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(HANSARD)

Monday, November 14, 2011

Speaker: The Honourable Andrew Scheer

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HOUSE OF COMMONS

Monday, November 14, 2011

The House met at 11 a.m.

Prayers

• (1105)
[English]

POINTS OF ORDER

BILL C-317—INCOME TAX ACT—SPEAKER'S RULING

The Speaker: I would like to return to the ruling I gave on Friday, November 4, 2011, in relation to ways and means proceedings and former Bill C-317, An Act to amend the Income Tax Act (labour organizations), which stood on the order paper in the name of the hon. member for South Surrey—White Rock—Cloverdale.

[Translation]

As members know, I directed that the order for second reading of the bill be discharged and that the bill be withdrawn from the order paper.

[English]

In light of the unique nature of this particular situation, I directed that the member for South Surrey—White Rock—Cloverdale be permitted to substitute another item onto the order of precedence. In doing so, I inadvertently linked the time allotted to the member to do so at 20 sitting days in the spirit of the guidelines found in Standing Order 92.1. This was an error as Standing Order 92.1 provides for 20 calendar days. Instead, the link was intended to be to a 2006 example when another member, faced with similar circumstances, was granted 20 sitting days to select another item.

[Translation]

Therefore, the hon. member for South Surrey—White Rock—Cloverdale will have until Friday, December 9, 2011, to do so.

[English]

I regret any inconvenience that this may have caused hon. members.

COMMITTEES OF THE HOUSE

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Mr. Speaker, I am rising on a point of order that involves one of the more serious matters that I have had to deal with in my 11 years here in the House because of the potential risk that it poses to the relationship the

legislative, administrative and judicial branches play in our Parliament.

Mr. Speaker, I am hoping that by the time I have concluded my argument you will agree with my assessment that our rules have been breached and you will take appropriate action to ensure that the Standing Orders and the procedural sources higher than those that are in place are respected, not only by this chamber but also by the committees of this place.

I should start by saying that there are two potential orders that I will be seeking. The first one is the more appropriate one but clearly the more extensive one, which would be to direct the committee to cease the study it has initiated. I will speak to that more specifically in a moment. The alternative, which I would ask you to think about, would be, at the very least, that the committee be directed to suspend its study until such time as the courts, including the Appeal Court, and potentially even the Supreme Court of Canada in this case, have ruled on this issue.

It has been said in the House on more than one occasion that committees are their own masters. They are in control of their process. However, a deeper examination of our Standing Orders and the *House of Commons Procedure and Practice* second edition, commonly called O'Brien and Bosc, reveals that the committee's freedom to do as it chooses is limited by firm boundaries. Indeed, O'Brien and Bosc, at page 1047, states:

...freedom committees normally have to organize their work as they see fit and the option they have of defining, on their own, certain rules of procedure that facilitate their proceedings.

However, on page 1048 the text reads:

These freedoms are not, however, total or absolute.

Mr. Speaker, I would ask you to take particular note of this point because I will return to it on a number of occasions throughout my remarks today. O'Brien and Bosc at page 1048 states:

At all times, directives from procedural sources higher than parliamentary committees (Constitution;—

I would suggest that includes constitutional convention, which is part of what the argument is here today. It goes on to state:

—statutes; orders of reference, instructions and Standing Orders of the House; and rulings by the Speaker—

Both the Constitution and, in this case, a ruling by you, Mr. Speaker, would certainly have the authority of overriding the determination that has been made by the committee. It goes on to state:

—take precedence over any rules a committee may adopt.

Points of Order

The end result of that determination by O'Brien and Bosc is that you, as the Speaker of this House, have, at any given time, the authority to overrule the committee.

It is quite recognizable by everyone in the chamber and anyone who has been in Parliament for any length of time that the Speaker would only do that on rare occasions. I would submit that this is one of those rare occasions. The Speaker may be reluctant to deal with this given the long-standing practice of intervening only on very rare occasions.

The other point that often comes up at this stage is whether the Speaker should intervene when there has not been a report from committee. I recognize that there has been no report from committee. Given the circumstances of what is going on in that committee, there will never be a report from the committee on this point.

However, as has often been the case, the Speakers will reserve judgment on committee members until the report has been sent to the House. There are exceptions to that general rule.

As Speaker Fraser said on March 26, 1990, at page 9756 of the *Debates*, the practice of waiting for a report from committee before taking up a matter in this House is: “

...not an absolute one and that in very serious and special circumstances the Speaker may have to pronounce on a committee matter without the committee having reported to the House.

In that context, it is important that I rise on this point of order. It is as a result of actions taken by the Standing Committee on Access to Information, Privacy and Ethics, which I will refer to henceforth as “the ethics committee”. I feel that the rules governing the procedures and practices of this place are being tested, challenged and, in fact, are being infringed upon if we look at some of the opinions we now have on this matter. It is certainly putting the committee and this House in a dangerous and unprecedented position. It is testing long-standing conventions and, I would argue, that we are breaching those long-standing conventions.

Through the actions of the ethics committee and despite the protests of two of the three opposition parties represented on the committee, it has attempted to throw out decades of parliamentary *sub judice* convention, which requires this place to respect the independence of the court. It goes beyond saying that we do have the three branches. While they are independent of each other, they sometimes overlap but the fairly clear guidelines among those three branches is a long-standing convention. We respect, adhere to and do whatever we can, regarding all three branches, to not cross that line between the three branches and usurp authority that lies in one of the other branches.

I believe the committee is also trying to distort the constitutional principle of the separation of powers in terms of that responsibility, in particular here, not between the administration branch and the other two, but between the legislative and judicial branches. I would submit that both of these rules supersede the rights of committees. We had a huge battle in the last Parliament over the rights of parliamentarians to access information with regard to the Afghan detainee documents and material. There are clear rulings on that but it is not an absolute and those other conventions that I just mentioned supersede.

I believe the breaching of those other rules requires action on your part, Mr. Speaker. The only authority to overrule the committee lies in your hands. In terms of the specifics of the case, I will not be able to give you as much detail as I think would be useful to you in making your decision because a good deal of what has transpired here has been in camera. The information I will be giving you will only be that information that has been in public and not behind closed doors.

On November 1, the government used its majority on the committee to quickly move in camera on a motion by the Parliamentary Secretary to the Prime Minister and to the Minister of Intergovernmental Affairs. The motion was to compel the production of documents that are clearly the subject of ongoing litigation before the federal Court of Appeal. The purpose of producing the documents, according to the adopted motion, was to have the ethics committee, and this is extremely important, determine and assess exclusions. That is exactly what is before the federal court at the present time. Those are documents under section 68 of the Access to Information Act.

As a result of this meeting and the events that transpired in camera, the New Democratic and Liberal members of the committee felt that they could not continue their participation in the committee's work until they had the benefit of a legal opinion from the House of Commons Law Clerk, Mr. Robert Walsh. He has been in that post since 1999 and is recognized as the leading expert in the country on these specific types of issues, vis-à-vis the ability of Parliament to do certain things and the right and independence of the judiciary to conduct their roles free of legislative interference.

The decision to ask for the legal opinion was to ensure that the rights of the members of the committee were not being undermined or violated by attempts to push through a motion that may have been not only improper but not legal. As the opposition members were waiting for the opinion, government members held a subsequent in camera meeting, which they eventually reported out on, where they passed a motion demanding the production of the documents in question from the Canadian Broadcasting Corporation.

• (1110)

Soon after the motion was adopted, Mr. Walsh in fact provided his legal opinion in the form of a letter in reply to the member for Timmins—James Bay.

Mr. Speaker, I would just note that I have given you a copy of that opinion now.

Its contents support what would be my own opinion, and I hope yours, as well, on these three points: that the ethics committee is, first, far beyond the scope of its overall mandate; second, in breach of parliamentary convention; and third, in contravention of its constitutional boundary; all as a result of adopting that motion that kicked off the study in question.

Points of Order

Specifically about the opinion from Mr. Walsh, I put that in your possession again, I ask you, Mr. Speaker, to pay close attention to that opinion. Read it closely. I think it clearly sets out, in response to a series of questions from the member for Timmins—James Bay, where the breaches have occurred and the risk of further breaches occurring, in fact, the study continues and those documents are attempted to be forced from the CBC pending the outcome of the court case which is before the Federal Court of Appeal at the present time.

I would ask you, Mr. Speaker, to look at that and ask you to pay particular attention to these points that have been made, first, on the sub justice issue. Mr. Walsh addresses that convention, which is essentially that Parliament respects the work done by the judicial branch of government by not interfering or appearing to interfere with that work. He notes that Speaker Milliken described the sub justice convention by saying, “the House will await the determination of the court before discussing the matter—”.

In effect, what we are doing there is recognizing that the judicial branch has a particular expertise in this area. It has a constitutional mandate, as well, to provide that role. It is our role as legislators to consider the decisions that it makes, take them into account, make a decision at that point whether amendments are required to legislation, changes to legislation, or new legislation is required. That is where that line is. The judiciary is on one side, we relying as legislators on the other side of that line, on its expertise, both mandated and developed over a period of time in this country.

He then goes on, with regard to noting the same convention:

—the House and, by extension, its Committees will not undertake studies,—

I want to emphasize that:

—will not undertake studies, reviews or enquiries on matters that have been assigned by an Act of Parliament to an administrative tribunal or other public office, including Officers of Parliament—

In this case the Broadcasting Act assigns the specific responsibility to the Information Commissioner who has in fact been involved and is involved in that litigation that is before the Federal Court. There are three parties to that litigation: CBC, Information Canada, and a private broadcaster.

We have clearly ongoing litigation involving one of the officers of this House of Parliament, a crown corporation, and now a committee trying to insert itself into the process where it is clearly mandated that that role is to be played by the judiciary in this country.

He goes on, with regard to the division of powers, and this is perhaps maybe the most disturbing aspect of what is going on in front of the ethics committee at the current time, about the danger that the committee's actions are in violation of the Constitution Act, going back all the way to 1867, and of course the current Constitution Act.

On page 4 of his letter, Mr. Walsh outlines how the ethics committee study is overstepping the divisions of power set out by the act by attempting to make legal determinations which are the responsibilities of the courts. That role by the committee is clearly beyond its scope.

The intent is clear in this regard as the motion of the Parliamentary Secretary to the Prime Minister and to the Minister of Intergovern-

mental Affairs, which is now the basis for the committee study, says that the committee will, and I am quoting from the motion, “determine and assess exclusions”, which is exactly the role that is assigned to our judiciary, our courts, and in fact is the very specific subject of that litigation that is before the Federal Court of Appeal. It is seized with it. The arguments actually, I believe, have been made and we are waiting for a decision. Given the significance of the litigation that is going on, there is every possibility that this case, if an appeal is granted, will end up in front of the Supreme Court for a full argument.

●(1115)

I want to go back to the parliamentary secretary. He was not bashful about what he was doing. He went public with this in an article in *The Toronto Star* on November 3 of this year, saying it was his intention with the study to get ahead of the courts on this matter. That is not our role as legislators. It is absolutely the opposite of what we should be doing. We let the courts play their role and we then respond. However, he said it was to get ahead of the courts on this matter in order to save the court the time and expense of pursuing the matter. That is not at all within the determination of a parliamentary committee or Parliament as a whole. It has been assigned by the Constitution Act to be the responsibility of the courts. They determine that issue, not us as legislators.

If we were going to follow what the parliamentary secretary wants the committee to do, we would be really talking about a constitutional amendment. We would have to take away the exclusive jurisdiction of the courts and assign it either partially to committees or the House or totally to us, and take it away from the courts completely. There is no suggestion that we should be doing that. There is certainly no support that I have ever heard about us reducing the role of our judiciary in this regard. The courts are there to play the role of interpreting legislation and enforcing it in appropriate circumstances.

There is some emphasis I would like to provide to gain proper perspective of what the committee is doing, and I go back to the motion. The very first line of it is “to determine and assess” whether or not acts were followed by compelling the production of documents by a party to a matter before the courts. I am sure you will have no hesitation agreeing, Mr. Speaker, that it is the exclusive jurisdiction, not a shared jurisdiction, of the judicial branch of government. It is its exclusive jurisdiction.

Mr. Walsh is quite clear on this and stated that the ethics committee was nonetheless addressing a legal question that ought to be left to the courts to decide. He went on to say:

In my view, such initiatives are not within the constitutional functions of the House or, by extension, its committees and the use of the House's powers to demand the production of documents for such purposes could be found to be invalid and unenforceable at law.

Finally, he stated:

Such an encroachment would offend the separation of powers between the judicial and legislative functions and possibly call into question the validity of ETHI's proceedings.

Points of Order

It is opening the door, quite clearly, to not just the possibility but probability that Parliament and the judicial branch will end up in litigation. It is the last thing we need at any time. Trying to keep the demarcation lines between the two authorities in the country is very important.

I want to make one final point with regard to a matter that Mr. Walsh raised. He said that within the context, if the documents that are sought are going to be dealt with in camera throughout, that is certainly some saving grace because it would be less of an interference in the judicial authority in this country.

However, he then went on to caution the member for Timmins—James Bay, the committee as a whole and perhaps the House, about the possibility, even the probability, but the reasonable likelihood of leaks coming out committees. We know it happens. As much as we are all dutiful about ensuring it does not happen, leaks may be the result of a staff person and it may be inadvertent. He said even if that were the case, just the risk that there could be a leak would make it appear as if we were willing to justify what the committee was doing by taking that risk and saying it was more important for us to do this than the risk of interfering with the judicial process.

I want to go beyond what he said because there is a point that I wish he would have covered. It begs the question, if documents are in fact at some point compelled, turned over and looked at, for what purpose?

• (1120)

If it is staying in camera, I assume at some point the study will end up in a report. Then one of two things has to happen. The committee members may refer the documents and use them for the basis of their report, which ultimately would come to this committee, and therefore clearly breach our responsibility not to challenge the independence of the judiciary and the division of powers in the constitution. It is either that scenario or they do not use the documents. Then we would ask, why are we having this process if we are not going to use the documents? If we are not going to use them in the report, why are we bothering pursuing these documents to the degree that we are? If they use them, it is improper. If they do not use them, the whole question would be, what are we doing and why are we doing it.

The obvious conclusion I would draw from that is that government members on the committee intend to use the documents for the basis of the study and the ultimate report they prepare. If that happens, then clearly they have breached the constitutional conventions and the whole issue of division of powers.

I should make one more point in terms of additional material that I have given you, Mr. Speaker.

This morning we received copies of two letters, one to the chair of the ethics committee that set out that they were enclosing with the letter two sets of documents, as I understood it, one that the committee members could use because they are not part of the litigation; there is no issue of them being produced and they are not subject to the protection of the legislation in the CBC's opinion. And two, a sealed envelope of documents asking the chair not to release those documents until the outcome of all the litigation before the

courts. The chair of that committee is presently seized with that request from the CBC.

Mr. Speaker, I have also given you a letter of opinion from the CBC's lawyers that was given to Mr. Lacroix, president of the corporation, setting out their legal opinion. The importance of that is that we would say it is clearly biased in favour of their own client. Having been a lawyer for a long time, I would not accept that.

More important, in all relevant aspects, it entirely agrees with Mr. Walsh's opinion that this process that has been undertaken by the committee is improper, has clearly crossed the bounds of both constitutional convention, and the constitutional division of powers between the judiciary and legislative branches.

I will conclude with this quote from Mr. Walsh's letter. He sums up his argument with the following:

In my view, respect for the constitutional framework of our parliamentary system of government is part of the rule of law which is the over-riding legal principle that makes a democratic system of government such as ours workable and credible.

That is from Mr. Walsh, not from me.

Mr. Speaker, I believe you have one of two choices of orders that you would make if you agree with the arguments that I have given you today. First, make an overall determination that the study from the very beginning, because of the direct and assessed part of that wording, clearly breaches the division of powers and the constitutional convention, and second, make a determination that the study, in its overall ambit, is beyond the scope and mandate of the ethics committee.

If you are not prepared to go that far in the alternative, I would ask that you, Mr. Speaker, direct that the committee suspend this study until such time as all of the litigation is completed. That would then give the committee the opportunity to have the expertise from our judiciary to make a final determination as to what would be in the report, whether new legislation is required or amendments are required to the existing legislation

• (1125)

Hon. Gordon O'Connor (Minister of State and Chief Government Whip, CPC): Mr. Speaker, I note the member's intervention on this matter. As this issue is before a committee, I think it would be better to be argued before a committee. Regardless, we will take this matter under consideration and respond in due course.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, with all due respect, I would be inclined to disagree with the government representative.

As has been cited by my colleague from the New Democratic Party, the House does have a role to play when a committee is behaving in the manner in which it is currently behaving. He articulated quite well why it is that we have a role to play. We need to recognize the whole issue that was brought up by the member for Peterborough. One could look at it in terms of the motivations. However, for now let us strictly speak in terms of what has actually taken place because of this motion.

Points of Order

We all recognize the importance of judicial independence and respect for our courts. We recognize the role played by the law clerk and parliamentary counsel. We also recognize the role that we play in the House and the role that our committees are supposed to play. At times, I suspect we see actions that are lacking in respect of one of those jurisdictions. I believe, as the NDP House leader has pointed out, that we have witnessed that taking place over the last little while.

It is true that our standing committees have a great deal of freedom and discretion to do a wide variety of things. We do not question that; rather, we encourage it. However, when a committee crosses the line it is our responsibility to look into the matter and ensure that corrective action is taken. That is why we within the Liberal Party support the point that has been brought forward by the New Democratic House leader.

I would suggest the House does have the authority to look over what has taken place in the committee and to take action in order to make sure that there is respect for judicial independence. We know that the issue before us is before the Federal Court. There is ongoing litigation. A lot of details will be put before the court. To be open and fair, to have the committee perform in the way in which it has been shown a lack of respect for that judicial independence.

I will quote specifically from Mr. Walsh, the Law Clerk and Parliamentary Counsel, who stated:

A Committee should not, in my view, take on the role of a court—or even appear to take on the role of a court—by addressing whether the position taken by a party to a pending legal dispute is correct. To do so is to encroach upon—or appear to encroach upon—the constitutional function of the courts which would offend the *sub judice* convention, the principle of the separation of powers between the judicial and legislative functions and possibly call into question the validity of the Committee's proceedings.

Mr. Walsh is not a partisan individual. He is indeed the Law Clerk and Parliamentary Counsel. We should all make note of what he is saying and acknowledge that the committee has gone too far.

I make reference to the motion itself. One could call into question its motivation. To say the least, we all know that the government has not been friendly in terms of the CBC. Many within the government's ranks would like to see the demise of the CBC. I believe there might be a hidden agenda behind that motion. That is why I believe that, at the end of the day, we have to ensure that the right thing is done here.

Mr. Speaker, the government has stepped over the line. We suggest that the government do the honourable thing because I suspect that it has put you and others in a fairly awkward position.

• (1130)

I believe that if the government read the letter that our law clerk has provided, it would come to the same conclusions as the Liberals and the New Democrats already have, and that is that the motion is not appropriate.

In coming up with that conclusion, I would suggest that the government House leader and the government of the day would be doing a service to the House if they would just agree to withdraw or suspend, do whatever is necessary in order to resolve this matter so that we are more in keeping with the spirit of the importance of judicial independence and respect of our courts.

We stand in support of the point of order that has been raised by the House leader of the official opposition.

Hon. Gordon O'Connor: Mr. Speaker, as a small point, I still want time to consider the arguments made by the House leader of the official opposition.

We do not have any secret agenda for the CBC. I watch it quite often. I watch the hockey games. Other people watch the hockey games, too. We have no hidden agenda as suggested by a member of the third party.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I also want to rise and speak to the point of order that has been put to you by the hon. House leader of the official opposition.

The legal opinion we have before us, regardless of the content, without getting into whether we are for or against the CBC, or whether there is a hidden agenda, is a grave and serious matter. It cuts to the heart of the rule of law, on the Constitution of this country, and the proper respect for boundaries, roles and responsibilities of this place, respect for our courts, and adequately understanding the role of Parliament.

Other sections of Mr. Walsh's fine legal opinion have been read out this morning, but I was particularly taken by the words of Mr. Justice Binnie, Supreme Court of Canada, in the 2005 case, the House of Commons and the Honourable Gilbert Parent v. Satnam Vaid. It is a case in which we are generally familiar with the facts.

It is a very strong statement from the Supreme Court of Canada. I will quote:

It is a wise principle that the courts and Parliament strive to respect each other's role in the conduct of public affairs. Parliament, for its part, refrains from commenting on matters before the courts under the *sub judice* rule. The courts, for their part, are careful not to interfere with the workings of Parliament.

It goes on to note that Mr. Walsh, as the law clerk, our legal adviser, warns that in some circumstances the interference of a parliamentary committee in matters that are before the courts could be "seen as a contempt of court."

In other words, this cannot be a matter left with the committee. The committee, for whatever intentions it has, and I am not commenting on those, is placing the House of Commons at risk of further court proceedings in which this place, the Parliament of Canada, could be found by the courts to have entered into a relationship which constitutes contempt of court.

We must respect our roles and responsibilities. This will be a difficult ruling for you, Mr. Speaker. I think this may be your watershed moment as our Speaker. I trust in your wisdom and judgment on this, but Mr. Walsh's legal opinion is not easily dismissed.

