monthly pension that would be unfair to veterans coming back from Afghanistan. The minister seemed rather open to this. I took part in an emergency debate during which the minister said he wanted to rectify the situation and he admitted that mistakes had been made. Upon reflection, the minister said he would present new measures in order to correct the situation. He told us that the amount could be improved or could be more equitable to veterans.

*Adjournment Proceedings*

However, we see that the minister did not listen to the people from all the opposition parties who spoke during that debate. He is not changing the lump sum payment, even for people who are seriously injured. That amount has not been increased, which is all the more serious because it is meant for people who are 20, 21 or 22 years old. The only thing the minister promised was that the lump sum payment would be spread out, that it could be divvied up per month or per year, according to the wishes of the injured soldier. We cannot accept these new measures; they are too little.

A pre-tax income of \$40,000 has been established, making between \$536 and \$1,609 payable depending on the type of injuries claimed by veterans in their applications. In the case of psychological injuries, it is very difficult to clearly establish an individual's inability to return to work.

I talked about Ms. Matteau's son, who lives in the riding of Québec. Before the new charter, he would have received \$5,400 per month; with the new charter, he received a lump sum payment of \$100,000. The maximum could have been \$276,000, but it was not established that all his injuries prevented him from returning to the job market. This is clearly not enough and we cannot accept these new measures. A number of people are worried about the new measures the minister has taken, even though he said he wanted to fix things. Mr. Stogran, the former veterans' ombudsman, is concerned that Afghanistan will become our Vietnam if nothing is done.

These measures are unsatisfactory. A number of people who are observing the minister's new orientation are concerned that, with these measures, many veterans will depend on their families for life. For a 20 year old who can no longer work and will never have the income that would have been earned if—

• (1830)

**The Deputy Speaker:** The hon. Parliamentary Secretary to the Minister of Veterans Affairs.

[*English*]

**Mr. Greg Kerr (Parliamentary Secretary to the Minister of Veterans Affairs, CPC):** Mr. Speaker, our government has the needs of our veterans at heart.

The Minister of Veterans Affairs has made the issue surrounding the lump sum payment one of his priorities. That is why legislation was recently tabled by the minister to address any issues around this award.

If the bill is passed, veterans who receive a disability award will have the choice between annual payments spread out over the number of years of their choice with interest; part of the award as a lump sum and the rest as annual payments over the number of years of their choice with interest; or a single lump sum payment. This is what we heard often in the veterans affairs committee, that the young vets wanted these changes available to them.

Furthermore, at any time, veterans who so choose may change their minds and receive the remaining amount as a lump sum payment.

I would like to remind the member opposite that the lump sum payment is just one piece of the new veterans charter. I remind her of

this today because the media and others seem to think there is only one financial benefit. That is simply not the case. The lump sum disability is not meant to replace salary, and it is not meant to be a recurring monthly income. Instead it recognizes and compensates Canadian Forces members and veterans for the pain and suffering, functional loss and the effects of permanent impairment of service-related disability. There is a whole range of services and other financial supports available that help our veterans get back into civilian life.

Eligible veterans also receive a monthly earnings loss benefit, up to 75% of their pre-release salary, while they are in rehabilitation. The legislation tabled by the minister increases the earnings loss benefit to ensure veterans in need have an adequate monthly income.

The most severely injured veterans, who cannot return to work, will also benefit from the widened eligibility for the permanent impairment allowance, which is currently paid in the amount of \$536 to \$1,609, and the additional \$1,000 per month that has been recently announced by the minister.

Finally, veterans are also offered a full range of benefits and services, including practical help finding a job, psychological and physical rehabilitation and health care coverage.

As recent announcements indicate, the new veterans charter can and will be modified to ensure the needs of our Canadian Forces members, our veterans and their families are met. It is a living document, and we will continue to make improvements in the future.

The new veterans charter provides the supports necessary for veterans and their families to return to the best life possible. The Government of Canada continues to work on all avenues to provide the best care for our veterans and their families.

At the end of the day, our brave men and women in uniform deserve our respect.

Our government is here for veterans and here for Canada.