I urge you, Mr. Speaker, to find in favour of the point of order from the official opposition.

• (1135)

The Speaker: I certainly thank all hon. members for their interventions, and will, of course, examine very closely the materials provided to me by the House leader of the official opposition.

Private Members' Business

I know members are aware of the long-standing practice that until a report is before the House, it is not for the Speaker to decide these types of things. I will come back to the House in due course.

It being 11:37 a.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

PRIVATE MEMBERS' BUSINESS

[*English*]

PURPLE DAY ACT

Hon. Geoff Regan (Halifax West, Lib.) moved that Bill C-278, An Act respecting a day to increase public awareness about epilepsy, be read the second time and referred to a committee.

He said: Mr. Speaker, I appreciate the applause from colleagues of various parties on this bill. In fact, I appreciate my hon. colleague from Charlottetown agreeing to second this. This morning, my colleague and friend, we were at law school together a few years ago, the member for Saanich—Gulf Islands, also wanted to second the bill. The indications are that there seems to be widespread support from all parties for this bill, which is Bill C-278, the Purple Day bill.

This bill was not developed overnight. In fact, for several years several of us in the House have been celebrating Purple Day. I hope more will next year. Purple Day was established by a young lady named Cassidy Megan in 2008. At the time, she was nine years old. She had had her first attack of epilepsy when she was seven and was concerned, embarrassed and worried about it and the reactions of others. She recognized that people did not have much knowledge about epilepsy and that they ought to. Therefore, when she was nine she had the idea that perhaps her school could have a day to recognize epilepsy and to create more awareness and understanding of it. That was really where it all started. From that has spread an international grassroots movement. I am very proud to say that it started in my riding of Halifax West, although it is really Cassidy Megan who deserves the credit for this, obviously.

I also want to thank the Epilepsy Association of Nova Scotia, the Canadian Epilepsy Alliance, the Epilepsy Support Centre and many other organizations for their support of Purple Day. I understood Purple Day was celebrated in more than 47 countries, but I saw today an article in *iPolitics* by Jon Waddell, who says it is now celebrated in 60 countries. I am delighted to hear that. It is great that it is increasing.

The long title of the bill is, “an act respecting a day to increase public awareness about epilepsy”. Bill C-278 would formally establish March 26 as Purple Day in Canada and it would encourage people to wear the colour purple on that day. Purple Day would not be a legal holiday.

Epilepsy affects 300,000 Canadians and over 50 million people worldwide. In fact, I understand that is more than multiple sclerosis, cerebral palsy, muscular dystrophy and Parkinson's disease all combined. Of course, these are all significant diseases which obviously also require our attention.

Let me talk for a moment about a few of the famous people who have had epilepsy. It is quite a list. It includes: Fyodor Dostoevsky; Neil Young; Lindsey Buckingham; Prince, or the Artist Formerly Known as Prince; Florence Griffith Joyner, who won gold medals in the Olympics; Margaux Hemingway; Danny Glover; and Pope Pius IX.

There are also many cases where doctors and experts have looked back and given retrospective diagnoses on people who may have had it a long time ago. This is not for certain, but some of the names include: Alexander the Great, Socrates, Julius Caesar, St. Paul, Molière, Tennyson, Byron, Napoleon Bonaparte, Harriet Tubman, Beethoven, Handel, Agatha Christie, Charles Dickens, Vincent Van Gogh, Lewis Carroll and George Gershwin. In fact, it is not surprising when we hear all these names that there has been some sort of consideration and discussion over the years about a link between epilepsy and greatness, because there are some really incredible names among this group.

Cassidy chose the colour purple after the international colour for epilepsy, which is lavender. The lavender flower is often associated with solitude. It is representative of feelings of isolation that are often felt, understandably, by many of those affected by epilepsy and other seizure disorders. They often feel misunderstood, embarrassed and afraid. It is important to overcome those feelings, which is why this is such a great idea, I think.

• (1140)

[*Translation*]

A deeper understanding of epilepsy will help educate people about what needs to be done during a seizure and will help provide more security and support for people with epilepsy.

[*English*]

Imagine someone who has just turned 16 and is looking forward to getting his or her driver's license. The person passes the test the first time. A week later he or she has a seizure for the first time and ends up in hospital. The doctor tells the individual that he or she cannot drive for one year, after the excitement of just getting his or her licence. Not only that, but the individual can no longer compete with the cheerleading team. This is just one example of all of the stories I have heard from people who have epilepsy.

Imagine what it must be like for a person to have a seizure at work or school and people's reaction because of their lack of knowledge and understanding about this disorder. When the person comes out of the seizure he or she feels scared and confused. Imagine the security and support people affected with this disorder would feel if people became more aware about epilepsy and the different kinds of seizures and what to do if someone has a seizure.

The Canadian Epilepsy Alliance has an excellent website, epilepsymatters.com, which offers advice on what to do if someone has a seizure. I am sure there are other places where people can find information but this website has great information. It has a page, for example, on first aid for convulsive seizures. There are also non-convulsive seizures and people can read about them on the website.

This is what to do if someone has a convulsive seizure: First, do not panic. Stay calm. Second, time the seizure. If it is longer than five minutes, call an ambulance. Third, explain what is going on to those around the individual. Ask people to stand back and give space. The last thing a person needs when he or she comes out of a seizure is to have a big crowd looking on which could make the person feel even more anxious. Fourth, cushion the person's head and neck with something soft, such as a pillow or a coat, to avoid the person being injured. Fifth, roll the person on his or her side to prevent choking. Clear the area of dangers, such as a hot cup of coffee or a knife or other sharp objects. Get those things out of the way. Do not put anything in the individual's mouth. Do not restrain or hold the individual or try to stop him or her from moving. Speak gently. Be kind to the person during and after the seizure so that when the seizure is over he or she will be calm and those around will also be calm. Another suggestion is to loosen the person's tie or shirt collar.

I hope the bill will get Canadians talking about epilepsy and learning about seizure disorders. That was Cassidy's objective when she founded Purple Day.

In a recent letter, Cassidy explained why she undertook this project. She said that she started Purple Day when she was nine because when she was seven and first found out that she had epilepsy, she was afraid and embarrassed of what other people would think. She was afraid that they would treat her differently and not be her friends. She also thought that she was the only kid in the world with epilepsy. She wanted to have one day where everyone in the world would show support for people with epilepsy and teach people about epilepsy and that people with epilepsy would know they were not alone. She said that people need to know there are different types of seizures and that people do not have to be afraid of epilepsy or of people who have it. She said it would also help people know for sure when Purple Day is. She said that education about epilepsy is important for those living with epilepsy so they know they are not alone.

That is quite a remarkable statement from a girl who is now 12 years old.

I want to congratulate Cassidy on her hard work and imagination in establishing Purple Day. Bill C-278 would bring Cassidy's dream to fruition in Canada. I hope the bill will pass so that it will be officially enshrined in law for Purple Day on March 26, 2012.

This is a case where all MPs can come together to do something positive, and I think we are going to see that today and in the days to come.

I am honoured to be the sponsor of this legislation. This is certainly not my bill; it is Cassidy's bill. I would not have learned as much as I have about Purple Day if it were not for her initiating this idea. I undoubtedly would not have been the person to bring this

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forward if it were not for Cassidy Megan and her efforts and her bold idea.

Let us recognize Cassidy's bold idea. Let us recognize Cassidy's imagination. Let us recognize Cassidy's courage. Let us move the bill forward.

• (1145)

Ms. Joyce Murray (Vancouver Quadra, Lib.): Mr. Speaker, I want to acknowledge my colleague for bringing forward Bill C-278. The member's comments were very helpful and accurate from my personal experience in living with a family member with seizure disorder.

I was particularly struck by the member's comments regarding the link between epilepsy and greatness. In some countries in Africa there is a connection made between those with seizure disorder and those who are especially potent, creative people, spiritual healers and leaders in their communities. Raising awareness of this disorder is an important task and I congratulate the member on this initiative and I congratulate Cassidy for having stimulated it.

Are there specific activities the member would see for Purple Day?

Hon. Geoff Regan: Mr. Speaker, I thank my hon. colleague for her comments and kind words.

I think Cassidy and others involved with Purple Day to promote epilepsy awareness would want people not only to wear purple but also to learn about epilepsy on Purple Day, March 26. I would encourage everyone to visit the website, epilepsymatters.com, which is the website of the Canadian Epilepsy Association. The website has some very simple and clear information.

I would hope that we would have activities not only here but elsewhere in other countries. This movement has spread to 60 countries already. People would become more aware of what epilepsy is and how it happens. For example, epilepsy has to do with electrical currents in the brain. When there is a bit of an electrical storm, one might say, the nerve signals from the brain to the body do not work the way they should. The reason a person may be staring is that the signals from his or her eyes are not getting to his or her brain in order to understand what is happening.

It is interesting to read and learn about epilepsy. I hope that Purple Day would be an occasion for people to take the time to do that.

• (1150)

Mr. Bev Shipley (Lambton—Kent—Middlesex, CPC): Mr. Speaker, I want to thank my colleague from Halifax West for presenting Bill C-278. The member mentioned what one should do when someone is having a seizure. People call 911, but in rural areas often it is the firefighters who arrive before the ambulance. They are well trained in CPR, but are they trained to know the signs of a seizure and what to do if someone is having a seizure?

Hon. Geoff Regan: Mr. Speaker, I thank my colleague from Lambton—Kent—Middlesex for his kind words, his support of the bill and for his question, which is an excellent one.

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While I would anticipate that people who are first responders would have training in how to deal with epilepsy, I do not know for sure. Firefighters visit us on the Hill. They were here a few weeks ago. We might ask them, or folks in our own ridings, whether that is the case. At the very least we can be sure that by promoting Purple Day and events that create awareness of this disorder people would become aware of what to do. That would include first responders. I suspect most of them would be well trained, as is usually the case, but it is something to check into to make sure.

Mrs. Patricia Davidson (Sarnia—Lambton, CPC): Mr. Speaker, I rise to speak to this very important issue that affects so many Canadians and their families. Bill C-278 seeks to raise awareness about epilepsy by establishing March 26 as Purple Day in Canada. I would like to thank the hon. member for Halifax West for introducing this important bill. I would further like to congratulate him for his advocacy on this matter and especially for his work with Cassidy Megan, a constituent from his riding.

Cassidy is a young Canadian with epilepsy. In 2008, Cassidy created the idea of a Purple Day campaign to dispel myths about epilepsy and inform those with seizures that they are not alone. Cassidy's initiative quickly caught on. In 2009, Purple Day was launched internationally. Since then it has been observed by many people in countries around the world. Cassidy's work to raise awareness about epilepsy represents the best of what young Canadians can do and I congratulate her for her efforts.

Epilepsy is a serious disease that affects over 300,000 Canadians and 50 million people worldwide. It is a physical condition characterized by sudden brief changes in the way the brain works. It is a symptom of a neurological disorder that affects the brain and shows itself in the form of seizures. It is usually diagnosed after a person has had at least two seizures that were not caused by a known medical condition, like extremely low blood sugar.

Each year approximately 15,000 Canadians, the majority of them children and seniors, learn that they have epilepsy. The nature, frequency and intensity of epileptic seizures vary from person to person. Some seizures are hardly noticed while others are totally disabling. Contrary to popular opinion, there is no evidence to suggest that they cause brain injury, nor to indicate that they result in developmental delay. There is no cure for epilepsy. The major form of treatment for Canadians with epilepsy is long-term drug therapy. The side effects of this medication and the costs associated with it are burdens that Canadians bear every day.

Despite this, we now know that epilepsy is perfectly compatible with a normal, happy and full life. Most people with epilepsy go to school, make friends, date, have jobs and raise families. It is not always easy. Sometimes coping with the reactions of other people can be the most difficult part of living with this disorder. Oftentimes, the very unpredictability of seizures can lead to low self-esteem and self-confidence, as well as depression. However, by raising awareness of what it is like to live with epilepsy, we can help affected Canadians to reach their full potential.

Although many Canadians living with this condition lead full and successful lives, others will need ongoing support from their families, friends and caregivers, as well as the health system. Good

medical care is based on a partnership and commitment between health providers, patients and caregivers.

We know that caring for patients with chronic medical and neurological disorders is often associated with significant stress and additional responsibility for family and friends. We are just starting to learn about the burden experienced by caregivers of patients with epilepsy and how to support them.

The burden of care carries emotional, psychological, physical and economic impacts, as well as related distressing feelings such as loneliness, shame, anger and feelings of guilt. Validation and the right support system have been shown to have a positive impact on patients and their caregivers, and we have to continue efforts in this area. Support systems for people with epilepsy, their families and their caregivers exist in the form of national organizations that provide information and support for Canadians living with epilepsy and their families and friends.

For example, Epilepsy Canada, founded in 1966, is a non-profit organization whose mission is to enhance the quality of life for persons affected by epilepsy. Through promotion and support of research, education and awareness initiatives, this organization is building understanding and acceptance of epilepsy.

The Canadian Epilepsy Alliance is a Canada-wide network of grassroots organizations dedicated to the promotion of independence and quality of life for people with epilepsy and their families. By providing support services, information, advocacy and public awareness, it too is working to make a difference for those living with epilepsy.

Likewise, the Government of Canada is pleased to work with its partners and stakeholders to promote epilepsy awareness by investing in activities that support a stronger evidence base and strengthen our knowledge of epilepsy.

The Government of Canada recognizes the challenges facing people with epilepsy, their families and their caregivers. The strength and resolve that they demonstrate each and every day is an inspiration to us all.

• (1155)

The government applauds efforts like those of Cassidy to erase the social stigma associated with epilepsy and to help establish stronger communities for people affected by it. Our support of Bill C-278 is a small but significant way in which we can promote understanding and continue to show support for those with epilepsy.

The government is also committed to ensuring that Canadians with epilepsy have stable access to safe, effective and affordable treatment. For many people living with epilepsy, long-term drug therapies are an essential element of their treatment regime. As such, I would like to outline some of the ways the government does this.

The federal government regulates all drugs in Canada, including anti-epileptic drugs. This work ensures that high quality drugs are safe and effective when they reach the Canadian marketplace. Through the Patented Medicine Prices Review Board, the government further ensures that the prices for new drugs reaching the market, including those that are breakthrough drugs, are not excessive.

The role of the government does not end when drugs are approved for sale in the Canadian market. Decisions must be made about which drugs to use. This is especially true with epilepsy. Epilepsy takes many forms and there are many drugs available to treat it. Access to evidence-based information is therefore crucial for making informed decisions that harness the benefits of drug therapies while getting the best value from every health care dollar.

The Canadian Agency for Drugs and Technologies in Health provides decision makers with the evidence, analysis, advice and recommendations they require to make informed decisions on the treatment of conditions such as epilepsy. The agency administers the Common Drug Review, a pan-Canadian process for generating objective, rigorous reviews of the clinical, cost-effectiveness and patient evidence for drugs. The Common Drug Review also provides formulary listing recommendations to the publicly funded drug plans in Canada and makes its recommendations public so Canadians can have access to information that affects the health care they receive.

This work proved valuable for people with epilepsy, most recent in a rapid-response report issued by the Canadian Agency for Drugs and Technologies in Health in April 2011. The report listed guidelines for when a single drug should be used for epilepsy treatment and for when more than one drug should be used. It indicated which drugs to use when more than one drug was needed and it provided these guidelines for adults, pregnant women and children. This report will be useful for patients, physicians and pharmacists alike. It will facilitate the decisions surrounding which drug to take and under what circumstances. A single, clear and Canada-wide standard was not available prior to this.

Another rapid response report was issued in April 2011 on the safety and comparative effectiveness profile of a new drug for epilepsy. The new drug was assessed against standard epilepsy drug therapies for clinical effectiveness, safety and cost effectiveness. The report provides evidence to help set the new drug in the context of other drug therapies available. This makes it easier for people with epilepsy and their health care team to decide whether to use the new drug and why.

Through the work of the Canadian Agency for Drugs and Technologies in Health, the government helps epilepsy patients and physicians decide on a course of treatment according to the best available evidence. Additionally, the government recognizes that when it comes to people with neurological conditions, there is a lot that we simply do not know. Epilepsy is no exception to this. That is

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why the government has been supporting research to raise awareness and improve our understanding of epilepsy.

One such research initiative is a four year national population health study of neurological conditions announced in 2009. This initiative is a suite of studies aiming to fill gaps in knowledge about individuals with neurological conditions, their families and their caregivers. The studies are administered by the Public Health Agency of Canada. They will provide key information to improve current knowledge about the incidence and prevalence of neurological conditions. Some will study the risk factors for the development and progression of neurological conditions. Others will investigate the use of health services by patients, identify gaps in the services and recommend improvements. Finally, studies will assess the impact of neurological conditions on individuals, families, caregivers and communities.

Canadians living with epilepsy face unique physical and social challenges in managing their condition. We have made great strides in helping people with epilepsy to lead full and happy lives, but there is still much work to be done. Bill C-278 is a step in the right direction. By declaring March 26 to be Purple Day in Canada, we will be working with a community of people with epilepsy, their families and their caregivers to demystify the social stigma surrounding epilepsy.

● (1200)

[*Translation*]

Mr. Dany Morin (Chicoutimi—Le Fjord, NDP): Mr. Speaker, today we are debating Bill C-278. Before I start my speech, I want to give a little background for those who may be watching at home. In 2008, a young girl from Halifax named Cassidy Megan, then 9 years old, wanted to get other children in her circle talking about epilepsy and to let other children living with epilepsy know that they are not alone. I would be very happy if this day were recognized finally by Parliament in 2011.

Thanks to the Epilepsy Association of Nova Scotia, Purple Day is now celebrated in over 35 countries. Epilepsy affects over 50 million people in the world—more than multiple sclerosis, cerebral palsy, muscular dystrophy and Parkinson's disease combined. We invest a lot of money in the diseases I just mentioned and there is a lot of work done to promote awareness. However, epilepsy is often forgotten. It would be a very good thing for Parliament to pass this bill.

I would like to explain what epilepsy is, as most people have only a passing knowledge of it. We have seen the shocking images of a child convulsing on the floor, sometimes foaming at the mouth. We do not know what to do when that happens. I am going to talk a little bit about what happens when someone has epilepsy.

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Epilepsy is a brain disorder that causes seizures. Abnormal functioning of the brain's cells produces a sudden, acute, fleeting electrical discharge in certain parts of the brain. After an abnormal electrical discharge, people having an epileptic seizure experience a change in their usual personality for a moment. They lose control of their body. They lose consciousness. That is really what happens.

Epilepsy is one of the most common neurological disorders. Some 50 million people around the world have epilepsy and an estimated one in 100 Canadians has it. That is a rather significant number. The average person easily knows 100 people. It is quite possible that one of them has epilepsy. It could be a young child, an adult or a senior. This disorder can cause other problems related to the person's age. I will get into that a little later.

One in 100 Canadians adds up to 300,000 people in Canada, which is not insignificant. This is a global problem, a national problem. It is important that both the NDP and the rest of House of Commons take concrete measures to help those suffering from epilepsy and the loved ones taking care of them. We must also raise awareness among all Canadians about what people with epilepsy are going through.

Epilepsy affects more people than multiple sclerosis, cerebral palsy, muscular dystrophy and Parkinson's disease combined. It is a major problem in Canada. How does epilepsy affect everyday life? According to the International League Against Epilepsy, epilepsy can have serious physical, psychological and social repercussions due mainly to the unpredictability of the seizures. During these seizures, people lose control of their bodies. They do not choose at what time of day or night an abnormal electrical discharge is going to trigger a seizure.

Imagine what could happen on the roads if a person is driving and suffers an epileptic seizure. Imagine what could happen if someone was going down the stairs and had a seizure. Losing control of your body is a serious problem. The physical dangers are particularly worrying because the seizures are unpredictable. Surely the two examples I just provided demonstrate why I feel that epilepsy is a problem that Parliament should be addressing.

I want to provide another example. This one focuses more on the psychological and social aspects of epilepsy. A new father does not dare hold his newborn for fear of having a seizure and dropping the baby. Epilepsy can have numerous repercussions on an individual's life, no matter what his or her age. It is important for children to be accepted at school and in their social circle. Children who have an epileptic seizure at school could feel stigmatized because their classmates do not understand what is happening.

• (1205)

There could be social implications for these children who have epileptic episodes.

If we look outside Canada at developing countries, one statistic claims that 60% to 90% of people living with epilepsy do not receive any form of treatment because of a lack of resources and health care services as well as social stigma. Many people are left untreated and must live with this condition without any hope for improvement to or, at the very least, control over their situation. And epilepsy can be controlled.

In terms of treatment, at least 70% of people with epilepsy react well to treatment, but 30% do not respond to currently available treatments and still have uncontrolled seizures. In Canada, where people receive treatment, three-quarters of them take medication and their epilepsy is under control. However, there are still gaps in the medical and pharmaceutical science: the medication does not work for one person out of every four.

It is therefore important that Canada invest in research in order to find new anti-epileptic drugs that will help these people in their lives.

It is also important to improve access to global epilepsy assessment and treatment programs. Epilepsy affects Canadians and people outside Canada. It is also important to make everyone aware of this condition. It is not an illness; it is a condition.

It is also important to increase funding for research in this area. As I mentioned earlier, the medication available is insufficient and is not yet effective in all cases. It is therefore important to invest in research.

The pharmaceutical aspect aside, there is also another possible treatment. As I already said, one in four Canadians does not respond to the medication, or the medication is not effective in treating them. Surgery could therefore be a worthwhile option. It is the only solution for at least half of the people who do not respond to the medication. It is therefore important to make these young people aware that there is another form of treatment available and to advance the research to make this treatment safer.

I would now like to present the NDP's position. We are in favour of this bill. This day has been celebrated across the world for a number of years now. It is important that it be celebrated as early as possible in Canada and that it be enshrined in law.

However, I am a bit disappointed that this bill is not larger in scope. In the end, the bill merely serves to designate March 26 as Epilepsy Awareness Day and to encourage people to wear purple on that day.

In our opinion, it would be better to take this bill one step further in order to find concrete measures to help those who suffer from epilepsy and their loved ones. However, this bill is a step in the right direction.

I have an interesting statistic for you. Right now, we know that there is a drug shortage in Canada. We know that the Conservative government is dragging its feet on developing a strategy to solve this problem.

However, according to a briefing note about anti-epileptic drug shortages by the Canadian Epilepsy Alliance, drug manufacturers are not in any rush to address the current shortages, which largely affect lower-cost generic drugs with small profit margins.

The shortage of drugs used to treat epilepsy can have serious consequences that can reduce the quality of life of those with the condition and even put their lives at risk.

Earlier I mentioned that 70% of people—an encouraging statistic—react well to the medication. However, people need to be able to access that medication.

I would also like to talk briefly about some figures. As I said, the unpredictable nature of seizures can put people's lives at risk. Given that epilepsy can lower self-esteem and cause depression or even suicidal thoughts, it is very important that we address this.

Once this bill passes, I hope the Conservatives will go above and beyond the provisions of this bill and implement concrete measures to help people with epilepsy and their loved ones, and to tackle drug shortages. People need their medication. It would be appreciated if the government could show some leadership on this.

● (1210)

A tax credit for family caregivers could also be very worthwhile. As we know, very few measures exist. It would be a small step, and we encourage the government to do more.

[*English*]

Mr. Sean Casey (Charlottetown, Lib.): Mr. Speaker, I would like to begin by commending the member for Halifax West for introducing this important bill, Bill C-278, the Purple Day act.

The member, as we know, has served his constituents very well over the years, having been an MP for much of the last two decades, and has also had the distinction of serving as a senior member in the federal cabinet of the previous Liberal government.

His efforts here today reflect his passion to make the lives of others better, and his initiative to mark March 26 as a day to create awareness for epilepsy in Canada is welcomed.

It is also heartening to see that the bill appears to have support on both sides of the House and that it will proceed through the normal parliamentary process and receive royal assent in due time. I say this because it is important that this issue not be viewed as a political one, but rather as an opportunity for the House to express an opinion on a matter that affects so many Canadians.

As we have heard from the member for Halifax West, it is motivated by one of his constituents, Cassidy Megan, who chose the colour purple after the international colour for epilepsy, lavender.

The lavender flower, as we may know and as has been mentioned, is a flower that is often associated with solitude, with being alone. It is that feeling of isolation that many people affected by epilepsy and seizure disorders often feel. They often feel that no one understands.

However, we do want to understand. This bill would help.

Epilepsy affects over 300,000 Canadians and over 50 million people worldwide. Many of us here today can only imagine what it must be like to be afflicted with epilepsy. We can only imagine what it must be like to be at work, on a school playground, in a classroom, perhaps on a date, or in any other number of situations when a seizure occurs. We can only imagine what it would be like to be young like Cassidy and looking to obtain a driver's licence, or perhaps wanting to embark on a career in the trades, to operate heavy equipment, to be a medical doctor or a dentist, but being unable to because of the possibility of a seizure and its attendant consequences. A young person's life choices are limited because of this unfortunate condition.

Far too often, people who suffer from epilepsy feel embarrassed and worry what others might think. That is why this bill is important.

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The bill from the member for Halifax West is designed to create awareness about epilepsy for Canadians like me, who may not fully understand what happens when a person has a seizure and what we can do to perhaps assist when one occurs.

Today is a first step in our efforts to create awareness. We hope that with passage of the bill, each March 26 this House and all Canadians will focus on this important issue.

There is much to be learned. For those watching—and I realize that the member for Halifax West has recounted some of these measures—I wish to point out a few things that one could do to assist someone who is having a seizure. I would like to read them into the record today, because it is important that Canadians have as much information as possible.

If we witness a seizure, we cannot stop it, so please do not try.

People should not shake or hold the person who is having a seizure.

Nothing should be put in the person's mouth. People do not swallow their tongues during seizures. Even trying to give medicine could cause choking.

Something soft, such as a pillow or a rolled-up coat, should be placed under the person's head. This action would help to protect the head from injury.

The person may be rolled onto his or her side to keep the airways clear. Ties or shirt collars should be loosened. Any nearby hazards, such as hot beverages, should be removed.

When the person regains consciousness, he or she may be dazed or tired.

● (1215)

It is important to stay calm, provide reassurance and stay beside the person until he or she feels better again. If the seizure lasts less than five minutes, inquiry should be made about a hospital evaluation.

It is important to call authorities, such as 911, if the following conditions exist: if the person having the seizure is pregnant, injured or a diabetic; if the seizure happens in water; if it lasts longer than five minutes; if a second seizure begins before the person regains consciousness; if the person does not begin breathing normally or does not return to consciousness after the seizure stops; or if this is a first seizure.

I want to thank all organizations and volunteers who work to improve the lives of people who suffer from epilepsy. It is important that we create awareness, and I believe this bill does just that. I am honoured to have had the opportunity to second it and speak to it.

Mr. Bev Shipley (Lambton—Kent—Middlesex, CPC): Mr. Speaker, I also want to thank the member for Halifax West for bringing forward this bill.

It was initiated by Cassidy Megan, a young lady who was seven years old. She must have incredible self-esteem and self-confidence, and I thank her for that.

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The bill seeks to raise awareness of epilepsy by establishing March 26 as Purple Day in Canada. On March 26 we can encourage people to wear the colour purple to show their support for people living with this terrible disease.

From the outset, I want to say to the member that we will be supporting the bill.

In the context of the bill, I would like to take a few minutes to tell the House more about epilepsy and the experience of Canadians who live with this condition.

Epilepsy is a chronic neurological disorder. It causes brief recurring seizures. Currently epilepsy affects 1% of Canadians. An estimated 160,000 people are living with this disease.

Every year, approximately 15,000 Canadians learn that they have epilepsy. While epilepsy occurs at all ages, about 60% of new patients are either young children or seniors. The good news is that in about half of the children diagnosed with epilepsy, the seizures will eventually disappear over time.

As the baby boom generation reaches retirement age, the number of epilepsy cases among the elderly, unfortunately, is expected to rise. Brain tumours, head trauma, substance abuse and serious infections are the most common causes of epilepsy. However, often the cause of epilepsy is unknown, leaving patients wondering about the issue.

Although many people living with epilepsy enjoy productive lives, living with this condition presents significant challenges for patients, their families and their society.

Epilepsy can affect participation in key aspects of life. Some of those, such as community, school, employment and leisure have been talked about earlier today. Because of the fear of social stigma, many people suffering with epilepsy are reluctant to admit they have it and seek treatment. As a result, the numbers of Canadians living with epilepsy are likely even greater than originally thought. This is why Cassidy Megan needs to be thanked for her initiative in bringing forward Purple Day.

There is no cure for epilepsy. At best, medications and other treatments can help manage seizures. Despite advances in diagnosis and treatment, epilepsy is among the least understood of all chronic conditions.

We know that greater awareness and acceptance can help. They can help address the stigma associated with this disease and they can help improve the lives of Canadians who have epilepsy.

Bill C-278 builds on significant efforts already under way to support people living with epilepsy by raising the awareness of all Canadians about this challenging disease.

This year the Minister of Health recognized March as National Epilepsy Month. This gesture was another important step in raising awareness and improving the quality of life of those living with epilepsy across Canada.

In the spirit of Bill C-278, the Government of Canada has been supporting research to improve our understanding of epilepsy. Through the national population study on neurological diseases, the

Government of Canada is working with the major neurological charities, including the Canadian Epilepsy Alliance, to implement a four-year study of Canadians affected by neurological disorders, including epilepsy.

The Canadian Epilepsy Alliance is a nationwide network dedicated to the promotion of independence and quality of life for people with epilepsy and their families through support services, information, advocacy and public awareness.

● (1220)

The Government of Canada provided \$15 million over four years to undertake the study. It is the first ever comprehensive national study on the impacts of neurological conditions on Canadians. It will help us fill gaps in what we know about neurological conditions, including epilepsy. In fact, it is a suite of studies designed to answer important questions that will help us all understand the impact of brain conditions on those living with these diseases, as well their families and caregivers. Teams of researchers across the country are working together to conduct these studies.

While neurological conditions differ in their underlying causes and effects on the brain and nervous system, they share many common features. Whether people are living with epilepsy, Alzheimer's or Parkinson's disease, they face similar challenges in accessing the support they need in order to improve and maintain their quality of life.

This neurological study is exploring the everyday experience of living and managing neurological conditions such as epilepsy. It will improve our knowledge about its prevalence, risk factors, use of health services, economic costs and the impact of neurological diseases, both current and projected, over the next 20 years.

As well, the government has invested in other measures to better understand epilepsy and to fill in the knowledge gaps through research by raising awareness. Raising awareness is exactly what Bill C-278 is about.

Between 2006 and 2010, the Canadian Institutes of Health Research, CIHR, invested almost \$40 million into epilepsy research that will deepen our knowledge of the disease. The research will ultimately help build awareness of the impact of genetics on epilepsy, how epilepsy affects brain development, as well as interventions to improve the quality of care and well-being for those living with epilepsy. Overall, research like this will improve our capacity to respond more effectively.

Bill C-278 recognizes that the value of research is key to building awareness through a better understanding of the condition.

The CIHR has two leading institutes that support epilepsy research, the Institute of Neurosciences, Mental Health and Addiction, and the Institute of Human Development, Child and Youth Health. These research institutes engage the research community in the creation of new knowledge and then translate it to inform policies and programs, all with the goal of improving the health of Canadians.

Through the CIHR, the Government of Canada continues to support researchers undertaking epilepsy research at post-secondary institutions across Canada. For example, the University of Toronto's Centre of Research and Neurodegenerative Diseases and McGill University's Montreal Neurological Institute and Hospital.

In June of this year, the CIHR funded the brain connectivity workshop in Montreal to bring together leading experts on brain development, epilepsy and neuroscience. This work will help strengthen the collaboration between Canadian scientists and experts around the world. By working in partnership, we will increase our understanding of epilepsy.

Those are all steps in the right direction. By learning more about the impacts of epilepsy, we will gain reliable information on its effects on us as Canadians. Through knowledge, we can build awareness of this important disease.

Bill C-278 would be another step forward for Canada toward raising awareness of epilepsy. It would be a clear sign of our support for those living with this challenging condition.

• (1225)

[Translation]

Mrs. Djaouida Sellah (Saint-Bruno—Saint-Hubert, NDP): Mr. Speaker, here on this side of the House, we support the principle of the bill introduced by the hon. member for Halifax West. Given that Canadians with epilepsy still face a great deal of prejudice, parliamentary recognition of a day dedicated to epilepsy awareness represents an excellent initiative. I thank the hon. member for Halifax West and Cassidy Megan, who first suggested declaring such a day back in 2008.

Thus, I support this bill in principle. Unfortunately, as it stands, the bill contains a few translation errors. The most significant error in the bill is the use of the expression “Journée pourpre” in French, when the term recognized by epilepsy advocacy groups in Quebec and the official term used by the Canadian Epilepsy Alliance is “Journée lavande”. I will be very happy to propose this amendment once the bill is referred to committee. I would also like to draw the House's attention to the French word “condition” instead of “maladie”, as suggested by France Picard, the executive director of the Association québécoise de l'épilepsie.

As I mentioned earlier, I support this bill in principle. We need to raise awareness among Canadians about a condition that affects more than 300,000 people in Canada, including 45,000 in Quebec, along with their families, relatives and friends. Those affected face many myths and prejudices every day. Some of these prejudices are minor but others have more serious consequences. In Montreal, a young woman was fired by her employer after indicating on insurance forms that she has epilepsy. Her employer was unaware that, like two-thirds of those affected by epilepsy, this young woman uses medication to manage her seizures and the likelihood that she will miss work because of seizures is low. This is an example of the type of prejudice that people with epilepsy still have to deal with today. These prejudices have a serious impact on their lives. It would be easy to say that this example is only an anecdote and an isolated incident, but organizations working in this field regularly see such cases.

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Prejudices against people with epilepsy and the fear of epilepsy create additional obstacles for those living with the condition. As I just mentioned, employment can be affected, although not everyone with epilepsy has been fired or is unemployed. Organizations working in this area have clearly stated that people with epilepsy are more likely to be underemployed or unemployed. Access to education is also an obstacle for some people.

Prejudices cause mental health problems. Rejection by school friends or colleagues due to ignorance about epilepsy affects one's social life, love life and self-confidence. The resulting isolation translates into higher rates of depression and, unfortunately, higher rates of suicide than the Canadian average.

Raising public awareness will definitely have a positive effect on the lives of all Canadians affected by epilepsy. Knowledge can dispel prejudices arising from ignorance. Furthermore, educating health professionals is also desirable and a day of awareness will help.

For certain people with this illness, surgery is the only possible treatment. But there are currently too few specialists who realize that surgery is no longer a last resort for treating epilepsy—far from it, in fact. There is now a tool available to health care professionals that allows them to evaluate whether a patient should be referred for surgery or not. It was created by a team led by Dr. Nathalie Jetté from the University of Calgary. It is available online to all health care professionals. I would like to congratulate them publicly for this tool.

• (1230)

An epilepsy awareness day would educate the public and health care professionals about epilepsy, its consequences and treatments.

For the majority of people with epilepsy, treatment is simple: medication. Medication allows them to live their lives without the perpetual fear of a seizure. Medication also allows them to get a driver's licence and hold down a job.

Right now, a lack of certain medications is threatening to leave many cases of epilepsy untreated. The Canadian Epilepsy Alliance sounded the alarm in October and it was unequivocal: lack of medication can endanger the lives of those with this condition. Lack of medication means that the seizures will start again. Changing medication can also have the same effect.

How can the government see this situation and sit idly by? We need to put words into action. If the House supports this bill—which I hope will be the case—it also has the moral obligation to ensure that those living with epilepsy do not have to deal with additional obstacles due to factors such as the quest for profit or the fact that certain companies are no longer producing less profitable drugs.

Government Orders

The minister and this government must take immediate action to solve the shortage of anti-epileptic drugs and many other drugs. This government must not allow itself to be fooled by the pharmaceutical industry. It must take action to ensure that all Canadians have access to the drugs prescribed by their health professionals. Furthermore, Canadians have the right to know what measures this government is taking to ensure our drug supply and, if that is not the case, to know why this government feels justified in endangering the lives of thousands of Canadians because of its inaction.

The drug shortage is not a new phenomenon, and this government needs to be accountable and explain why it has not taken any action or any effective measures to resolve this problem.

I truly hope that this bill passes and that March 26 is declared Purple Day. It is important that this House recognize the initiative put forward by a young Canadian, especially since it is already recognized in over 45 countries. I can only hope that this bill will ensure that the Minister of Health pays special attention to this issue and tries to solve the drug shortage. Now would also be a good time to implement some of the measures we suggested during the last election campaign, such as a family caregiver tax benefit, which would certainly help the families of those with more severe cases of epilepsy.

•(1235)

The Acting Speaker (Mr. Bruce Stanton): The time provided for the consideration of private members' business has now expired, and the order is dropped to the bottom of the order of precedence on the order paper.

GOVERNMENT ORDERS

[*English*]

SENATE REFORM ACT

The House resumed from October 3 consideration of the motion that Bill C-7, An Act respecting the selection of senators and amending the Constitution Act, 1867 in respect of Senate term limits, be read the second time and referred to a committee.

Mr. Don Davies (Vancouver Kingsway, NDP): Mr. Speaker, it gives me a great deal of pleasure to rise today to speak on behalf of the official opposition and the good people of Vancouver Kingsway regarding C-7, An Act respecting the selection of senators and amending the Constitution Act, 1867 in respect of Senate term limits.

Before I proceed, for Canadians watching, I am one of the men that has a moustache in honour of Movember, which is a time when we remember the very real effects of prostate cancer and encourage men across the country to not only get checked but to raise funds to help defeat this disease that has not only taken the lives of many men, but is something that afflicted the past leader of the NDP, the Hon. Jack Layton.

When we talk about the Senate, it conjures up a number of concepts in the minds of most Canadians. Unelected, undemocratic, unaccountable, political patronage and elitist are words that have been cemented in the minds of Canadians whenever they think of the Senate of Canada.

Modern democratic nations do not have representative chambers that are unelected. Modern democratic nations do not have representational chambers that are regionally imbalanced and unequal, with the principle of representation by population being completely ignored and frozen in a time two centuries past. Modern democratic nations do not have representative chambers where a ruling head of state hand-picks legislators who are the head's fundraisers, failed candidates and partisan supporters.

Modern democratic nations do not have representative chambers where people are appointed for life or until they are 75 years old, while the people who senators supposedly represent have no means to remove them. Modern democratic nations do not have representative chambers where the members spend their time campaigning for the ruling party on the public dime on the taxpayer-funded purse. They do not have chambers where unelected, patronage appointed members block legislation passed by a democratically elected chamber.

Modern democracies do not have chambers that restrict membership to those who own property, in the case of Canada \$4,000 in land, and are closed to Canadians who do not. In fact, that is why Canada stands almost alone in the world among modern democratic nations with an anachronism from the past, a sordid past, a shameful history and a dubious future. That is why every province in Canada that had such a body abolished it in 1968.

I want to mention a few facts about the issue of abolishing the Senate.

Ontario Premier Dalton McGuinty and Nova Scotia Premier Darrell Dexter have openly called for the abolition of the Senate. The premier of my province, British Columbia, Premier Christy Clark, has said that the Senate no longer plays a useful role in Confederation. Manitoba maintains its position of Senate abolition, although it has plans in place for the contingency that Senate elections are required should this bill be passed. Quebec has called this legislation unconstitutional and has said that it will launch a provincial court appeal if the bill proceeds without the consultation of provinces, which have not occurred to date. So far the bill is opposed by premiers of provinces representing the vast majority of Canadians.

In terms of what Canadians think, public support for a referendum on the Senate is growing. An Angus Reid survey from July, just some months ago, showed 71% of Canadians were in favour of holding a referendum to decide the future of the Senate. Members of the Conservative government stand in the House virtually every day and say that they have received a strong mandate from the Canadian public. They received 39% of the vote in the last election and 61% of Canadians did not support them. They consider 39% of the Canadian public to be a strong mandate. I hope members of the Conservative government recognize that when 71% of Canadians support a referendum on the Senate that is an even stronger mandate.

Government Orders

•(1240)

Thirty-six per cent of Canadians support the abolition of the Senate right now and that is without any kind of public education campaign or national discourse or dialogue, which I am sure would elevate that number to well over 50% very quickly. There have been 13 attempts to reform the Senate since 1900 and all of them have failed.

I want to outline what the bill would do.

The bill would restrict all senators appointed to the Senate after October 14, 2008, to a single nine-year term. It purports to give provinces and territories the opportunity to choose to hold elections at their cost and to determine which names will be submitted to the Prime Minister for his consideration. The bill clearly states that the Prime Minister is not required to appoint anyone so-called elected by the provinces. The bill would not make it mandatory that the Prime Minister would appoint a person so elected. In other words, it does not actually change the way senators are currently appointed, which is that the Prime Minister is free to appoint whomever he or she chooses.

Bill C-7 appears from the outset to be a rather vague and once again confused legislation, which is clumsily attempting to pursue a number of objectives without any clear focus. The reforms outlined in the bill continue the undemocratic nature of the Senate and do not provide, in any way, what Canada needs as a modern democratic nation.

I will go through some of the major flaws in the bill.

When I said that the government had been a little bit confused, previous Conservative bills called for federally-regulated electoral processes. This one calls for provincially-regulated electoral processes. Another bill the Conservatives tabled called for eight-year term limits. This one has nine-year term limits.

The Conservatives have not properly consulted with the provinces about whether they agree with the content of the bill. When the bill was first introduced in June, Conservative senators, even those appointed by the current Prime Minister, pushed back against any plans for Senate term limits, even those who were supposedly appointed after giving their word that they would respect term limits.

The bill would retain the fundamental flaw that senators would remain unaccountable to the Canadian people. By only being allowed to serve one term, senators would never have to face the public to account for the promises they made to get elected or the decisions that they took in the previous nine years. Then they would get a pension for life after they left office. So much for fiscal accountability from the Conservatives.

Having an elected Senate would fundamentally change the nature of politics in Canada. It would create a two-tier Senate where those who were elected likely would feel that they would have more legitimacy. Later in my speech I will talk more about where we run into conflicts with the role and authority of the provinces to speak on behalf of the people in those provinces versus the senators.