• (1835)

[*Translation*]

**Ms. Christiane Gagnon:** Mr. Speaker, he explained the minister's point of view, but it is still the same. Many stakeholders have taken a close look at the situation and know the impact that injuries can have when a soldier returns from combat. There are many newspaper articles about this. I have also spoken to people who are following this issue closely and they are saying that the minister is not doing enough. There is also the fact that the government is not increasing the amount of the lump sum payment. It is too little in relation to the injuries they have sustained. These people are often unable to return to work. Psychologically, they are unable to get their personal or professional lives back on track.

The limit on benefits has not been reviewed. The government gives a one-time, lump sum payment of \$100,000. Even if the young person says he will take it—

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

*Adjournment Proceedings*

[English]

**Mr. Greg Kerr:** Mr. Speaker, the maximum lump sum disability award recognizes pain and suffering and is worth over \$270,000. It is only one part of the new veterans charter.

Veterans in need have access to a broad range of programs. The improvements tabled by the minister broaden the benefits and the access to some of these programs.

If the legislation is adopted, on top of the lump sum disability award, our most seriously injured veterans who are no longer able to work will receive at least \$58,000 a year. These changes will impact thousands of veterans.

The new veterans charter is designed to be there for our veterans when they need it and we are here for our veterans.

POTASH INDUSTRY

**Mr. Brian Masse (Windsor West, NDP):** Mr. Speaker, it is a pleasure to rise again on a very important issue, the Investment Canada Act.

I asked a question in this chamber on October 26 related to BHP's takeover bid on PotashCorp. I want to thank the great Canadians who supported our campaign, and especially the Saskatchewan NDP that fought so hard to make sure this takeover did not take place.

It is important to note that the Investment Canada Act is the trigger point on how to do these types of acquisitions and is the backstop for the investment as to whether it is of net benefit to Canada. That legislation is so poorly crafted that it has created serious vulnerabilities for Canadians, not just in terms of the companies that have been built up and basically been sold off, but also, on top of that, the jobs, value-added jobs in particular, that we have.

I want to point out that the present government is responsible for that poor legislation because it added changes to the legislation in a budget bill, so it did not get a chance to go to committee. It did not have a chance to hear from Canadians, be it the business community, the workers or others who are experts in this law, and have that input to look at the changes that were going to be made.

That denial of the proper democratic process is like Americanizing our legislative process by attaching what in the U.S. is called a rider bill to legislation. It has very much been at the expense of our business community and our economic development.

One of the key things that needs to be recognized is that the minister is now talking about reviewing the Investment Canada Act, especially after an NDP motion and debate has already taken place.

The reality is that the government is responsible for this hollowing out that has taken place and it has done so without even consulting the business community that wants to be consulted on this. There are many economists and other business people who want to be part of a process to modernize the Investment Canada Act.

Back in 2003, I fought vigorously against China Minmetals, because here we had a non-democratic state government that was actually going to take over Canadian companies. I thought that was wrong.

How do we have that process? How is it that Canada cannot own its own oil shares through Petro-Canada? The previous Liberals actually sold our last bit of shares in Petro-Canada. We actually lost money on that because a month later it went up incredibly. On top of that, a non-democratic government can actually own Canadian oil projects, which it is now purchasing across the land.

I want to be clear that the government has a responsibility to modernize the Investment Canada Act through legislation to make it more clear, more accountable and to have more net benefits. When we look at Stelco, Inco and Vale, we had all those terrible deals where we had tons of problems from those takeovers at the expense of working class Canadians. It is unacceptable and the government is responsible for those things.

• (1840)

**Mr. Deepak Obhrai (Parliamentary Secretary to the Minister of Foreign Affairs and to the Minister of International Cooperation, CPC):** Mr. Speaker, let me begin by stating that foreign investment plays an important part in the Canadian economy. Foreign investors bring capital, knowledge, capabilities, technology and other resources which can increase the productivity, efficiency and competitiveness of Canadian firms. Their investments help businesses to expand and create jobs for Canadians.

Indeed, Canada has one of the most open investment regimes in the world. In order to ensure that Canadian firms have access to investment opportunities abroad, it is important for Canada to maintain an investment climate which encourages the free flow of investment.

Canada has a broad framework in place to promote trade and investment while protecting its interests. This includes the Investment Canada Act, which provides the Minister of Industry with the power to review significant foreign investment proposals. The review threshold for WTO members is currently \$299 million in book value of the assets of the Canadian business.

Where a proposed investment is subject to review under the act, the investor cannot implement the investment without the approval of the minister responsible for the act.