Since the Senate has virtually the same powers as the House, an elected Senate would give greater legitimacy for the Senate to introduce legislation or oppose bills sent from the House of

Commons. We very well could end up with the same kind of gridlock that we see in the United States, and I will talk about that in a few minutes as well.

The safest, the most conservative approach to the Senate is to abolish it. We know how the House of Commons works, but we have no idea what would happen with an elected Senate.

Let us reflect on the history and role of the Senate which originated in the British parliamentary system as the House of Lords. For hundreds of years the so-called upper chamber has been a symbol of nobility and power in place to prevent the commoners in the lower house from affecting the privileged lives of those who enjoy more than their fair share of the product of the nation. Indeed, our own Prime Minister has described the Senate as “a relic of the 19th century”, echoing my view that its presence continues to give merit to an outdated concept.

During the last election, Jack Layton said that something had changed with the Prime Minister. The Prime Minister used to talk about being democratically accountable. He used to talk about things like the Senate being something that had no business opposing or blocking legislation from the House of Commons, where senators who were appointed had no business being patronage appointments.

•(1245)

The Prime Minister has stuffed the Senate with his political friends and with failed candidates. He either allowed or required the unelected senators to block environmental legislation passed democratically in the House of Commons after three readings. It is funny how things change when someone is in power.

The bill would do nothing to address the wider issues around the Senate, that its relevance and role comes from a shameful past of elitism and distrust of the ability of the common people to govern themselves. How else do we explain a requirement that to hold a Senate seat, one must own land? What does that say in 2011, in modern Canada, to all the millions of Canadians who rent or who do not own land? Is it that they are not fit to pass legislation in the Senate of our country? The government does nothing to change that rule.

I said that these reforms were not what Canada needs. This is an important message which must be conveyed to Canadians across the country. We have a tendency in this modern era to hear the word “reform” and automatically assume that this must be a good thing, something that we should greet with open arms. However, just because something represents reform does not necessarily make it good reform. Bill C-7 is not good reform. It represents reform that will make Canada's democracy far less efficient, much less predictable and is much more radical than the government will admit.

By describing the bill as radical, the government has presented it as an evolution of our democratic principles. However, the truth is these reforms would dramatically change the way in which our Parliament operates.

Government Orders

Bill C-7 is being discussed as simply a method of increasing democratic legitimacy in our system, but in reality it would not do that. In fact, it risks imperilling the very democratic premise it purports to improve. It would result in a complete change in the way our Parliament operates, with a significantly stronger and more active upper chamber. This will undoubtedly create challenges, some of which will undermine the efficiency and effectiveness of government.

By electing the Senate as well as the House of Commons, we will create two parliamentary bodies that both may claim to have a mandate to govern. This is a very dangerous situation for Canada to be in. Parliament would lose the clarity that it currently has regarding where ultimate authority lies, in the democratically elected representatives in the House of Commons.

The importance of clarity in this area is illustrated by events from the last Parliament when my NDP colleague tabled Bill C-311, which was a climate change accountability act. The bill went through all three readings in debate in the House of Commons, went through democratic votes and passed. The bill was then referred to the Senate where the Conservative majority in the Senate, who are not elected by anybody, who are not accountable to anybody, who sit in that chamber for \$135,000 a year until they are 75 years of age, voted to kill that legislation. That is not democratic; it is autocratic.

The 2006 Conservative Party platform stated that, "An unelected Senate should not be able to block the will of the elected House in the 21st century". What kind of hypocrisy is that? The Conservative Party went to the people of the country five years ago and said that its position was the Senate, which is unelected, should not block any parliamentary legislation that had been passed by the House of Commons. Five years later the government caused its Conservative senators to do exactly that. That is not undemocratic. That is hypocritical and unethical. It was a lie and that is wrong.

On these grounds, the actions of the Senate, on those two occasions, were unwarranted and unacceptable. It is our current system that allows us to draw this conclusion. It is clear that in a parliamentary democracy, ultimate authority must lie with the elected chamber and not with the appointed one.

Again, the fact is this bill would muddy those waters. If these reforms were implemented, then the Senate would have every right to throw out a bill that had already passed through the House of Commons as the senators, at least those who had been elected, would have an equal democratic mandate to the members in this place, or may very well claim so.

• (1250)

No clearer indication can be given about the dangers of this kind of system than what we have seen recently in the United States. With the house of representatives and the senate there having equal democratic mandates and being controlled by two separate parties, the world financial markets were almost brought to their knees. Once again, a piece of legislation concerning the debt limit in the United States was raised and the bill to borrow more money to keep the economy going had to be passed. The U.S. Congress had passed similar legislation many times before without a hitch, but on that occasion, the well-being of the American people was firmly put to

one side as the two parties battled it out to achieve their own partisan goals.

This is what the bill risks here. Had one of those two political institutions had the clear authority over the other any chance of this kind of situation developing would be non-existent.

That has been the history of the House of Commons and Senate up to now. The Senate, being unelected, has always by convention refused to exercise its *de jure* powers and instead restricted itself only to holding up legislation, but never to blocking it, until the Conservative government of this Prime Minister came into being.

I would like to raise the issue of the makeup of the Senate going forward if the reform outlined in the bill were implemented. These changes would result in a completely incoherent upper chamber with two tiers of senators. Some would be subject to term limits for nine years and be elected, others would be appointed and could serve until age 75. What kind of message does this send to Canadians, or people all over the world about the reputation of our democratic processes? How can a parliamentary institution operate when one member has a fresh mandate from the electorate, while the person sitting next that member has been there for 25 years with no input from those who his or her decisions affect?

The divisive nature of the reforms also mean that there is a conflict set up between the provinces and the Senate. Which body would truly speak on behalf of the people of that province? I would argue that it is the provincial governments of the country set up by our Constitution that have a legitimate democratic mandate to speak for the people of those provinces, not the Senate, or senators from those provinces, many of whom do not even live in those provinces and have only a very tangential relationship with those provinces.

I know I am running out of time so I want to talk about a couple of quick facts that I think are important; one is money. The Conservative government that has given us a massive \$610 billion debt and the largest deficits in Canadian history still wants to maintain a chamber that costs Canadian taxpayers over \$100 million per year and is undemocratic.

We could abolish the Senate, as the New Democrats have suggested, and save the taxpayers \$100 million a year with absolutely not one iota of deleterious affect on the democratic health of our nation. We could make our government more efficient and more effective. We could be quicker. I have heard members opposite talk about the slow rate with which it passes legislation. They are frustrated by how long it takes to get legislation passed.

By abolishing the Senate we could dispense with three readings and committee study, and speed up legislation, which is what Canadians want in this country, according to the Conservatives.

Why do the Conservatives not abolish the Senate? Why do they tinker around the edges? Why do they continue to take a fundamentally flawed and undemocratic chamber and continue to make it a flawed and undemocratic chamber? It makes no sense.

Government Orders

I want to talk briefly about the people of Vancouver Kingsway. I come from a riding where David Emerson was elected as a Liberal and two weeks later crossed the floor to sit as a Conservative. The people of Vancouver Kingsway rose up like few citizens, or few ridings, in this country have ever done. They loudly expressed their commitment to democracy in this country because what Mr. Emerson did was a betrayal of democracy.

Here, we are talking about a chamber that is stuffed with failed Conservative candidates, like Yonah Martin, Josée Verner, Fabian Manning, people who ran in elections, placed themselves before the people of the country for their democratic mandate and were rejected, then find themselves appointed by the Prime Minister to the Senate and serve as legislators, even though the people of this country said they did not want to give them their trust or a mandate to do so. That is outrageous. That is an outrage in a democracy, when former fundraisers and failed Conservative candidates end up in the Senate. The Liberals were no better. They did the exact same thing when they were in power.

It is time that people in this country follow the New Democratic lead and abolish the Senate. That is the only responsible, reasonable, democratic measure that can be taken in this country, and I urge all members of the House to do so.

•(1255)

Mr. Peter Stoffer (Sackville—Eastern Shore, NDP): Mr. Speaker, I thank my hon. colleague from Vancouver Kingsway for his eloquence in discussing what we believe are the concerns with the Senate.

I have always believed that the Senate has two roles in life. One is to peer review executive legislation from the House of Commons and, because senators do not have a constituency per se, to carry out in-depth studies facing the challenges of our society. For example, the Michael Kirby report on mental health was very good. I thought it was well done.

However, that is not what the Senate has been doing for the longest time. It rubber stamps legislation from the government. Bill C-311 the environmental bill, was passed by this House of Commons and the appointed, unelected Senate, without one witness, killed the bill without a word of debate. After all the work that the elected members of Parliament did to get it through this House and the years it took, for a bunch of unelected, unaccountable people to kill it is not democracy.

I would like my hon. colleague to elaborate on the fact that this is what unelected, unaccountable people can do to override the wishes of the majority of the members of Parliament representing the majority of Canadians.

Mr. Don Davies: Mr. Speaker, part of the preamble to Bill C-7 states:

—Parliament wishes to maintain the essential characteristics of the Senate within Canada's parliamentary democracy as a chamber of independent, sober second thought—

I am going to focus on the word “independent” for a minute. Everybody knows that the Senate is anything but independent. Both the Liberal and Conservative parties have House leaders and whips

in that House and many senators attend party caucus meetings. To many Canadians, the Senate appears simply to be an extension of this House, an extension of the government controlled by the parties, and largely there to ensure that controversial bills get lost in the system. Partisanship clearly works against this objective of the Senate to be a chamber of sober second thought and these reforms would only serve to make this situation worse.

My hon. colleague brings up a classic example. We do not have to reach back in history 40 or 50 years. We can reach back to the last 24 months to see an example where the Senate was not acting independently but acted on the behest of the government of the day to kill a piece of legislation that it did not like but could not command the majority support of the democratically elected members of Parliament. What we saw on that day, with regard to climate change, was the death of democracy in Canada. That is regrettable and undemocratic.

•(1300)

The Acting Speaker (Mr. Bruce Stanton): Questions and comments. My apologies to the hon. member for Winnipeg North. I did not see him the first time.

The hon. member for Winnipeg North.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I have had the opportunity to tour the province of Manitoba on a Senate reform committee. It was a committee that was dominated by the New Democratic Party and what we heard time and again was that there is great potential value to a reformed Senate, that we do not have to abolish the Senate, and that there is great value in terms of reforming it.

My NDP colleague in the front row made reference to Michael Kirby's mental health report. I could talk about Sharon Carstairs' palliative care. There are a number of examples that are there where the Senate has provided fine work which has been accepted by provincial jurisdictions and been acknowledged outside of the House, outside of Parliament Hill.

Does the member not recognize that adding value to the Senate is achievable if the political will were there? To abolish it is to wipe out the opportunity to get some gains that we would not be able to achieve, that only an appointed Senate can, such as looking for senators with an expertise to contribute to the many works that could still be done. Yes to reform, but does it have to be abolished?

Mr. Don Davies: Mr. Speaker, I have a conceptual response for my hon. colleague and a practical one.

The practical one is that, of course, we do not need a Senate. If we were to abolish it, there would be absolutely zero effect on the quality of legislation or study of social issues in this country. The practical evidence is that every single province in the country that had a Senate has abolished it.

For my hon. colleague's question to have logic would be to suggest that every single province in Canada is no longer capable of producing intelligent policy in different areas because they do not have a Senate. I think that is wrong. I think every province in this country is producing policy in all sorts of areas and they do that through democratically elected people.

Government Orders

Second, on the conceptual front, there is no question that sometimes despots can do good work. There is no question that sometimes autocrats can provide a good study. However, the question here is whether or not the people in the Senate have a democratic mandate to engage in the work that they are doing.

The New Democratic Party believes in democracy. Government legislation and comment on public policy should be made by people who are elected by and accountable to the Canadian public. The fact that an unelected person can sit in the chamber for 35 years and once in a while produce a good report is beside the point.

Of course, my hon. colleague comes from the Liberal Party, which spent decades filling the Senate with its party faithful, bag people and failed candidates, and so I do not expect him to agree with the New Democratic position on that score.

Mr. Peter Stoffer: Mr. Speaker, rather ironically this is a government piece of legislation, yet I do not see too many Conservative members rising to ask questions or comment on what they call an important piece of legislation.

I do not think anyone in this room has anything against the individuals in the Senate. However, although it would never happen in my lifetime, if the Senate were truly independent of government, with no party caucuses, no party labels, and if we were to have experts in various fields with various backgrounds, we might have had a different reaction from the NDP.

The reality is that the bill would not make the Senate independent of the government, it would make it more dependent. Basically the Prime Minister and the Conservative Party could lose their government tomorrow, but if they stack the Senate with all of their people for x number of years, they would still have control over legislation, and that is simply wrong.

I would like my hon. colleague to elaborate on that, please.

• (1305)

Mr. Don Davies: Mr. Speaker, that is one of the prime dangers of the bill. Up until now the senators in the other chamber have at least acknowledged that they do not have any democratic legitimacy. Therefore, they do committee work, study bills they hold up, but they would never, up until the current Conservative government of course, actually defeat a bill passed by the House of Commons. However, one of the dangers of the bill is that if they were elected, would they feel they then have the legitimacy to strike down legislation passed in this chamber?

We have not even begun to speak about the regional inequities in the Senate. The composition of the Senate is frozen, in many cases, from 1867. We have tiny provinces that have more seats than provinces 20 times their population; for example, Prince Edward Island compared to British Columbia. It is fundamentally undemocratic to have a handful of people with the same weight as provinces that have many times the population. This is another problem we face. To give democratic legitimacy to a chamber that is horrifically imbalanced from a regional and population point of view is a democratic time bomb. That has not been thought through.

One of the reasons we are not seeing members of the government stand up on the bill is because I think they know this. Many of them were Reform members and I give them credit when, in the 1980s,

they stood up against the Senate. They were appalled at the misuse of the Senate by the previous Liberal governments and wanted it to be reformed in a sincere and democratic manner. If that were to happen, it might be a different story, but that is not what the bill does.

There is only one answer: save \$100 million, make our government more efficient, leaner, more democratic, and get rid of an anachronism that made sense in the 1800s, but makes no sense in a modern democratic nation in the 21st century.

Mr. Matthew Kellway (Beaches—East York, NDP): Mr. Speaker, I am pleased to speak today to Bill C-7, an act respecting the selection of senators and amending the Constitution Act, 1867 in respect of Senate term limits.

Before I continue, I will take a moment to speak to the issue of movement. Members probably see this sorry scruff on my face. It is an effort to encourage all men to take good care of their health and get their prostate checked out. My father died just over 18 years ago from prostate cancer. He did not live to see his son become an MP. He did not live to see his grandchildren. I am sure all members would agree that these are things that are worth living to see. I would urge, in the most strenuous terms possible, all men to suffer the indignities and get themselves checked out.

I will get back to Bill C-7. It strikes me as strange to have to speak in this chamber to issues so fundamental to our political life in this country that we cherish as a democracy. These issues I am talking about are democracy itself and accountability.

I had the pleasure of studying political theory in university. I had no idea at that time that it would be so relevant to the job of being a member of Parliament. Many people did ask me what the heck I was studying that stuff for, but here we are and I have the opportunity now to speak in this chamber about matters so fundamental that they are matters of political theory.

The government talks so much about Canadian values inside and outside this chamber that one would think there was almost violent agreement on what these things actually are. However, here we are in the House talking about the issue of democracy and a bill that is, frankly, fundamentally undemocratic.

As recently as 2006, our Prime Minister described the Senate as a relic of the 19th century. I would suggest that the Senate, in some important sense, takes us back much farther than the 19th century. It takes us back to a time when democracy in any form and however limited was much distrusted. It takes us back to a time when a ruling class was concerned about losing its social and economic status by way of decisions made by representatives of the people. It takes us back to a time when certain parts of our society were considered to be incapable of and unsuited for making the important decisions of a nation.

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What is clear is that this skepticism of democracy is not just an historical tradition. It does not just find expression in our Senate of the 19th century. It is alive today and finds expression in the Conservative government in this 21st century in the form of the bill before us today, Bill C-7. The ancient tradition of distrusting the people survives in the Conservatives.

Bill C-7 clings to the security of a second unelected chamber where progressive legislation, such as the climate change accountability bill and the drugs to Africa bill, legislation that may have moved this country forward in the interests of all its citizens, as well as citizens around the world, can be defeated by the supposed superior wisdom of the present government's, and previous governments, hand-picked, unelected, self-selected watchdogs, not of, but watchdogs against, democracy.

• (1310)

The only thing the bill confirms is the Conservative government's determination to hang onto the reins of power by way of patronage. I would point to the fairly recent, widely-distributed and very instructive letter from a Conservative senator in which he wrote, in part:

Every Senator in this caucus needs to decide where their loyalty should be and must be. The answer is simple; our loyalty is to the man who brought us here, the man who has wanted Senate reform since he entered politics, the [Prime Minister].

With this, we are a long way from the justifications most frequently offered for the existence of this anti-democratic institution. One of those justifications is independence. However, as we have seen, by virtue of that quote, and by virtue of the conduct of this chamber and those in it for well over a century, that it is hardly an independent chamber.

Other justifications have been equally persistent. I refer, in part, to the notion that the Senate is to provide our parliamentary institutions with regional representation. Yet, none of us have ever seen regional interests coalesce and operate to trump partisanship born of patronage in the Senate chamber. In fact, the bill would do nothing to advance or facilitate the emergence of regional interests or expressions in the Senate.

The government is unwilling to surrender its control over Senate appointments, as evidenced by the provision that permits the Prime Minister to reject the outcomes of Senate elections held at the provincial or territorial level; that is to say, the bill would allow the Prime Minister the ability to overrule the democratic will of the regions of this country.

This anti-democratic institution has also survived, cloaked in the justification of a second sober thought and yet all of us in this chamber were sent to this place on the basis of, at least in part, our sobriety of thought.

Therefore, on precisely what democratic principle does one confer in one person elected to this so-called lower chamber the power to overrule the democratic will of Canadians as expressed, at least potentially, in the Senate election and to decide who is wise enough to evaluate and overrule decisions made in this House of Commons?

Further, how grossly exaggerated must one's sense of one's self be to overthrow the results of an election in favour of one's own opinion and judgment, or to believe that he or she is so much wiser than the

collective in this chamber so that he or she must appoint a senator to watch over us? Or, is it not that kind of hubris but simply a blatant disregard and disrespect for democracy that underlies the bill?

Whatever it is, it is clear that this bill would, both in practice and in theory, not only continue the unfortunate tradition of relocating power away from the elected representatives of Canadians and, therefore, the Canadian citizenry itself to an unelected body, but would locate that power in the single person of the Prime Minister.

The Prime Minister, like the rest of us in this chamber, submitted himself directly to the judgment of the electorate in but one of 308 ridings. Beyond that, the Prime Minister can claim to have won directly only the confidence of the membership of his own political party as expressed through that party's internal leadership processes. However, that is a far cry from winning the confidence of all Canadians to exercise the kind of power over the rest of us directly elected members of this chamber that the bill would continue to provide to that position.

It has been argued that the bill would move us away from the undemocratic tradition by permitting provincial and territorial elections of a senator. Notably, however, such elections to a federal institution are to be financed by the province or territory. Notably, too, this would not provide the right of the citizens of that province or territory to elect a person to the Senate.

• (1315)

Senators would, under the bill, remain appointed, as the government clings, white knuckles on the reins of power, to its fear of losing control to the will of the people.

This skepticism of democracy is also evident in the very curious nine year term limit imposed on senators. The bill itself provides no rationale for such a length of terms. However, what this seemingly random term does do is effectively frustrate the ability of Canadians to hold senators accountable for their decisions and actions. What is more, with a one year term limit, a senator would never have to answer to voters for decisions he or she made or did not make.

Accountability is a key principle, a foundation of democratic institutions. This chamber is a democratic institution not just because we were elected to this House but because we, should we wish to continue in this position, are held, through the electoral process, to account for our decisions and actions while in this position.

This term, as lengthy as it is, also serves to frustrate the will of this chamber and, in doing so, the will of Canadians. It would provide the government of the day the opportunity to reach into the legislative bodies of this country long after it has lost its own mandate.

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Finally, there are a number of questions of critical constitutional importance that are raised but not answered by Bill C-7. What kind of institution is being created in the Senate when some are elected while others will be appointed? Do some of these senators have more authority by virtue of being representatives of the electorate or are all considered to be equal? If the Senate gets filled with elected representatives, what is their relationship and relative authority to those of us in this chamber? Do they retain the same roles that justify those appointed directly, i.e. regional representation, independent sober second thought, et cetera, or is this a new role that they assume as elected representatives? Where there are differences between chambers, how are these resolved in favour of which chamber, or do we anticipate gridlock?

It is long past time for this country to shed the undemocratic traditions of another age, another time. It is time for the parties that have ruled this country to let go of the illogic and, frankly, hypocrisy that the people are good enough to elect us but that only one of us is good enough to appoint someone to watch over us.

It is time to let go of its skepticism of the wisdom of Canadians. It is time for Canada to embrace democracy by abolishing the Senate and allowing those of us sent to this place by the people of Canada to do what they have asked of us and to be turfed out of this place should we fail to do so or should we fail to do so to their standards.

● (1320)

[*Translation*]

Ms. Alexandrine Latendresse (Louis-Saint-Laurent, NDP): Mr. Speaker, I thank my colleague very much. He is very hard-working and, as we saw from his speech, very intelligent as well. He understands the issues at stake here quite well.

The government boasts that with this bill reforming the Senate the public would be represented more democratically and more accurately. But, according to the existing Senate rules, no one under the age of 30 can become a senator.

Does my colleague think that this kind of limit and the fact that no one under the age of 30 can sit in the other chamber are signs of better democratic legitimacy? There is something I do not understand there, and I would like to hear what my colleague has to say.

[*English*]

Mr. Matthew Kellway: Mr. Speaker, I will answer that question from my colleague right next door to me in English, if I might. I am trying to learn French from my colleague but we are not quite there yet.

I appreciate the question about youth and those of us in the New Democratic caucus. Some of us at least feel very old relative to some of our colleagues. However, the wonderful thing about democracy is that the will of the people sends to this chamber those who they believe are best able to represent their views in the House.

The bill, should it be amended, should certainly provide the opportunity for all Canadians to send whoever they feel best fit to represent them in the upper chamber.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I have a fairly straightforward question.

If a majority of Canadians wanted to see the Senate retained, but changed so that there would be more value to it, what would the position of the New Democratic Party then be? Would it still oppose and want to abolish it, even if a majority of Canadians wanted to retain it?

Mr. Matthew Kellway: Mr. Speaker, the question is of a hypothetical nature, but it is the position of the New Democrats that the fate of the Senate should be put by way of referendum to the Canadian people. As we respect the views of Canadians and the principles of democracy, we would obviously abide by the perspective of all Canadians in a referendum on this matter.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, my question is surprisingly similar to that just put by the hon. member for Winnipeg North.

This is a complicated matter. It is not as simple as saying that we do not like the Senate, so we should end it.

We have constitutional issues embedded in how it is structured, and I share the view of the member for Beaches—East York and his caucus that there are significant problems with Bill C-7 as put forward by the government.

Having worked with the Senate over the years, I have seen the Senate take its own initiative and do some very good work, and we have seen examples here this morning. For instance, I point to the decision to not put bovine growth hormone into our milk. That was a done deal until the Senate committee, under Senators Mira Spivak and Eugene Whelan, subpoenaed scientists from Health Canada who were being muzzled and in that way made it possible for the information to get out.

Would the best way forward not be to have a real public consultation on the fundamental problems within our democracy, including the extreme power of the Prime Minister's Office, the lack of sufficient role for individual members of Parliament, the proper balance between the House of Commons and the Senate and the question of whether the Senate should survive or not?

How does the hon. member feel about taking this to the people before we make it legislation?

● (1325)

Mr. Matthew Kellway: Mr. Speaker, as it is a multipartite question, I will approach it this way.

It is clear that good work has come out of the Senate in the past. A recent report about poverty in Canada comes to mind; many worthy recommendations came out of that report.

As my colleague for Vancouver Kingsway said in answering a very similar question previously, this is not an issue of whether the Senate ever does good work or whether senators have worthy opinions on matters of great importance to Canadians.

Government Orders

Like so many issues, this issue is reducible to simple issues. At the beginning of my speech, I spoke to some fundamental principles. That is what we are wrestling with. The fundamental principles are that we have a chamber here in our parliamentary institutions that is undemocratic. It has the power to block legislation. We have seen that happen with some very worthy representation that this elected House passed on to the Senate.

In response, I would say that at times the appropriate approach is to reduce matters to fundamental principles. If we look at an issue in those terms, it often becomes starkly simple. The starkly simple fact is that the upper chamber, the Senate, is not a democratic institution and should therefore be abolished.

Mr. Peter Stoffer (Sackville—Eastern Shore, NDP): Mr. Speaker, correct me if I am wrong. The government introduced legislation stating that the provinces have to pay for Senate elections and that the provinces have to hold Senate elections. By the way, if only 40% of people vote for MPs, imagine how few people would vote for a senator. Then the Prime Minister can say that the elected senator is not wanted. Only a Conservative can come up with a plan like that. The government is putting forward federal legislation stating that the provinces have to pay for an elected Senate, but when they do elect a senator, the Prime Minister can then refuse their choice.

I would like my hon. colleague to elaborate a bit more on that.

Mr. Matthew Kellway: Mr. Speaker, I am not sure what elaboration can follow. It is that simple. I spoke about this fundamental skepticism of democracy that is betrayed in the bill: it talks about an elected Senate, but as I said, the government seems to be hanging onto the reins of power with white knuckles; it is not letting go of this. While the provinces and territories may go through the process at their expense and take this issue and democracy seriously, the government is not surrendering authority to the people and to the provinces to elect members of the upper chamber. Under this bill, it is still an appointed Senate.

Mr. Don Davies (Vancouver Kingsway, NDP): Mr. Speaker, on a point that I started to develop, I want to raise the question of who is going to be representative of the provinces.

Currently we elect premiers, cabinets and governments in every province and territory, but the Senate was set up originally as a body to supposedly represent regional concerns. If we were to elect senators from a province such as Prince Edward Island, does the member think this situation could create an unacceptable conflict in terms of who would have the democratic mandate to speak for the people of that province? Would it be the elected senators from that province, or would it be the elected provincial government of that province?

I would also like to ask what my colleague thinks about the judgment of the Prime Minister. Under the bill he would still get to appoint senators; we know the Prime Minister has appointed a number of failed Conservative candidates, so we have some clear examples of the kind of judgment that the Prime Minister exhibits when considering who is appointed to the Senate.

• (1330)

Mr. Matthew Kellway: Mr. Speaker, I spoke earlier about reducing things to fundamental principles and about simplifying

matters, but that question and the previous question make it clear that in trying to amend our Constitution and in trying to change the makeup of the Senate and the process of becoming a senator, one runs into some very complex issues.

One of them is raised by my colleague in his question, which is that we could end up with senators elected from a province who might take positions in conflict with provincial representatives of that province. As well, how elected members of the Senate would resolve differences with elected members of this chamber from that province is certainly unclear. We would be creating a very complicated system, potentially with duelling elected members, so the issue is to abolish the Senate and do away with those complexities entirely.

Mr. Frank Valeriote (Guelph, Lib.): Mr. Speaker, I will be sharing my time with the hon. member for Winnipeg North.

While Senate reform has been a golden calf of the Reform movement for years, I do not believe any real Reformers would recognize the bill before us today. This bill is wasteful and a clear attempt on the part of Conservatives to distract from the real issues, like jobs and the economy.

What is more unfortunate is that the government will not even approach the issue of democratic reform in an appropriate manner. The Prime Minister and his minister for democratic reform are no doubt aware of the quagmire that is constitutional negotiation, so they are progressing in a haphazard manner, attempting to reform an institution of Parliament by the back door and making change that is not really change. It is like most of what emanates from the government benches: sound and fury.

Regardless of their once ferocious opposition to what they saw as centralizing power in Ottawa, the Prime Minister has changed his spots and is currently acting unilaterally and without proper consultation with the provinces. The changes presented in this bill will foist Senate elections on the provinces, forcing the provinces during a time of economic hardship to fund and administer an additional series of elections without their consent.

This is not surprising, given the single-minded desire of the government to download the costs of an ill-considered and ill-advised justice omnibus bill. It is unfortunate that the government will again increase the financial burden on the provinces. Let us keep in mind that one Ontario provincial election costs taxpayers approximately \$135 million; in this time of financial restraint and instability, the government seems all too keen to saddle the province with yet more costs.

Moreover, this bill is not about real reform. Regardless of its efforts, the government cannot change the appointment process without seven provinces representing 50% of the population agreeing. Ultimately the process of recommending senators for appointment to the Governor General still rests with him.

Government Orders

While the bill provides that a province or territory that enacts electoral legislation that is substantially in accordance with the framework may select its senatorial nominees and submit those nominees to the Prime Minister, the Prime Minister is not even obligated to submit those names to the Governor General, but only to consider them. A prime minister who does not bear the same political stripes as an elected senator is under no compulsion to select that person. This is clearly more waste.

Furthermore, if a province or territory opts out of this expensive and ineffective process, the Prime Minister will nevertheless select his or her own nominee. In essence, this political window dressing will allow the provinces and territories to feel involved, for a price, while in fact it is the status quo that will really be maintained.

More offensively, the bill is another assault on western Canadian provinces. Since deciding to ignore the democratic will of western grain farmers expressed through a plebiscite supporting, by a majority, the single desk marketing and sales arm of the Canadian Wheat Board, the government signalled it was not interested in the voices of western Canadians. It shut down debate and refused to allow enough time in committee to hear from western Canadian farmers, as it was required to do under section 47.1 of the Canadian Wheat Board Act.

This bill, in its present incarnation, places Alberta and British Columbia at a notable disadvantage as well. My esteemed colleague, the hon. member for Saint-Laurent—Cartierville, is doing a marvellous job explaining the unbalanced distribution of Senate seats. Currently there exists an anomalous gap between the representation of the western provinces in the House of Commons and the Senate. An elected senator will now have an entirely new and very specific constituency to satisfy; it will be difficult for the six elected Alberta senators, for example, to square against the 24 Ontario senators, the 24 Quebec senators, or even the 10 senators from New Brunswick.

Through these measures that dilute the influence of western Canadian provinces, the Prime Minister and his minister appear to have forgotten, likely once getting into government, that the west wanted in when they were young Reformers. Once again, the west is ignored.

• (1335)

The most egregious about-face in this bill is that the horse the government rode in on, the old horse called accountability, seems to have died and the government is dragging it through the streets. Buried in the bill are the surreptitious financial implications found in clause 27 for campaign funding during senatorial elections. In April 2006, the government introduced the Federal Accountability Act to bring forward “specific measures to help strengthen accountability and increase transparency and oversight in government operations”. The Prime Minister heralded these measures as an end to the influence of big money in federal political parties by banning union and corporate contributions, as well as limiting individual donations.

Now the government appears to be performing an end run on its financing rules by squeaking in clause 27 of this bill, which would allow campaign funding for senatorial elections to be governed by a provincial legislature. Of course, the rules that govern political

contributions vary greatly depending on the province or territory. There is no continuity.

In this blatant contradiction of the Federal Accountability Act, allowing these laws to govern senatorial campaign funding would in fact perpetuate big money in political parties. Until this bill, senators have been governed by a federal body. Should this bill pass, senators would be governed by 13 different sets of rules and regulations, depending on their province or territory, placing some at a major financial advantage and most in contravention of the Federal Accountability Act.

Take, for instance, a senator from Yukon Territory. Should this bill pass, when the Yukon seat is vacated in 2023, political contributions for the subsequent senatorial election would be governed by the political financing rules of the Yukon territorial legislation. Currently, in Yukon Territory there are no restrictions on how much an individual, corporation, union or entity, whether inside or outside Canada, can donate to a political party.

During the 2006 territorial election, Premier Dennis Fentie and the Yukon Party, formerly the Yukon Progressive Conservative Party, raked in a cool \$114,044 in political contributions during the election, donations like \$7,500 from Seattle's Holland America, or \$5,000 from Trans-Canada Pipelines. The Conservative government had seemingly eliminated contributions from anyone outside Canada, only to now open up the back door through the Senate.

The legislation continues with a vague mention of necessary modifications on campaign funding, but why not be specific right off the bat instead of these cosmetics? These legislative discrepancies create an unequal playing field and are certainly not more effective for both the senators and their provinces. The original intent of the Senate is to achieve a balance of regional interests and to provide a house of sober second thought. That is why we as Canadians have seen doctors, scholars, artists, politicians, community activists, generals and athletes serve our society for the good of the nation through our Senate. We simply cannot maintain a sober second thought in the upper chamber with such unequal and partisan-based governance.

Members opposite may throw around the term “mandate” in response to these allegations, but remember that 39% certainly does not constitute a mandate or majority. Stifling public opinion and this clandestine attempt to circumvent their own political funding rules cannot stand, and the constant attacks on western Canadian provinces and the Canadian Constitution must stop. The Liberal Party will not stand for it. I am sure if members opposite listen very carefully, they will hear the sound of their Reform forebears throwing up their hands in disgust.

• (1340)

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, the member was quite right when he said that jobs and the economy are what are important to Canadians today. There is no doubt about that.

Government Orders

The bill before us tries to provide a bit of hope in terms of democratic reform but in reality that is not the case.

I was living on the Prairies back in the 1990s during the time of the Reform Party. There was a sense of the need to reform the Senate back then. New Democrats were saying that the Senate had to be abolished. The Reform Party wanted an equal, elected and effective Senate. There was an expectation that the Reformers, now known as the Conservatives, were going to make huge gains in terms of achieving a triple-E Senate. Truth be known, the government has failed in its delivery of a triple-E Senate.

There is a great deal of merit in looking at the most effective way for the Senate to operate. There is a great deal of value to the Senate.

I participated in an all-party task force in the province of Manitoba. We toured the entire province, from Flin Flon to Russell to Winnipeg. We listened to many presenters talk about Senate reform. There was no unanimous opinion that it had to be an elected Senate or that it had to be abolished. Many believed there was merit in having an appointed Senate.

It would be wonderful for us to deal with the issue of the Senate in a more open fashion as to what value a reformed Senate could have.

Some New Democratic colleagues have no problem bashing the Senate. They would abolish it, even though the majority of Canadians see the value of the Senate. To say that it is useless and does absolutely nothing is just not fair.

The Senate has done many studies and reports of great value. There was reference to a couple of them in the last hour of debate. There have been reports regarding poverty in Canada, mental health, palliative care. The Senate has taken upon itself to investigate these issues and to provide information and input in terms of government policy, policy which could save millions of dollars.

One concern that was mentioned earlier by a New Democratic member of Parliament was the cost of \$100 million. The NDP has no problem increasing the number of members of Parliament from 308 to 338 which has a substantial cost. Those members thought there should be even more members of Parliament. The cost of the Senate is not necessarily the issue. The bigger issue is the value. There are a great many Canadians who, if provided the opportunity to be representatives in the Senate, could serve our country well.

I have had the opportunity to sit down with Senator Carstairs. I have had the opportunity to listen to other senators present at an all-party committee. What sort of feedback was provided and some of the things that came from the committee can be found in the Manitoba *Hansard*. A Senate page and several senators and lay people participated at the committee. What members of all political parties found was interesting was that there was a sense that the Senate has some value.

● (1345)

Time is a very scarce commodity for parliamentarians. In fact, time management is a very important issue for each and every one of us in the House. The Senate on occasion represents Canada outside Canada and has done notable work on the democracy front. I am aware of some of the efforts Senator Carstairs has been involved in personally as a senator representing Canada. She has gone abroad to

countries like the Philippines on a democracy watch, to look at why some individuals are incarcerated. I have heard many touching stories of how our senators have gone abroad to represent Parliament and Canadians.

Let us look at the types of appointments to the Senate that we have seen in the past. Who would question the appointment of Senator Dallaire? He is an incredible individual who has a great deal to offer in the Senate chamber and in committees. His position as a senator affords better opportunities to travel across Canada and talk about the issues that are important to all Canadians.

There is a great deal of value to the Senate. Some members have said there are premiers and MLAs to ensure that regional interests are being represented. I will use the Canadian Wheat Board as a great example. There are three prairie premiers and I would challenge each and every one of them to come to the House of Commons committees. Where were they on the whole issue of saving the Canadian Wheat Board? There was representation from at least a couple of senators who wanted to deal with this issue. They see it as a regional issue.

I do not have any problem with Senate reform; in fact, I encourage it. Let us recognize that in order to achieve Senate reform we have to look at it in terms of changes to the Constitution. Today, the vast majority of Canadians do not want us to be debating the Constitution and the need for constitutional reform. They want us to be talking about jobs, the economy, health care, and seniors' pensions. Those are the issues they want us to be talking about today.

The government has brought forward a bill. It says it is about democratic reform and that in order to achieve this the provinces are going to have to pay for the election of senators inside each province. In my province and from the task force that I was on, I can tell the government, and it can do its own consultation with the New Democrats and the Conservatives there, the feeling is that Ottawa should be paying for the election of senators.

The government needs to refocus on the whole idea of Senate reform. Today, I think we need to focus on the issues that matter most to Canadians, the issues which I just mentioned.

● (1350)

[*Translation*]

Mr. Hoang Mai (Brossard—La Prairie, NDP): Mr. Speaker, I listened very carefully to the comments by the member for Winnipeg North.

He spoke a lot about the Senate and about senators. The NDP agrees that some senators do good work; however, we would like to see the institution itself abolished.

In terms of the value of the Senate, does the member think that the Senate is democratic as it is right now, in light of the fact that in November 2010, the Senate simply overturned the climate change bill that was passed by the majority of the House of Commons?

I would like to hear what the member thinks about that.

*Statements by Members**[English]*

Mr. Kevin Lamoureux: Mr. Speaker, the problem with the New Democrats is they have an issue of consistency and an issue with regard to hypocrisy. At the end of the day, the New Democrats, because they believe they can capture more votes by slamming the Senate, says who cares about the real value of the Senate, that it does not matter. They believe they can score a political votes.

The reality of the situation is, and even one of the member's colleagues earlier today said this, that 35% or 36% of Canadians support abolishing the Senate. However, a majority of Canadians see the value of the Senate, unlike the New Democrats.

We recognize the importance in the role that the Senate can play into the future. We in the Liberal Party are not prepared to write off the future of the Senate because the New Democrats feel that they can score a few political votes as a result of the position they have taken.

Mr. Frank Valeriote (Guelph, Lib.): Mr. Speaker, when I gave my remarks, my friend heard me reference section 27, which would allow contributions to the Senate campaign to be made in accordance with the laws of the territory or the province. There would be no continuity. Money could come, in many cases, from anyone, any corporation, any organization, even from outside of Canada. I see this as an end run around current campaign contribution law.

Does the member have the same concern as I, that with these kinds of irregularities in the law and no continuity whatsoever, we will be in a perpetual state now of fundraising and spending pre-writ and post-writ throughout the next years following the passage of the legislation, should it pass?

• (1355)

Mr. Kevin Lamoureux: Mr. Speaker, one of the things that would have to be taken into consideration is this. If we move toward any form of elected Senate and we dissolve the power or the authority to see those senators getting elected to the provinces, there will be a very important aspect in terms of spending limits and the degree to which a senator will be able to receive corporate or union donations. There will be a whole new realm of responsibilities regarding the finances.

The legislation before us does not really touch on that. This is just a thought that the Prime Minister had so he could go back to western Canada and say that the government wanted more democracy and this bill would do that.

The bill falls short by a long shot. If the Prime Minister were legitimately concerned and wanted to make a difference, he would first deal with the most important issues, such as jobs, health care and so forth. However, this will really involve constitutional reform.

[Translation]

Ms. Laurin Liu (Rivière-des-Mille-Îles, NDP): Mr. Speaker, we know that the Conservatives did not consult the provinces to see whether they agreed with the provisions of this bill. In addition, Quebec has called this bill unconstitutional. The provincial government said that it would appeal the matter in court if this bill were passed without prior consultation of the provinces. According to an Angus Reid poll conducted in July 2011, 71% of Canadians are in favour of holding a referendum to decide the future of the Senate.

The NDP thinks that the government should hold a referendum to ask the Canadian public whether it wants to abolish the Senate. Why does the hon. member not agree with that?

[English]

Mr. Kevin Lamoureux: Mr. Speaker, that is a very good point. In a nutshell, we would have figured the government would have conducted consultations.

With regard to the provinces conducting elections, under the bill that cost would be passed on to the provinces. The provinces would have to come up with the funding.

I was on the task force for the province Manitoba. In the dialogue we had with the Conservatives and the NDP, they insisted that Ottawa should pay for it, not the provinces. We can tell the government really has not done the consultation that one would have expected prior to introducing the bill to the chamber.

Mr. Peter Stoffer (Sackville—Eastern Shore, NDP): Mr. Speaker, I want to ask my colleague from Winnipeg to do one thing. He should go to a local tavern, legion or Lions Club in his riding, and without the assistance of Google, a BlackBerry or anything, sit down and ask the first person he sees if he or she can name the senators from Manitoba. I will guarantee, if not set up, the person may get one, if any at all. It shows us that most Canadians have no idea who is in the Senate.

It is not a question of Canadians wanting a Senate like this, they do not understand the Senate. They do not give a second thought to the Senate. For the hon. member to say that the majority of Canadians really want a reformed Senate, I think he has his facts all wrong. I challenge him to do what I have asked him to do and report back his findings to the House.

Mr. Kevin Lamoureux: Mr. Speaker, I invite the member to come to Winnipeg North and we will host a public meeting so he can hear first hand.

I suggest that if he goes into a local legion or a local hall, he will find a good number of people cannot even list their school trustees, their local city councillors or their members of Parliament, which might be a little difficult on our egos.

Generally speaking, we have to cut a little slack, provide a few more facts on the table, approach it with an open mind and see the value that the Senate could contribute in the future. That is the challenge, and I know it is a big challenge for the New Democratic Party.