The Minister of Industry approves an application only when he is satisfied that the transaction is likely to be of net benefit to Canada. In making this determination, the minister must consider the factors listed in section 20 of the act. These include: the effect of the investment on the level and nature of economic activity in Canada; the degree and significance of participation by Canadians in the Canadian business or new Canadian business; the effect of the investment on productivity, industrial efficiency, technological development, product innovation and product variety in Canada; the effect of the investment on competition within any industry or industries in Canada; the compatibility of the investment with national industrial, economic and cultural policies; and the contribution of the investment to Canada's ability to compete in world markets.

As part of the review process, the Investment Review Division of Industry Canada consults with federal government departments with policy responsibility for the industrial sector involved, with the Competition Bureau, and with all the provinces in which the Canadian business has substantial activities or assets.

The Investment Canada Act is in place so that major investments are properly reviewed to ensure they are in the best interest of this country and, when they are not in the best interest of this country, this government will not hesitate to block a transaction.

BHP Billiton has withdrawn its application for review and informed its shareholders of this decision. Under the Investment Canada Act, this terminates the review process because there is no longer a transaction to review.

• (1845)

**Mr. Brian Masse:** Mr. Speaker, the former BHP chairman talked about foreign investment in Australia. He referred to Canada by saying that too much can actually result in Australia becoming a branch plant just like Canada is.

The problem is that we still do not have proper legislation going through this House. We have mentioned a number of different situations that have affected many value-added jobs in Canada.

For example, the government refused to act with Falconbridge and Inco. Also, we just needed a delay when U.S. processes were forcing the Xstrata situation to go on further, and it was the U.S. that was

### *Adjournment Proceedings*

doing that. The government could have acted, but it did not, and we have lost a national champion in mining.

We saw the results with Vale workers being thrown out on strike for over a year. That is unacceptable. It is trying to bring Brazil standards into the Canadian market as opposed to looking at improvements for workers and productivity in this country.

This government has a duty to—

**The Deputy Speaker:** The hon. Parliamentary Secretary to the Minister of Foreign Affairs.

**Mr. Deepak Obhrai:** Mr. Speaker, the Investment Canada Act is in place so major investments are properly reviewed to ensure they are in the best interests of this country and, when they are not, this government will not hesitate to block them.

BHP Billiton was just one case. The policy of our government has always been clear. We welcome international investment for all the benefits it brings, including new ideas, sources of capital and job creation.

**The Deputy Speaker:** 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 6:46 p.m.)

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# CONTENTS

Monday, November 29, 2010

## PRIVATE MEMBERS' BUSINESS

### Federal Sustainable Development Act

Bill S-210. Report stage .....	6527
Mr. Woodworth .....	6527
Motion for concurrence .....	6527
(Motion agreed to) .....	6527
Mr. Woodworth .....	6527
Third Reading .....	6527
Mr. Bagnell .....	6528
Mr. Bagnell .....	6528
Mr. Bigras .....	6529
Ms. Duncan (Edmonton—Strathcona) .....	6530
Mr. Woodworth .....	6531
Division on motion deferred .....	6532

### Suspension of Sitting

(The sitting of the House was suspended at 11:47 a.m.) .....	6532
--	------

### Sitting Resumed

(The House resumed at 12 p.m.) .....	6532
--------------------------------------	------

## GOVERNMENT ORDERS

### Preventing Human Smugglers From Abusing Canada's Immigration System Act

Bill C-49. Second reading .....	6532
Mr. Julian .....	6532
Mr. Calandra .....	6534
Mr. Simms .....	6534
Mr. Warkentin .....	6534
Mr. Simms .....	6536
Mr. Jean .....	6536
Mr. Paillé (Hochelaga) .....	6536
Mr. Jean .....	6537
Mr. Ouellet .....	6538
Mr. Norlock .....	6538
Mr. Simms .....	6539
Mr. Calandra .....	6539
Ms. Coady .....	6540
Mr. Lee .....	6541
Mr. Warkentin .....	6541
Mr. Simms .....	6541
Mr. Wallace .....	6542
Mr. Simms .....	6543
Mrs. McLeod .....	6543
Mr. Cotler .....	6543
Mr. Martin (Esquimalt—Juan de Fuca) .....	6544
Mr. Lee .....	6545
Mr. Bachand .....	6545
Mr. Martin (Esquimalt—Juan de Fuca) .....	6546
Mr. Ouellet .....	6546
Mr. Petit .....	6547