STATEMENTS BY MEMBERS

• (1400)

[English]

MINING INDUSTRY

Mr. Dan Albas (Okanagan—Coquihalla, CPC): Mr. Speaker, last week I was able to visit the great community of Merritt in my riding of Okanagan—Coquihalla. One of my stops was at a construction site for a new silver mine.

Statements by Members

I know there are some members of the House who continue to oppose the mining industry at every opportunity. This is a small silver mine that is still required to undergo all the environmental assessment processes required of a large mine. The owners are still required to obtain discharge permits, despite having invested \$3 million in technology to ensure there is no water discharge.

What is exciting is that there are roughly 15 workers, working to assemble \$6 million of new mining equipment. Once this mine is up and running, that workforce will quadruple to over 60 jobs. These jobs pay on average twice as much as the local forestry sector and 30% of those jobs will be filled by first nations. This new mine will inject \$15 million annually into the local Merritt economy.

I ask that all members of the House be mindful that mines create jobs and help to support our rural economies.

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[*Translation*]

BROSSARD LEGION

Mr. Hoang Mai (Brossard—La Prairie, NDP): Mr. Speaker, last week, we honoured Canadians who have served our country. In my riding of Brossard—La Prairie, I had the honour of attending the activities organized by the Brossard Legion, which celebrated its 60th anniversary on October 22.

Thanks to volunteers like the legion's president, Jean-Guy Lavallière, himself a veteran, the Brossard Legion provides support to the veterans in my riding. I had the privilege of meeting Walter Amos, who served for six years; Roger Robidoux, a Vietnam war veteran; and Raymond Lecours, a veteran of the Second World War. Unfortunately, last week, we lost Jacques St-James, a Korean war veteran. We will remember the sacrifices of the families in mourning.

[*English*]

We will speak up for those who do return, so often scarred by war's traumas. They deserve home care benefits that were promised and to have their pensions paid without unfair clawbacks. Let us salute the fallen by standing up for the living.

Lest we forget.

* * *

VETERANS

Mr. Brad Trost (Saskatoon—Humboldt, CPC): Mr. Speaker, last week our country honoured its veterans through a week of remembrance. Today I would like to put a face to that remembrance, the face of my constituent Nick Sokolan.

Nick was born in 1922 near Wynyard, Saskatchewan. Like many Saskatchewan farm boys, during World War II he volunteered to serve his country. As a member of the Regina Rifles, he landed on Juno Beach and fought in the Battle of Normandy. Nick served with the Rifles, fighting through Belgium and the Netherlands into Germany.

Nick served to the end of the war, only taking a few weeks off to recover from the bullet that struck him in the arm. Returning, he settled in Humboldt to marry his wife Nettie, to raise four boys and

to work for CP Rail. To this day, he continues to teach young people the meaning of war and the price of peace.

Nick did what many young Canadians of his generation did. They gave above and beyond. They gave for home and country.

On behalf of the House of Commons, we thank Mr. Sokolan and his comrades for all they did on behalf of all Canadians, past, present and future.

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STEEL INDUSTRY

Hon. Geoff Regan (Halifax West, Lib.): Mr. Speaker, representatives of the Canadian Steel Producers Association from across Canada are here today to highlight the importance of their industry.

Steel is integral to Canada's manufacturing sector and our economic future. The industry employs 25,000 Canadians, with 100,000 spinoff jobs. It is essential to our industrial clusters like shipbuilding, the automobile industry, energy and construction.

Today's steel is more efficient, innovative, strong and environmentally sustainable than ever before. Since 2005, Canadian steel companies have invested over \$2 billion in new technologies and manufacturing processes.

I would encourage all members to support a strong future for the steel manufacturing sector in Canada.

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SASKATCHEWAN PARTY

Mr. Randy Hoback (Prince Albert, CPC): Mr. Speaker, I rise today to congratulate Premier Brad Wall and the Saskatchewan Party on a historic re-election. Wall and his party received 64% of the popular vote, winning 49 of the 58 seats.

The big-spending, high taxing NDP experienced its worst performance ever, relegated to just nine seats. Even the NDP leader was sent packing. He may choose to leave the province, but as we speak, more and more of Saskatchewan's kids are returning home to Saskatchewan.

Saskatchewan has experienced a fundamental shift. It has rejected an era of confrontation and defeatism in favour of one of co-operation and prosperity. It has become a proud "have" province, contributing to Canada. The media-contrived orange crush was handed a crushing defeat, and Saskatchewan and Canada are better for it.

I would like to congratulate my local MLAs Darryl, Kevin, Delbert, Scott, Fred, Nadine and Victoria on their electoral success.

Statements by Members

●(1405)

JENNA MORRISON

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, this morning, I joined hundreds of cyclists and other community members at the corner of Sterling and Dundas Streets in the west end of Toronto. It was there, on November 7, that Jenna Morrison, who was cycling to pick up her five-year-old son, died under the back wheels of a truck.

We came together this morning to express our condolences to Jenna's family and to grieve. The shock of Jenna's loss is very difficult to accept. A ghost bike was installed on that corner today, another one of the all too many reminders of cyclists killed on our city streets.

Making our streets safe requires governments at all levels to act. This afternoon I will join my colleague from Trinity—Spadina to second her bill that would require side guards on trucks to prevent deaths like Jenna Morrison's death.

I urge my colleagues here in Ottawa to do their part by quickly adopting this bill. Lives depend on it.

* * *

FATHER MIKE MCCAFFERY

Mr. James Rajotte (Edmonton—Leduc, CPC): Mr. Speaker, I rise today to pay tribute to Father Mike McCaffery who recently celebrated 50 years of priesthood. Father Mike entered the seminary after attending a meeting with Father Bill Irwin, who was himself then recently ordained and became the founder of Catholic Social Services.

His life's work is vast and varied and includes serving in a number of parishes, as well as a year with the Canadian Conference of Catholic Bishops in Ottawa and another year for the British Columbia Alcohol and Drug Commission.

Father Mike's academic life includes a master's degree in sociology from New York, studying pastoral theology and counselling at Notre Dame University and being president of Newman Theological College for six years.

He was the rector of St. Joseph's Basilica and, during his time there, presided over the wedding of Wayne and Janet Gretzky, an event that he says made him famous for five seconds.

Father Mike is known and loved around Edmonton for his sense of humour, his love of golf, his strong attachment to family and friends, his fondness for all things Irish and his efforts to be respectful toward others and inclusive of all.

We thank Father Mike for his 50 years of service to God and to our community. God bless him.

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REMEMBRANCE DAY

Mr. Parm Gill (Brampton—Springdale, CPC): Mr. Speaker, I am honoured to share with the House my incredible experience during Remembrance Day. At times, I think we are all prone to taking our country for granted; however, this was not the case on Friday.

I had the honour of attending the Remembrance Day parade organized by the City of Brampton and branches 609 and 15 of the Royal Canadian Legion. Thousands of citizens lined the streets to pay tribute to our brave men and women in uniform.

In Brampton, there was a renewed sense of pride fuelled by a growing understanding and appreciation for the sacrifices made by our veterans.

We are very fortunate to live in one of the most prosperous, safest and most accommodating countries in the world. Being part of this Remembrance Day ceremony was another reminder that Canadians will never forget those who gave their lives and those who continue to give their lives for our freedom.

* * *

[*Translation*]**DEMOCRACY**

Mr. Jean Rousseau (Compton—Stanstead, NDP): Mr. Speaker, I crisscrossed my riding over the past two weeks to attend the Remembrance Day ceremonies being held across my riding.

In Stanstead, Sawyerville, Weedon, Coaticook and North Hatley, to name just a few locations, I met men and women from the Royal Canadian Legion who, for decades, have carried on the memory of all fallen soldiers. Let us never forget that our troops came home with powerful memories and left behind the brothers and sisters who gave their lives to defend our rights and freedoms.

However, the democracy so dearly defended by our country in conflicts since the First World War no longer seems to concern the men and women of today. In fact, although 61% of Canadians did not vote for the current government, and despite its regressive social and economic policies, people seem to be quite stoic and passive about it all. The government refuses to debate the important issues that will have a profound effect on the future of our country.

Nevertheless, I will hold high the torch of freedom and democracy in tribute to all those—

The Speaker: Order. The hon. member for Renfrew—Nipissing—Pembroke.

* * *

[*English*]**CFB PETAWAWA**

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC): Mr. Speaker, in the most recent national Communities in Bloom competition between Canadian military bases, this year the best base in Canada goes to CFB Petawawa.

This reconfirms what we in the upper Ottawa Valley already know. The Canadian Forces Base Petawawa is tops as a beautiful place to call home, as well as a great place to serve our country in Canada's armed forces.

Canadians know CFB Petawawa as one of the busiest operational army bases in Canada, more than pulling its weight during the recent mission in Afghanistan. Soldiers know that when it comes to keeping the home fires burning, our local community is there.

Statements by Members

We mourn the loss of those who did not return from the great wars of the last century. We remember a different generation in conflicts like Korea, Cyprus, Bosnia, Kosovo and Afghanistan.

In Petawawa, every day is red Friday. We welcome our troops home to the prettiest base in Canada.

* * *

●(1410)

[*Translation*]

CANADARM

Ms. Hélène LeBlanc (LaSalle—Émard, NDP): Mr. Speaker, today I invite my colleagues to celebrate with me the 30th anniversary of the Canadarm, which is an enduring example of Canadian innovation and know-how in space. The strength and versatility of the Canadarm illustrate the infinite potential for innovation in Canada. Overseen by the National Research Council of Canada, hundreds of our best minds spent an entire decade working on this monumental task. Together, they created this robotic technology capable of withstanding the most extreme weather and even moving a bus full of passengers. Since its debut, the Canadarm has logged more than 100 missions with space shuttles.

The NDP is 100% behind our Canadian scientists and engineers, who have shown that Canada's reach extends not only throughout the world but also into space and that the only limits on our innovation are the ones we create.

* * *

NATIONAL ADDICTIONS AWARENESS WEEK

Mr. Jacques Gourde (Lotbinière—Chutes-de-la-Chaudière, CPC): Mr. Speaker, I am pleased to draw attention to National Addictions Awareness Week, which is currently being observed throughout Canada. An increasing number of Canadians are suffering from addictions, which have devastating consequences for the individuals and their friends and families.

I would like to talk about the Portage organization, which has 10 centres across Canada. Since its establishment in 1970, Portage has helped tens of thousands of people to take back control of their lives through different programs. Recently Portage acknowledged the success of almost 350 people in Quebec who completed its program or maintained a positive, drug-free lifestyle for one year.

I want to congratulate them. Their determination is proof that, with the necessary help, it is possible to overcome the demons of drug addiction. Kudos also to the entire Portage team for its contribution to Canadian society.

* * *

CANADARM

Mr. Marc Garneau (Westmount—Ville-Marie, Lib.): Mr. Speaker, the International Space Station would not exist today without a significant contribution made by Canada. Of course, I am referring to the robotics used to assemble the station. Canada is famous for its expertise in space robotics, in particular the Canadarm, which is turning 30 this week.

[*English*]

I had the privilege and the pleasure of operating the Canadarm on two shuttle missions, once to capture a satellite and once to add a very large piece to the space station. I cannot tell members the pride I felt, but I know that all Canadians felt the same pride watching this exquisitely precise performance of this incredible technology.

Everyone was nervous when it first flew 30 years ago. Designed and tested in gravity, would it work in weightlessness? They need not have worried. It behaved flawlessly from the very beginning of its long and distinguished life.

Let us all honour those very clever Canadians who designed and built the Canadarm.

* * *

CANADIAN WHEAT BOARD

Mr. James Bezan (Selkirk—Interlake, CPC): Mr. Speaker, the Canadian Wheat Board chairman, Allen Oberg, and his seven directors continue to push their irresponsible scorched earth policy.

Early reports suggest that their most recent ad campaign is already costing western Canadian grain farmers a whopping \$1.4 million. This is in addition to the \$100,000 they are spending on a reckless and baseless lawsuit in an attempt to keep their draconian monopoly.

Mr. Oberg is doing a great disservice to the farmers and staff he claims to represent by refusing to work with us to give the Canadian Wheat Board the best chance to succeed in an open market.

Not only does Parliament have the right to change legislation, our government has a responsibility to deliver on the promises we made to Canadians. By playing fast and loose with farmers' hard-earned dollars, Mr. Oberg is highlighting the need for Bill C-18 to be passed by this House as soon as possible.

While Mr. Oberg and other directors choose to punish farmers based upon their province of residence, our government will ensure western Canadian grain farmers receive the marketing freedom they want and justly deserve.

* * *

●(1415)

[*Translation*]

CANADA ELECTIONS ACT

Mr. Pierre-Luc Dusseault (Sherbrooke, NDP): Mr. Speaker, the Conservative Party is guilty of breaking the law. It is guilty of election fraud to the tune of \$1.3 million, but under the agreement that was negotiated, two Conservative senators and two high-ranking Conservatives will avoid trial and potential prison time. Since the charges were laid against high-ranking Conservatives, the provinces will not have to foot the bill for costly trials and prison stays. Yes, the Conservative Party is guilty.

[*English*]

It is reminiscent of when the Minister of Public Safety pleaded guilty to breaking election laws but managed to avoid trial and potential prison time.

Oral Questions

For any other Canadian, the rules are clear: if one does the crime, one does the time. However, if the person is a Conservative insider and he or she does the crime, the Conservatives will pay the fine. It is shameful and just more proof that, under the Conservatives, friends and insiders get all the breaks while Canadian families get left behind.

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NEW DEMOCRATIC PARTY OF CANADA

Mr. Jay Aspin (Nipissing—Timiskaming, CPC): Mr. Speaker, the NDP is disunited on fairness of the shipbuilding process, merit-based selection of Supreme Court judges and marketing freedom for western Canadian farmers. A leadership candidate proposes mergers with the Liberals. Another leadership candidate disagrees with the NDP's constitutional position and the placeholder leader changed the NDP's long-standing position on democratic representation.

When two Thunder Bay NDP MPs voted to end the ineffective and wasteful long gun registry, their placeholder leader took harsh disciplinary measures to silence them.

The Ontario Federation of Anglers and Hunters called these disgraceful actions "an affront to the parliamentary system".

The NDP punishes MPs who speak for their constituents while it rewards MPs who break their word.

This is yet another worrying example that the ineffective, disunited NDP is not fit to govern.

ORAL QUESTIONS

[English]

INTERNATIONAL TRADE

Mrs. Nycole Turmel (Leader of the Opposition, NDP): Mr. Speaker, until now Canada has been excluded from the trans-Pacific partnership trade talks largely because of our insistence on protecting our dairy and poultry industries.

The Prime Minister has a poor record as a negotiator, but now he says that the United States wants us in the talks.

I would like to know, what has changed? What will Canada give up in order to be allowed into the trans-Pacific partnership trade talks?

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, we have formally expressed an interest in our willingness to work with the trans-Pacific partnership.

Having said that, all countries approach these negotiations with a view to protecting their interests, as Canada certainly will. Therefore, Canada's approach to the TPP will not be different with respect to the European Union free trade negotiations. Of course, this includes our interest in defending and promoting our specific interests in the economy, including supply management.

[Translation]

Mrs. Nycole Turmel (Leader of the Opposition, NDP): Mr. Speaker, any trade agreement must first and foremost help to develop our communities, particularly communities that depend on agricul-

ture. In June, the government was very clear: it was going to defend the supply management program.

The question now is: will the Conservatives take the same approach that they used with the Canadian Wheat Board and try to do away with the supply management program for poultry, eggs and dairy products?

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, once again, we have been clear: Canada's approach will not be different in these negotiations from its approach in the European Union negotiations. I repeat: we have officially expressed our willingness to work with the trans-Pacific partnership, but all countries approach these negotiations with a view to protecting their interests.

Mrs. Nycole Turmel (Leader of the Opposition, NDP): Mr. Speaker, in this time of economic crisis, improving trade with the APEC countries must be a priority, but the Conservatives must not repeat the mistakes of the past. Canada must insist that strict environmental standards, respect for human rights—which is a priority—and respect for workers' rights be central to any new trade agreement.

Given the Conservatives' track record in this regard, what assurance can the government give that the trans-Pacific partnership will make these rights a top priority?

• (1420)

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, it is clear. Each time, our country has protected the interests of Canadians. Our Conservative government is concentrating on job creation for Canadians and on economic growth. That is our government's priority.

* * *

THE ECONOMY

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, 72,000 Canadians lost a full-time job last month. The Minister of Finance reacted by increasing employment insurance premiums.

Families are unable to pay their bills now. It is not reasonable or smart to eat into the paycheques of workers in the middle of an economic crisis while lowering the taxes of large corporations.

Why is this government insisting on dipping into the pockets of Canadians rather than helping them to find work? Canadians want jobs, and the government should be working to find jobs for Canadians.

[English]

Hon. Ted Menzies (Minister of State (Finance), CPC): Mr. Speaker, I guess that outlines the difference between this government and the NDP. We recognized a long time ago that Canadians want jobs. That is why we put in place an economic action plan that actually placed jobs in front of Canadians. We put stimulus money into the economy that helped provide jobs and infrastructure.

Oral Questions

However, every time we bring something forward that helps the unemployed—for example, extending EI—the NDP votes against it. There was an EI hiring credit in the last budget; the NDP voted against that as well.

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, it looks like the Conservatives have not even seen the most recent job figures: 72,000 full-time jobs evaporated last month because of Conservative inaction. Also, they have blown their own deficit forecast yet again. The government has no plans to create jobs. It sounds an awful lot like a repeat of 2008 to me. That means Canadian families are going to pay the price.

The question is very simple. When will the out-of-touch government get to work, so that Canadians can get back to work? We lost 72,000 jobs last month. Get to work.

Hon. Ted Menzies (Minister of State (Finance), CPC): Mr. Speaker, I wish that hon. member would have shown the same passion and voted with the last three budgets that actually put in place something that helped Canadians.

It is a little late to the game to say that we should do something about increasing Canadian jobs. Our economic action plan did just that.

There are 600,000 more Canadians working today than there were at the end of the recession, and 81% of those are full-time jobs. That matters to those people.

* * *

EMPLOYMENT INSURANCE

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, my question is for the Minister of National Defence.

A question has arisen with respect to the employment insurance decision by the government to raise employment insurance premiums by some \$600 million next year in defiance of the reality that, in fact, the economy has been losing jobs recently and that the economy is definitely slowing down.

When we asked the Minister of Finance this question over many, many months, he kept saying that he had no authority or power over these increases.

Why did the government not go all the way and stop the increases as of January 1, 2012?

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, as the member knows, we have taken a number of steps to address the issues regarding the economy, particularly those with respect to employment insurance.

Our government's top priority remains getting Canadians back to work. That is exactly what we are doing. We are working to promote economic growth.

I do not know whether the hon. member heard or not, but we have actually made announcements very much specifically dedicated to that effort. We are committed to providing timely service to all Canadians who do need that service.

That is what our minister has been doing. That is what our government's policy puts forward for the country.

[*Translation*]

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, the fact remains that the Conservative government decided to increase taxes on workers and employers just as the economy is slowing down. It does not make any sense. No economist or theorist in the country would agree with such an approach.

The government has shown that it can cut tax increases by 50%. Why does the government not go all out and say that there will be no tax increases this year?

● (1425)

[*English*]

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, the member has a point. Clearly, Canada is not immune to the global fluctuations that are occurring, especially with what we see happening in Europe. Of course, the European markets and what has happened in the United States definitely impact us.

I will say what the government will not do. It will not do what the member's party did when it had a surplus in the EI fund, which was to expropriate and actually steal that money to use it for another purpose.

I assure the House our government will not follow that example.

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ROYAL CANADIAN MOUNTED POLICE

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, on another subject to the same minister—

Some hon. members: Oh, oh!

The Speaker: Order. The hon. member for Toronto Centre has the floor.

Hon. Bob Rae: Mr. Speaker, there is no point in trying to respond to that. This is on another question.

There was a third allegation today with respect to an RCMP officer in Alberta regarding a question of harassment. We have two serious allegations of harassment by two women in British Columbia.

It is clear from the allegations that have been made that this is now a systemic issue. It is not just one officer complaining; it is clearly a number of officers complaining, and others feeling that they are not able to come forward because of a systemic problem.

I ask the minister, what does the government intend to do to deal with an issue that is no longer one by one, but is clearly now a systemic issue in our national police force?

Hon. Peter MacKay (Minister of National Defence, CPC): Mr. Speaker, like the interim leader of the Liberal Party, we in the government are very concerned about these reports. In fact, we expect that the new RCMP commissioner will be seized with this issue immediately.

I am assured by the Minister of Public Safety that this will be on the agenda the very first time he meets with that new commissioner, when that position is filled.

Oral Questions

The government's policy, including the RCMP of course, is one of zero tolerance with respect to harassment in the workplace. That is expected of every department, particularly the RCMP.

* * *

[Translation]

THE ENVIRONMENT

Ms. Megan Leslie (Halifax, NDP): Mr. Speaker, the United States has chosen the right approach by wanting to ensure that the Keystone XL project respects the environment. However, the Conservatives refuse to adopt an action plan to respect the environment. Rather than sitting down with the Americans to see how to do things better, the government insists on going forward.

Will this government recognize that its inaction is harmful to our environment and to our jobs?

[English]

Hon. Joe Oliver (Minister of Natural Resources, CPC): Mr. Speaker, it is an important objective of our government to diversify the market for our resources, which is why I visited China and Japan last week, where there was an excellent reception.

The NDP has obviously not talked to Joseph Mancinelli of the Labourers' International Union of North America. Joe supports the XL pipeline because it would create jobs for his members.

When will the NDP stop supporting jet-setting Hollywood actors and European—

The Speaker: The hon. member for Halifax.

Ms. Megan Leslie (Halifax, NDP): Wow, Mr. Speaker.

Make no mistake, the Keystone decision is the result of six years of Conservative inaction. The Americans are outspending us 18 to 1 on renewable investments and 8 to 1 on clean energy. Instead of lobbying the U.S., why do we not look to it for an example? We should be creating jobs by diversifying our energy economy.

The government is refusing to show leadership on climate change and the economy. When will it wake up and work with the Americans to help us build a green energy economy?

Hon. Joe Oliver (Minister of Natural Resources, CPC): Mr. Speaker, NDP members have never met a job-creating private sector policy or project that they do not want to kill, a tax they do not want to raise, a regulation they do not want to impose, a freedom they do not want to curtail, an issue they do not try to use to divide Canadians, and a fictitious problem they do not want the government to solve at great cost.

That is why the NDP is not fit to govern.

* * *

• (1430)

NATURAL RESOURCES

Mr. Claude Gravelle (Nickel Belt, NDP): Mr. Speaker, those answers clearly indicate how out of touch the Conservative government is.

Our biggest trading partners are concerned about exports of oil sands bitumen because Conservatives failed to listen to sensible

health and climate concerns. The Prime Minister called this a no-brainer. The Americans and the Europeans call it a non-starter.

Will the government listen to the legitimate concerns of our trading partners instead of just threatening the Americans with taking our oil to China?

Hon. Joe Oliver (Minister of Natural Resources, CPC): Mr. Speaker, we were disappointed with the delay in the Keystone pipeline, which obviously results from U.S. domestic political considerations. We have consistently said the pipeline would create thousands of jobs in Canada and billions of dollars in economic activity.

While we remain hopeful the project will eventually be decided on its merits, we will continue to ensure that markets are open outside North America.

On my trip to Asia, the reception was—

The Speaker: The hon. member for Nickel Belt.

Mr. Claude Gravelle (Nickel Belt, NDP): It must have been a really good reception, Mr. Speaker.

[Translation]

It is clear that Europe and the United States do not want our oil, but the government says that is no problem and that it will sell our oil elsewhere, and why not to China? This government has no vision for our economy and is putting all its eggs in one basket.

Instead of selling raw bitumen to China, why does this government not find ways to refine Canadian oil here in Canada?

Hon. Joe Oliver (Minister of Natural Resources, CPC): Mr. Speaker, the member does not understand that Canada does not have the oil refining capacity and that it costs billions of dollars. When I visited China and Japan, the reception was very good. Canada has an excellent reputation. That is why they want to continue to invest in Canada. They are very interested in our natural resources.

* * *

[English]

PARLIAMENTARY SECRETARY TO THE PRIME MINISTER

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, in the past month the Parliamentary Secretary to the Prime Minister has been called out by the Canadian judiciary, the Ethics Commissioner and the bar association, but now the senior law clerk of the House of Commons is warning that his behaviour at committee is an interference with the independence of the courts that is both unconstitutional and “unlawful”. Either the government respects the constitutional limits of Parliament or it does not.

I have a simple question. Will the government rein in this rogue member, yes or no?

Oral Questions

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, our government and the member for Peterborough were elected to look out for taxpayers. That is what he has been doing. He deserves the applause of the House on all sides for standing up for taxpayers. That is what he has done.

The CBC receives a lot of money from taxpayers. Our government believes that the CBC, the Wheat Board and other organizations have to be accountable for the money they receive from taxpayers. That is what the member for Peterborough has been fighting for. That is what we will continue to pursue with all government departments and agencies, including the CBC.

[Translation]

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, we are talking about interfering in the independence of the courts. The parliamentary law clerk clearly said that the member for Peterborough violated Parliament's constitutional boundaries. He is turning the committee into a circus, and his request for documents is unlawful.

Is the attack on the CBC also an attack on the independence of Canadian courts?

• (1435)

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, we are talking here about accountability and the responsibility of the CBC to be in tune with its needs and to be open to the public about the money it receives from taxpayers.

That is what the Parliamentary Secretary is doing and that is what our government promised to Canadians during the last election campaign. We are asking for the CBC's receipts because it must be accountable. It was the same with our Bill C-2, under the former government. The CBC must show taxpayers that it will act responsibly with the money it receives from them.

* * *

[English]

ELECTORAL FINANCING

Mr. Jack Harris (St. John's East, NDP): Mr. Speaker, last week the Conservative Party of Canada pleaded guilty to exceeding campaign spending limits, failing to report election expenses, and violating the Canada Elections Act. Despite being found guilty, the Conservatives are calling it a victory. Plea bargaining and paying the maximum possible fines so that Conservative Party operatives do not get thrown into prison is not vindication. It is contemptible.

When will the government stand up for election spending rules and get tough on the rule breakers in the Conservative Party?

Mr. Pierre Poilievre (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the Federal Economic Development Agency for Southern Ontario, CPC): Mr. Speaker, I have a document from Elections Canada which says:

The Contracting Party acknowledged acts that contravene section 405.21 and constitute an offence under paragraph 497...of the Canada Elections Act.

The contracting party in this Elections Canada document is the New Democratic Party of Canada.

[Translation]

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Mr. Speaker, anyone can see the difference between trying to respect a man's final wishes and trying to steal an election, as the Conservative Party did in 2006.

On August 30, the Privy Council summoned 200 civil servants to a meeting, supposedly to talk about budget cuts. But when they arrived, surprise, they found out it was a party organized to say goodbye to Dimitri Soudas, the Prime Minister's former director of communications .

Is this government capable of making the distinction between the public service and partisan politics?

Mr. Pierre Poilievre (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the Federal Economic Development Agency for Southern Ontario, CPC): Mr. Speaker, the hon. member had the opportunity to apologize on behalf of his party for not complying with the Canada Elections Act. In the document I have here, the New Democratic Party admitted to breaking the law. There is good news for the Conservative Party: all of the Conservatives who were accused were cleared following the agreement that was reached last week.

Mr. Alexandre Boulerice (Rosemont—La Petite-Patrie, NDP): Mr. Speaker, not only do the Conservatives do as they please with the public service, as we have seen in the past, but now they are also using Parliament Hill as a private meeting room to honour party insiders or to organize an event for the Conservative Albany Club. Who will be the next guest of honour? The person responsible for cutting \$4 billion in public services, the President of the Treasury Board. It makes no sense, it oversteps all boundaries, when members use Parliament to raise money for party insiders.

Why do the Conservatives continue to believe that they do not have to follow the same rules as all other Canadians?

[English]

Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, I am glad the hon. member raised the issue of the Albany Club because I would like to make a bit of an advertisement for the NDP. Apparently there is a fundraising party for one of the NDP's leadership candidates, Mr. Topp, at the Albany Club. I guess it is okay for New Democrats to use the Albany Club, but not for us.

Having said that, I would be happy to refer this matter to the Ethics Commissioner.

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INTERNATIONAL TRADE

Mr. Frank Valeriote (Guelph, Lib.): Mr. Speaker, the Prime Minister is running out of ways to hide his feigned allegiance to supply management while he paints himself into a corner.

Oral Questions

Despite recent assurances, this weekend the Prime Minister announced his desire for membership in the trans-Pacific partnership, an organization that has been clear in its opposition to our valuable supply management system.

In light of this announcement, I have a simple question for the government. Has it put the elimination of supply management on the table in exchange for membership in the trans-Pacific partnership, yes or no?

• (1440)

Mr. Gerald Keddy (Parliamentary Secretary to the Minister of International Trade, for the Atlantic Canada Opportunities Agency and for the Atlantic Gateway, CPC): First, Mr. Speaker, I totally reject the premise of that question, but I will confirm that we have expressed formally our willingness to join the trans-Pacific partnership.

All countries approach negotiations with a view to protecting their interests. Canada's approach to the trans-Pacific partnership will not be different in this regard. It will be no different from our negotiations with the European Union.

However, I would make it clear that we will continue to defend supply management as we always have.

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, the government's answer to that last question is shallow indeed. Almost weekly, the U.S. surprises the minister with new fees or restrictions on Canadian business. Now, as a precondition to our joining TPP discussions, the U.S. is targeting supply management.

On Saturday, the minister said the government did not see any reason to join the talks, and 24 hours later the Prime Minister was compromising supply management just to get to the table.

Will the minister explain how an individual defends something the government is prepared to give away just to get in the room?

Mr. Gerald Keddy (Parliamentary Secretary to the Minister of International Trade, for the Atlantic Canada Opportunities Agency and for the Atlantic Gateway, CPC): Mr. Speaker, the hyperbole opposite is absolutely incredible and amazing.

It is obvious to me that neither the member nor his party has read the throne speech, because in the throne speech we defended our position on supply management.

Once again, our position on supply management has not prevented us from signing trade agreements with a number of countries around the globe. Our position on supply management has been clear. We defend it, and it is good for Canadian farmers.

* * *

ELECTORAL FINANCING

Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.): Mr. Speaker, just to revisit the issue, last week the Conservatives finally pleaded guilty to breaking the Canada Elections Act with their in and out scam. They have been hit with the highest fines possible, breaking two counts of the law, yet what we get is a stupid response from the parliamentary secretary speaking of—

Some hon. members: Oh, oh!

The Speaker: Order. I think the member was referring to the quality of the response. It certainly is provoking a little disorder, so I would ask him to phrase his question carefully. The hon. member for Bonavista—Gander—Grand Falls—Windsor.

Mr. Scott Simms: My apologies, Mr. Speaker. Provocation is not really my thing, but nonetheless I will continue.

This is an absolutely ridiculous remark. Are members ready for this? He called it, after pleading guilty, a big victory. When he gets thrown in jail, will he call that a small victory, perhaps?

The question remains, how many millions in tax dollars has the government had to shell out to fight the Conservative Party's stonewalling and its clearly baseless lawsuit against Elections Canada?

Mr. Pierre Poilievre (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the Federal Economic Development Agency for Southern Ontario, CPC): Mr. Speaker, there are schoolchildren here watching us today. They have been told by some of their teachers that there is no such thing as a stupid question. We do not want them to leave here feeling disabused of that point of view.

The Conservative Party did experience a big victory last week when every single Conservative accused of wrongdoing was cleared.

* * *

[Translation]

ROYAL CANADIAN MOUNTED POLICE

Ms. Marjolaine Boutin-Sweet (Hochelaga, NDP): Mr. Speaker, we are hearing more and more stories like that of Catherine Galliford, an RCMP corporal in British Columbia who was sexually harassed in the workplace for 20 years. How is this zero tolerance?

Corporal Galliford has been off work for the past four years as a result of the harassment she endured.

Will the government commit to dedicating all the resources necessary to supporting Corporal Galliford and other victims of sexual harassment in the workplace?

• (1445)

[English]

Hon. Vic Toews (Minister of Public Safety, CPC): Mr. Speaker, I am very concerned about these very troubling reports. We expect all members of the RCMP to carry out their duties with integrity and professionalism. Our government is committed to providing all women in the RCMP a workplace free of sexual harassment. I will be raising this issue with the new commissioner very shortly.

Mr. Jasbir Sandhu (Surrey North, NDP): Mr. Speaker, that answer shows that they have been asleep at the wheel. Every day more female officers are coming forward with stories of systemic sexual harassment at the RCMP. It has become so bad that a former RCMP spokesperson says she would not recommend any women opt for a career in the RCMP. If women complain, they get blacklisted. Their only way out is to take sick leave. The harassment complaint procedure is not working in the RCMP.

Oral Questions

When will the government act to ensure that Canadian women can safely enter a career in the RCMP?

Hon. Vic Toews (Minister of Public Safety, CPC): Mr. Speaker, I am extremely concerned about these troubling reports. We expect that all members of the RCMP carry out their duties with integrity and professionalism. Our government is committed to providing all women, and indeed all men, in the RCMP a workplace free of harassment, sexual or otherwise. I will be raising this with the new commissioner very shortly.

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PUBLIC SAFETY

Mr. Jasbir Sandhu (Surrey North, NDP): Mr. Speaker, last week, we learned just how badly the government is failing families living along our coastlines. Despite years of warnings, the government has not done a single review of whether the RCMP has what it needs to keep our ports safe. There is no national strategy. No one knows if the RCMP fleet is even strong enough.

Does the government's so-called tough on crime agenda include ignoring port safety? Why is it failing to protect families along the coastlines?

Hon. Vic Toews (Minister of Public Safety, CPC): Mr. Speaker, it is good to see that the New Democratic Party has actually developed an interest in the RCMP. The member's party has consistently voted against giving the RCMP, and all police officers, the tools they need to do their job. I hope that this is a sign that the NDP will finally start standing up for law enforcement officials, the RCMP, municipal or otherwise.

[Translation]

Mr. Sylvain Chicoine (Châteauguay—Saint-Constant, NDP): Mr. Speaker, the Royal Canadian Mounted Police is not even aware of the condition of its fleet, yet the government would have us believe that the RCMP is capable of protecting our ports. This government boasts about being tough on criminals, yet it cannot give the RCMP the resources needed to maintain its vessels.

When will this government decide to take action to ensure that the RCMP has the tools it needs to carry out its mandate, which is to keep Canadian families safe?

[English]

Hon. Vic Toews (Minister of Public Safety, CPC): Mr. Speaker, this appears to be a trend. There are now two members of the NDP who are interested in the RCMP. The member's party has consistently voted against giving the RCMP and all other police officers the tools they need to do their job.

I would call on the NDP to continue with this expression of concern so that we can work together and actually help police officers instead of helping criminals the way the NDP usually does.

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INDUSTRY

Mr. David Sweet (Ancaster—Dundas—Flamborough—Westdale, CPC): Mr. Speaker, as the House knows, Canada's small businesses are the backbone of our economy and a source of good, well-paying jobs for people all across the country. That is why I was so pleased today to see the Minister of Industry announce an \$80

million investment over the next three years to help these businesses adopt new forms of information and communications technologies, thereby helping them grow and become stronger.

Would the minister tell us what good things he sees coming out of today's announcement?

Hon. Christian Paradis (Minister of Industry and Minister of State (Agriculture), CPC): Mr. Speaker, our government's number one priority is the economy. I was proud to announce this morning more than \$80 million toward the strengthening of our small and medium-sized business sectors. This funding will help more than 600 Canadian businesses to adopt new information technologies and new ways of doing business in our digital economy.

[Translation]

This \$80-million investment will help our small and medium-sized businesses, 600 of which can use this investment to adapt to new technology, become more profitable, hire workers and take advantage of the digital economy.

● (1450)

[English]

With steps like this, Canada will lead the way.

* * *

[Translation]

HIGHWAY SAFETY

Mr. Jamie Nicholls (Vaudreuil—Soulanges, NDP): Mr. Speaker, Montrealers are worried about the Mount Royal Tunnel. There are no emergency exits, and two reports indicate that the tunnel does not meet fire safety standards and that it is impossible to make old tunnels compliant with current standards. Yet the commuter train travels through this tunnel every day.

Does the government consider the Mount Royal Tunnel to be safe?

[English]

Hon. Steven Fletcher (Minister of State (Transport), CPC): Mr. Speaker, the government has confidence that the tunnel is safe. We look forward to working with our partners to ensure that the safety of federally-owned assets is secure.

If the member is serious about safety, I wonder why his party voted against all the investments we have made in infrastructure for transportation around Montreal. The NDP has voted against every budget. If it were serious, it would support this government.

Mr. Jamie Nicholls (Vaudreuil—Soulanges, NDP): Mr. Speaker, the government should stop backing away from its responsibilities. The fact is that the licence to use the tunnel is given by Transport Canada. Do Montrealers not deserve to know if this tunnel is safe? In New York, hundreds of millions of dollars have been invested to make tunnels safer. Is the government waiting for a fire or disaster before taking action?

Will the government take up its responsibility to protect public safety and act on this issue?

Oral Questions

Hon. Steven Fletcher (Minister of State (Transport), CPC): Mr. Speaker, the suggestion made by the NDP member that the government does not take safety seriously is very disappointing. If the member were serious about improving safety, he would work with the government and help us make the investments necessary, as we have done in the budgets of 2009, 2010 and 2011. It is very unfortunate and disingenuous of the NDP to stand and raise this issue when it has voted against the government every time we try to make the situation better.

* * *

AVIATION SAFETY

Mr. Dennis Bevington (Western Arctic, NDP): Mr. Speaker, the Conservatives' reckless hands-off approach to aviation safety is putting Canadians at risk. Crashes in the north have cast a light on the problems with safety inspections. In my region, prairies and north, we are supposed to have 106 operational inspectors, but we only have 74. In other regions, over one-third of the inspectors are missing, yet we allow airlines to regulate themselves with no hands-on federal oversight.

Will the Conservatives take the safety of Canadian families seriously and hire the safety inspectors we need for Canada's aviation industry?

Hon. Steven Fletcher (Minister of State (Transport), CPC): Mr. Speaker, this government takes the safety of Canadians when flying very seriously. The CBC report, to which the member referred, has its facts wrong. We do not allow airlines to regulate their own compliance with safety regulations. We have a safety management system that is the world standard now. Canada was the leader and we will continue to be the leader, in aviation safety.

Again, if the NDP were serious, it would support this government and not scare Canadians about flying. Flying is the safest way of travel, and it is partly because this government makes it so.

[Translation]

Ms. Isabelle Morin (Notre-Dame-de-Grâce—Lachine, NDP): Mr. Speaker, it is simply not enough. The safety management system was supposed to be implemented under the supervision of federal inspectors. However, former aviation inspectors are saying that Transport Canada has lost track of which companies have problems to rectify. Just in northern Canada and the Atlantic provinces, there is a shortfall of 51 inspectors.

When will the Conservatives stop putting Canadians at risk and start hiring the inspectors we need?

Mr. Pierre Poilievre (Parliamentary Secretary to the Minister of Transport, Infrastructure and Communities and for the Federal Economic Development Agency for Southern Ontario, CPC): Mr. Speaker, the safety of Canadians is an absolute priority for our government. The CBC report the previous hon. member was referring to is full of erroneous information. The Canadian air transportation system is one of the safest in the world. Transport Canada inspectors do at least 10,000 inspections across the country every year to ensure that the airlines are complying with the regulations.

• (1455)

VETERANS

Mr. Sean Casey (Charlottetown, Lib.): Mr. Speaker, the minister's political staff had access to a veteran's personal medical information. Ironically, the minister cannot discuss individual cases, precisely because of privacy protection concerns.

Can the minister explain why and under what circumstances political staff had access to the personal medical information of veterans?

Hon. Steven Blaney (Minister of Veterans Affairs, CPC): Mr. Speaker, I can assure the hon. member that protecting the privacy of our veterans is a priority for our government. We have made significant progress in implementing the recommendations made by the Privacy Commissioner. That is why we have implemented a 10-point action plan, including privacy awareness and training for employees, enhanced monitoring of access, strict disciplinary measures, etc.

We are taking measures to ensure that information about our veterans is under the highest security.

[English]

Mr. Sean Casey (Charlottetown, Lib.): Mr. Speaker, when a veteran makes a complaint, the response from the Conservatives is to check and access his personal medical information. It is an abuse of power whose clear goal is to threaten anyone who dares question or challenge them.

The minister suggested last week that he had taken steps to protect veterans' privacy. What are those steps and when will he table them?

Hon. Steven Blaney (Minister of Veterans Affairs, CPC): Mr. Speaker, I wish the member would listen to the answer.

Any breach of privacy is totally unacceptable. We have put in place an action plan to deal with that issue. The Commissioner of Privacy is pleased with the action plan. It deals with employer awareness and training; access, controls and monitoring; and strict disciplinary measures.

We are supporting our veterans. The member and his party have left our veterans in a decade of darkness.

* * *

[Translation]

FEDERAL JUDICIARY

Ms. Françoise Boivin (Gatineau, NDP): Mr. Speaker, only 8 of the 41 federal judges appointed by the Conservative government this year were women. In 2010, 13 out of 37 appointees were women. However, women have outnumbered men in law faculties for a number of years. In addition, the number of female lawyers in Canada has been rising continually. Canadians want the government and the Prime Minister to show leadership in the area of gender equality.

Oral Questions

Why have this government and this Prime Minister given so little importance to equality? Will a benchmark be established for future appointments?

[*English*]

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, no government has been more committed to the promotion of women than this government, and I am very proud to be a part of this government.

Perhaps the hon. member has not heard, but when it comes to full-time judges, thanks to our government, women now represent approximately 40% of Canada's judiciary. I was just at the installation of a woman to the Supreme Court of Canada, which makes 5 out of the 11 judges at the federal Court of Appeals women, as are 8 of the 12 judges on the Alberta Court of Appeal and 12 out of the 14 on the B.C. Court of Appeal.

The NDP members should not make politics out of the judiciary. Supporting the judiciary is what they should be doing.