## STATEMENTS BY MEMBERS

### Canadian Forces

Mr. Shipley .....	6547
-------------------	------

### Leslie Nielsen

Mr. Bagnell .....	6548
-------------------	------

### Stéphanie Couture

Ms. Bonsant .....	6548
-------------------	------

### The Economy

Mr. Allen (Welland) .....	6548
---------------------------	------

### Municipal Election 2010

Mr. Stanton .....	6548
-------------------	------

### Government Spending

Mr. Murphy (Charlottetown) .....	6549
----------------------------------	------

### Cypress Hills—Grasslands

Mr. Anderson .....	6549
--------------------	------

### Laval University's Rouge et Or and the Montreal Alouettes

Mr. Guimond (Montmorency—Charlevoix—Haute-Côte-Nord) .....	6549
--	------

### Society for Educational Visits and Exchanges Canada

Mrs. Glover .....	6549
-------------------	------

### Community Access Program Centres

Mr. Regan .....	6550
-----------------	------

### Laval University's Rouge et Or and the Montreal Alouettes

Mrs. Boucher .....	6550
--------------------	------

### Volunteerism

Mrs. Hughes .....	6550
-------------------	------

### Status of Women

Mr. Clarke .....	6550
------------------	------

### Democracy

Mrs. DeBellefeuille .....	6550
---------------------------	------

### Grey Cup

Mr. Rodriguez .....	6551
---------------------	------

### Taxation

Mr. Sweet .....	6551
-----------------	------

## ORAL QUESTIONS

### National Defence

Mr. Goodale .....	6551
-------------------	------

Mr. Clement .....	6551
-------------------	------

Mr. Goodale .....	6551
-------------------	------

Mr. Clement .....	6551
-------------------	------

### Pensions

Mr. Goodale .....	6551
-------------------	------

Mr. Clement .....	6552
-------------------	------

**National Defence**

Mr. Garneau .....	6552
Mr. Clement .....	6552
Mr. Garneau .....	6552
Mr. Clement .....	6552

**The Environment**

Mr. Duceppe .....	6552
Mr. Baird .....	6552
Mr. Duceppe .....	6552
Mr. Baird .....	6552
Mr. Bigras .....	6552
Mr. Anderson .....	6553
Mr. Bigras .....	6553
Mr. Baird .....	6553

**Afghanistan**

Mr. Mulcair .....	6553
Mr. Cannon .....	6553
Mr. Harris (St. John's East) .....	6553
Mr. Cannon .....	6553
Mr. Harris (St. John's East) .....	6553
Mr. Cannon .....	6553

**The Environment**

Ms. Murray .....	6553
Mr. Anderson .....	6554
Ms. Murray .....	6554
Mr. Baird .....	6554

**Pensions**

Mr. Byrne (Humber—St. Barbe—Baie Verte) .....	6554
Ms. Finley .....	6554
Mr. Byrne (Humber—St. Barbe—Baie Verte) .....	6554
Ms. Finley .....	6554

**Afghanistan**

Mr. Duceppe .....	6554
Mr. Cannon .....	6555
Mr. Duceppe .....	6555
Mr. Cannon .....	6555

**Tax Harmonization**

Mr. Paillé (Hochelaga) .....	6555
Mr. Flaherty .....	6555
Mr. Paillé (Hochelaga) .....	6555
Mr. Flaherty .....	6555

**Taseko Mines Limited**

Ms. Coady .....	6555
Mr. Baird .....	6555
Ms. Coady .....	6555
Mr. Baird .....	6555
Mr. Proulx .....	6555
Mr. Baird .....	6555
Mr. Proulx .....	6556
Mr. Baird .....	6556

**Justice**

Mr. Woodworth .....	6556
Mr. Nicholson .....	6556

**The Environment**

Ms. Duncan (Edmonton—Strathcona) .....	6556
Mr. Anderson .....	6556
Ms. Duncan (Edmonton—Strathcona) .....	6556
Mr. Baird .....	6556

**Securities Industry**

Mr. Carrier .....	6557
Mr. Flaherty .....	6557
Mr. Carrier .....	6557
Mr. Flaherty .....	6557

**Afghanistan**

Mr. Rae .....	6557
Mr. Cannon .....	6557
Mr. Rae .....	6557
Mr. Cannon .....	6557

**Health**

Ms. Leslie .....	6557
Mrs. Aglukkaq .....	6557
Ms. Leslie .....	6557
Mrs. Aglukkaq .....	6558
Mr. Généreux .....	6558
Mrs. Aglukkaq .....	6558

**Official Languages**

Mr. Bélanger .....	6558
Mr. Moore (Port Moody—Westwood—Port Coquitlam) .....	6558
Ms. Gagnon .....	6558
Mr. Moore (Port Moody—Westwood—Port Coquitlam) .....	6558

**Citizenship and Immigration**

Ms. Chow .....	6558
Mr. Kenney .....	6558

**Product Safety**

Mr. Allen (Tobique—Mactaquac) .....	6558
Mrs. Aglukkaq .....	6559

**Official Languages**

Mr. Bélanger .....	6559
Mr. Moore (Port Moody—Westwood—Port Coquitlam) .....	6559

**Pensions**

Mr. Marston .....	6559
Mr. Clement .....	6559

**Foreign Affairs**

Ms. Deschamps .....	6559
Mr. Cannon .....	6559

**Report of the Standing Committee on Citizenship and Immigration**

<b>Bill C-35—Speaker's Ruling</b>	
The Speaker .....	6559

**Privilege**

<b>Seventh Report of the Standing Committee on Finance—Speaker's Ruling</b>	
The Speaker .....	6560
<b>Reference to Standing Committee on Procedure and House Affairs</b>	
Mr. Mulcair .....	6561
Motion .....	6561



Mr. Brison .....	6564
Mr. Comartin .....	6564
Mr. Jean .....	6565
Mr. Maloway .....	6565
Mr. Lukiwski .....	6565
Mr. Mulcair .....	6566
Mr. Szabo .....	6566
Mr. Szabo .....	6566
Ms. Davies (Vancouver East) .....	6568
Mr. McKay .....	6569
Mr. Brison .....	6569
Mr. Paillé (Hochelaga) .....	6569
Mr. Lee .....	6571
(Motion agreed to) .....	6572

**ROUTINE PROCEEDINGS**

**Government Response to Petitions**

Mr. Lukiwski .....	6572
--------------------	------

**Committees of the House**

**Official Languages**

Mr. Blaney .....	6572
------------------	------

**Petitions**

**Housing**

Ms. Davies (Vancouver East) .....	6572
-----------------------------------	------

**Animal Welfare**

Mr. Masse .....	6572
-----------------	------

**Democratic Representation**

Ms. Gagnon .....	6572
------------------	------

**Veterans Affairs**

Ms. Mathysen .....	6572
--------------------	------

**Aboriginal Affairs**

Ms. Mathysen .....	6572
--------------------	------

**Child Pornography**

Mr. Allen (Welland) .....	6573
---------------------------	------

**Multiple Sclerosis**

Mr. Allen (Welland) .....	6573
---------------------------	------

**Afghanistan**

Mr. Maloway .....	6573
-------------------	------

**Questions on the Order Paper**

Mr. Lukiwski .....	6573
--------------------	------

**Questions Passed as Orders for Returns**

Mr. Lukiwski .....	6576
--------------------	------

**GOVERNMENT ORDERS**

**Sustaining Canada's Economic Recovery Act**

Bill C-47. Report stage .....	6577
Mr. Cannon (for the Minister of Finance) .....	6577
Motion for concurrence .....	6577
(Motion agreed to) .....	6577
Mr. Cannon (for the Minister of Finance) .....	6577
Third reading .....	6577
Mr. Saxton .....	6577
Mr. Murphy (Charlottetown) .....	6580
Mr. Masse .....	6580
Mr. Fletcher .....	6580
Mr. McKay .....	6581
Mr. Regan .....	6581
Mr. Jean .....	6583
Mr. Masse .....	6584
Mr. McKay .....	6584
Mr. Paillé (Hochelaga) .....	6585
Mr. Szabo .....	6586
Mr. Fletcher .....	6587
Mr. Masse .....	6587
Mr. Mulcair .....	6588

**ADJOURNMENT PROCEEDINGS**

**Veterans Affairs**

Ms. Gagnon .....	6590
Mr. Kerr .....	6591

**Potash Industry**

Mr. Masse .....	6592
Mr. Obhrai .....	6592

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