Ms. Mylène Freeman (Argenteuil—Papineau—Mirabel, NDP): Mr. Speaker, what the government is not telling us is that those numbers are actually just getting worse and worse.

This year, under the Conservative government, less than 20% of judicial appointments were women. That is just not good enough. Talented female lawyers and all Canadian women deserve better.

Provinces and many other countries have moved to a transparent, arm's-length judicial appointment process. The government needs to improve appointment processes and set benchmarks for gender equity.

Why will the Conservative government not act now to ensure equity and equal opportunity for women?

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, I am very proud of this government's record. We continue to make appointments on the basis of merit and legal excellence. I would ask the hon. member to check her figures. The number of women has gone up under this administration at all different levels.

I would ask her to quit playing politics with the judiciary of this country. I say to opposition members to support the judiciary and the measures that have been undertaken by this government. It would be good for the NDP.

* * *

• (1500)

APEC SUMMIT

Mr. Ron Cannan (Kelowna—Lake Country, CPC): Mr. Speaker, our government's top priority remains jobs and the economy. Canada's continuing strong performance in the face of ongoing challenges in the global economy is the envy of the world. With one of the fastest economic growth rates in the G7, low business costs and taxes, the world's soundest banking system and a job-creating pro-trade plan, Canada offers many advantages.

Would the hard-working parliamentary secretary please update the House on the recent achievements at the APEC summit?

Mr. Gerald Keddy (Parliamentary Secretary to the Minister of International Trade, for the Atlantic Canada Opportunities Agency and for the Atlantic Gateway, CPC): Mr. Speaker, we continue to strengthen our economic co-operation in the Asia-Pacific region. At the APEC summit, we signed a telecommunications agreement with Mexico and formally expressed our willingness to join the trans-Pacific partnership, which represents a potential market of more than 775 million people.

At the same time, we will continue to defend and promote Canada's specific interests and every sector of our economy as part of our job-creating pro-trade plan.

* * *

CITIZENSHIP AND IMMIGRATION

Ms. Joyce Murray (Vancouver Quadra, Lib.): Mr. Speaker, immigrants admitted through the government's live-in caregivers stream say that they have been duped by the immigration minister.

Prior to the May election, the minister touted the program's success and the government's supposed plans to help it grow, but now he is clawing back their access to permanent residency and is making it ever harder for new live-in caregivers to come to Canada.

Will the minister stand up for these important immigrants, or was his promise to support the live-in caregiver program just another pre-election ploy to grab votes?

Hon. Jason Kenney (Minister of Citizenship, Immigration and Multiculturalism, CPC): Mr. Speaker, I wonder what Ruby Dhalla thinks about this issue.

This government has stood up for vulnerable caregivers in a way that the previous Liberal government was completely inactive. We have, for example, eliminated the requirement for a second medical examination so that when caregivers get sick during their temporary period in Canada, they are not penalized. The Liberals never did that. We have moved the cost of recruitment fees, travel and health insurance from the caregivers to the employers. We have created a blacklist so we will deny work permits for caregivers to abusive employers. We have acted to protect vulnerable caregivers in a way the Liberals never did.

* * *

MOTOR VEHICLE SAFETY

Ms. Olivia Chow (Trinity—Spadina, NDP): Mr. Speaker, every year, Canadian cyclists and pedestrians die needlessly when they are sucked under the back wheels of large trucks. Twenty-five years ago in Europe, truck side guards were made mandatory. As a result, cyclists' deaths in Britain were cut by 61%. Having side guards might have saved the life of Jenna Morrison.

What will it take for the minister to act to protect Canadians and make truck side guards mandatory?

Routine Proceedings

Hon. Steven Fletcher (Minister of State (Transport), CPC): Mr. Speaker, our thoughts and prayers go out to all those who have been involved in this type of tragic bicycle or pedestrian incident. The case last week that the NDP member raised is very tragic. We take all these types of safety matters seriously. We are looking to research to see what can be done in this area.

Having said that, if the provinces feel that side guards are necessary, they are capable of mandating them themselves. I look forward to working with the member and any other member who has an interest in this topic.

* * *

TOURISM

Mr. Gordon Brown (Leeds—Grenville, CPC): Mr. Speaker, last week, we received some great news. Canada's reputation among travellers was recognized as the best in the world by FutureBrand, an international design and branding firm.

Will the Minister of State for Small Business and Tourism please tell the House what this government is doing to help keep Canadian tourism at the top?

Hon. Maxime Bernier (Minister of State (Small Business and Tourism), CPC): Mr. Speaker, because of guys like the member for Leeds—Grenville, we have a new national federal strategy for tourism and it is working. I am very proud of that and very proud of our work with the industry.

[*Translation*]

With the national tourism strategy, we have ensured that Canada's tourism businesses create jobs and that our country is positively recognized internationally. I am very proud of what we have accomplished and I wish to thank all members for their work in this area.

* * *

● (1505)

[*English*]**JUSTICE**

Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP): Mr. Speaker, within the last month, courts on Vancouver Island had to dismiss two serious drunk driving cases due to court delays. B.C. provincial jails, like Wilkinson Road Jail in my riding, are already at more than 200% over capacity, with the result being five riots in the system in the last two years. Now the government's ineffective, high-cost omnibus crime bill would put even more strain on our justice system.

Can the Minister of Justice explain to Canadians why the government is so determined to put corrections officers at even greater risk, and can he explain why he is pressing ahead with Bill C-10 when he should know it will put courts in the position of having to dismiss hundreds of serious criminal cases due to lack of resources?

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, the reason his Manitoba colleagues are supportive of what we are doing is that the particular bill targets those who molest children, the people involved with

organized crime and drug traffickers. I suggest that the member go back, spend some time with his constituents and ask them how they feel about these important questions. I am sure that like all Canadians, they will be supportive of what we are doing in this area.

* * *

[*Translation*]**INTERNATIONAL TRADE**

Mr. Jean-François Fortin (Haute-Gaspésie—La Mitis—Matane—Matapédia, BQ): Mr. Speaker, yesterday the Prime Minister was quite happy to announce that Canada is now trying to officially join the Asia-Pacific free trade talks. What he did not say is that one of the conditions will be abandoning the Quebec agricultural model that has benefited thousands of farmers. Contrary to what the Minister of International Trade said on Saturday, the Prime Minister also stated that everything is negotiable.

My question is simple: what changed between Saturday night and Sunday? Why is the Prime Minister prepared to give up supply management to the detriment of our farmers?

[*English*]

Mr. Gerald Keddy (Parliamentary Secretary to the Minister of International Trade, for the Atlantic Canada Opportunities Agency and for the Atlantic Gateway, CPC): Mr. Speaker, again I would ask the hon. member to go back and read the throne speech and take a look at our position and our stance since 2006, when we first formed government. Our protection and defence of supply management has not prevented us from entering into trade negotiations with partners around the world. The member may think it precludes it, but it actually does not, so we can defend our position on supply management in Canada and still have a pro-job, pro-trade plan for Canada.

ROUTINE PROCEEDINGS[*English*]**FOREIGN AFFAIRS**

Mr. Bob Dechert (Parliamentary Secretary to the Minister of Foreign Affairs, CPC): Mr. Speaker, pursuant to section 32(2) of the Standing Orders, I have the pleasure to table, in both official languages, four treaties, the first of which is the agreement between the Government of Canada and the Government of the Federal Republic of Brazil on air transport, signed in Brazil on August 8, 2011.

Mr. Speaker, the second treaty is the agreement of the Government of Canada and the Government of the Republic of Costa Rica on air transport, signed in San José on August 11, 2011.

Mr. Speaker, the third treaty is the Canada-Kuwait Foreign Investment Promotion and Protection Agreement, signed in Ottawa on September 26, 2011.

Routine Proceedings

Mr. Speaker, the fourth is the Protocol of 2010 to the International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea of 1996, signed in London on April 30, 2010.

An explanatory memorandum is included with each treaty.

* * *

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 20 petitions.

* * *

MOTOR VEHICLE SAFETY ACT

Ms. Olivia Chow (Trinity—Spadina, NDP) moved for leave to introduce Bill C-344, An Act to amend the Motor Vehicle Safety Act (side guards).

She said: Mr. Speaker, I rise today to move the cyclists-pedestrian protection act, which would help prevent senseless deaths caused by being pulled under the back wheels of large trucks. The bill calls for the mandatory installation of side guards on trucks. It is a safety measure used in many other nations.

The bill is too late for Jenna Morrison, a pregnant mom who was tragically killed while riding her bicycle in Toronto last week, but it is not too late for the ones she left behind. It is not too late for Lucas, her five-year-old son.

Other countries have acted. In Britain and Europe, these truck guards are mandatory, and lives have been saved. Cyclist deaths have been reduced. We have tried to pass this bill before in the House, but failed.

In Toronto tonight, the family and friends of Jenna Morrison will grieve for her in a memorial service. The bill would give them reason to hope that this tragic loss would help to protect others. Let us proceed with this bill in Jenna Morrison's memory.

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

* * *

● (1510)

CONFLICT OF INTEREST AND ETHICS COMMISSIONER REPORT

Mr. Charlie Angus (Timmins—James Bay, NDP) moved:

That the report of the Office of the Conflict of Interest and Ethics Commissioner in relation to the former Member for Simcoe—Grey, presented by the Speaker on Monday, September 19, 2011, be referred to the Standing Committee on Procedure and House Affairs and that the Committee study the report with a view to further investigate the Commissioner's findings in order to resolve outstanding questions; and that the Committee report its findings to the House no later than six months after the adoption of this motion.

[*Translation*]

The Speaker: Before debate begins on the motion just moved, I would like to make a short statement.

As members well know, the Conflict of Interest Code for members of the House of Commons provides for certain procedures that the

House must follow should the Ethics Commissioner conclude that a member has not complied with an obligation under the code. These procedures differ depending on the nature of the contravention and can lead to a debate and a vote on a motion to concur in the report.

[*English*]

In the case of the particular report that has given rise to the motion now before the House and without anticipating what decision the House may make, the chair believes that the House is now faced with a situation never envisaged when the code was first drafted. One basic principle entrenched in many of our rules allows for individuals who are the subject of such reports to be heard—that is, to participate in debate and present arguments. Indeed, section 28, paragraph 9 of the code assumes this in stating that:

Within 10 sitting days after the tabling of the report of the Commissioner in the House of Commons, the Member who is the subject of the report shall have a right to make a statement in the House immediately following Question Period, provided that he or she shall not speak for more than 20 minutes.

This opportunity is, of course, no longer afforded to the former member for Simcoe—Grey, who was not returned after the last election. It would seem to the chair that the House may wish to reflect on the circumstance, and accordingly I would invite the Standing Committee on Procedure and House Affairs to examine the code in light of this unforeseen situation and to make any recommendation it deems appropriate.

[*Translation*]

I thank honourable members for their attention.

[*English*]

Resuming debate, the hon. member for Timmins—James Bay.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I am very pleased that before we began this discussion today, you pointed out that the member who was the subject of this report is no longer in the House. If we are going to look at these issues as parliamentarians, we have to look at the larger implications rather than the individual behaviour of a member who, as you quite rightly pointed out, is no longer here to defend herself. That is something we should be reminded of.

All members of the House are very aware of the issues with the former member for Simcoe—Grey and her husband, Mr. Jaffer, in connection with the question of lobbying improprieties. That was ruled upon by the Ethics Commissioner. Once again, the Ethics Commissioner has given us an excellent report, and we greatly value the work of the Ethics Commissioner.

This matter should be moved to committee for study now because it is important to make sure that we learn the lessons from it, because as you will hear, Mr. Speaker, as I speak today, there are a number of questions about the inconsistencies, the gaps in testimony, the difficulty that the Ethics Commissioner stated she had in receiving evidence. This issue is larger than the behaviour of an individual member. If the Ethics Commissioner is charged to examine an issue, we have to ensure that he or she has the full resources and the ability to open the necessary doors. That is the reason we believe it should be moved on to committee to be examined.

Routine Proceedings

A couple of key elements are germane to this discussion. One is that at the very beginning of her report, the Ethics Commissioner talks about how she was contacted by the Prime Minister's Office, which advised her to seek advice from a private investigator who would provide more information to the Ethics Commissioner on the allegations against Ms. Guergis and her husband. The Ethics Commissioner writes that she did contact the private investigator and was told that he had no allegations to present. At the time, this move by the Prime Minister attracted a great deal of media attention and perhaps may have prejudiced the case against Ms. Guergis somewhat. There is the question of why the Prime Minister intervened, sent the letter and told the Ethics Commissioner to speak with a private investigator, and then the private investigator clearly said that he had nothing to offer.

This is not the first time that the Ethics Commissioner has been led down the garden path by government members looking to deal perhaps more with partisan protection of their own party than with the larger issue at hand. We know that just a few weeks ago the Ethics Commissioner had to speak out on the role of the ethics committee and on the allegations made by the member for Peterborough against the New Democratic Party in a letter, thus creating a whole committee hearing based on allegations. The Ethics Commissioner had to come and say she was never presented with any evidence. She wanted to know how she could be expected to do her job if a member on the government side—the parliamentary secretary to the Prime Minister, in this case—made wild, unfounded accusations against an individual or against a political party and then refused to back them up. The impact in the media is that something terrible has occurred.

The Ethics Commissioner's job is to go through the evidence. She had obviously asked the member for Peterborough to present the evidence to back up the allegations. He did not bother to do that. He actually took it to committee, where he made further, and in some cases, wild, hairy, outrageously bizarre accusations. However, not one of these accusations was backed up with any evidence. I think the Ethics Commissioner felt she was being used politically in a stunt, so the question of why the Prime Minister asked the Ethics Commissioner to speak with a private investigator who was not able to provide any evidence is certainly among the first questions that need to be asked.

As well, numerous inconsistencies and gaps in witness testimony were raised in the report. In particular, the Ethics Commissioner points out that Ms. Guergis and Mr. Jaffer, the husband and wife couple, both former members of Parliament, appeared to have difficulty remembering details around the events of August and September of 2009, including the letter that she wrote, the details surrounding that letter and the business dealings Mr. Jaffer had with the companies of Mr. Wright. She was unable to get a clear answer from them.

• (1515)

This is the central issue of the investigation. What was that business relationship? How did Mr. Jaffer play his role as an amateur lobbyist, while his wife was a cabinet minister? We should have been able to get clear answers, but none of those answers were given in a clear or straightforward manner. The Ethics Commissioner reported on this. Ms. Guergis and Mr. Jaffer are not here to explain their roles.

We need to look at this in terms of parliamentary procedure. We have to ensure that when the Ethics Commissioner is tasked with examining serious allegations of conflict of interest, she is able to get the answers.

The other element that the commissioner raised in her report was the difficulty in obtaining documentary evidence. This again is key for us in order to ensure that the rules were followed.

I think members will agree with me that the case of Mr. Jaffer offering to help friends of his by opening doors to the Prime Minister's Office and the Conservative Party represents the new face of lobbying that we are seeing. Former members, former people with ties to the Conservative Party, are using their role to offer influence, but are not necessarily coming forward as lobbyists. They are flying under the radar.

There is a larger question of Mr. Jaffer and his role with Green Power Generation. Under the Lobbying Act, are we ensuring that the way this system is set up is actually working? We know the vast majority of the 5,000 or so lobbyists who troll various parts of the Hill at given times follow the rules. They write down with whom they meet. Some of them represent small volunteer organizations, while some represent very large powerful interests. The fact is free floaters like Mr. Jaffer come in and set up meetings. He was under the radar. This could have serious implications on the credibility of our system.

The difficulty faced by the Ethics Commissioner in getting documentary evidence on such a case needs to be examined.

Mr. Jaffer told the Ethics Commissioner that he did not engage in work with Green Power Generation between his arrest on September 11, 2009, and mid to late October 2009, yet the Ethics Commissioner found that he was involved with Green Power Generation. He had discussions with Mr. Gillani's lawyer on September 16, 2009, about a contract. Emails were going back and forth. There were several discussions and at least one meeting with Mr. Wright in late September and ongoing 2009 about continuing work with them. Clearly the evidence that he gave contradicted the evidence the commissioner found.

What was used in their defence was the fact that they were not compensated. My friend from Winnipeg has often said, "Just because you're a bad lobbyist doesn't mean you are not a lobbyist. Just because you didn't end up making any money, doesn't mean you didn't contravene the act".

The fact that they did not end up making money out of this might be indicative of a couple of things. First, fortunately the light was shone on those corners fairly quickly and we saw them scurry off. Second, we understand that they were not doing this because it was seen as a benevolent society. There was clearly an understanding that if they were not compensated now, there would be compensation down the road. This is exactly the findings of the Ethics Commissioner. She states:

Routine Proceedings

Even if Mr. Jaffer and Mr. Glémaud did not expect to be compensated specifically for their work...it would be reasonable to conclude that the prospect of a longer term relationship with International Strategic Investments or Wright Tech and Green Rite would depend on Green Power Generation's ability to add value to the business projects related to these companies...I therefore conclude that the work of Mr. Jaffer and Green Power Generation...was carried out with the expectation of future financial reward.

This is something that any average Canadian is going to understand. Obviously, if they were opening doors for a company to get contracts, they were doing it for the sense of financial benefit not just for the betterment of the human race. The fact that Mr. Jaffer was using his position as a former parliamentarian and as the husband of a key cabinet minister was obviously a question of conflict of interest.

This then relates to the other part of the marriage partnership. It was Ms. Guergis who said that she distanced herself and yet she wrote letters on behalf of interests. It was clearly found for the purposes of this inquiry that she had acted to further a private interest or had attempted to do so.

The findings of the Ethics Commissioner stand. They are not surprising to anyone who followed the case.

● (1520)

The issue is how often is this happening behind the scenes? How many other former parliamentarians are opening doors to friends? How many people are making financial arrangements based on the fact that it is who one knows in the PMO?

That is why the document does need to be examined. Even though it relates to an event that happened before the last election, the issues are still germane now.

I am more than willing to take any questions from my good friends and colleagues in the House.

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I am persuaded by the argument of the hon. member for Timmins—James Bay that these issues are not moot.

The former member for Simcoe—Grey was not re-elected. I think Helena Guergis' name was shabbily treated by people in her party in the way in which she was vilified and basically thrown to the RCMP for criminality when those charges were clearly false.

The reality is the conflict of interest and the use of the role of lobbyist by a former MP. There is a tremendous amount here that could use clarification for future guidance to clean up our roles and ensure the ethical behaviour of members of Parliament and former members of Parliament who continue to use the offices of their friends to advance business interests. The hon. member is quite right.

I ask for his view as to whether this issue could go forward even if the previous members are no longer in the House.

Mr. Charlie Angus: Mr. Speaker, we should have stated clearly at the beginning that everyone knows Ms. Guergis was made to be a political scapegoat for this party. The Ethics Commissioner pointed that out in the opening statement of her document where she talked about the Prime Minister contacting her about his allegations to the RCMP. We never even heard what those allegations were. There is an obvious sense that she was thrown under the bus.

However, out of this study there are clear questions about whether people are able to fly under the radar of the Lobbying Act and open doors for their friends. There is certainly a sense in Ottawa right now that the Conservatives are open for business with their buddies and that is done in the backrooms.

This report came out. We were dealing with this issue just before the last election, but these issues have not been solved. We need to take this to committee. We need to look at the role of the Lobbying Act. We need to look at whether the Ethics Commissioner has the ability to ensure that the light is shone in the dark recesses of that Conservative gang over there.

● (1525)

Mr. Peter Stoffer (Sackville—Eastern Shore, NDP): Mr. Speaker, ironically when I read what is called the Guergis report, there is another name I could put, that being the President of the Treasury Board report. The recent \$50 million boondoggle event which occurred in his riding is eerily similar to what is happening here. The member is right. It is not what one knows; it is who one knows. Obviously some people knew who he was because he was able to divert \$50 million from border security into everything else in his riding.

The Conservatives have not learned anything from the Guergis report or from what happened to Helena Guergis. Therefore, could my colleague elaborate on whether he sees a trend within the cabinet of the Conservative Party?

Mr. Charlie Angus: Mr. Speaker, certainly we have a minister who had his hands on \$50 million he never should have had his hands on in the first place, blew it and then claimed he did not have a paper trail.

If the Canada Revenue Agency phoned folks back home, said that it heard they got their hands on a couple of million dollars, blew it and asked what they spent it on and if they said that they did not have a paper trail, do people think the agency would say that it was okay, that the next time it would do things differently?

We see a breach to the sense of obligation that parliamentarians are meant to be held to a code. I think the Conservatives believe they are above that code. I cannot think of a precedence other than perhaps Huey Long, the long-standing governor in Louisiana who used to give out pork off the back of a truck, or Maurice Duplessis in Quebec. However, there is a sense now that the way they do business is out of the back of their vans driving up the country roads of Muskoka. Apparently, they are giving out so much pork in Muskoka now that some members seem to have little curly tails behind them.

Mr. Joe Comartin (Windsor—Tecumseh, NDP): Mr. Speaker, could the member for Timmins—James Bay elaborate on what he hopes would come out of the procedure and House affairs committee if the matter were referred there?

Mr. Charlie Angus: Mr. Speaker, we need to find out what the obstructions were in terms of getting the documents, what the problem was with getting clear witness testimony that was verifiable and what the role of the Prime Minister was in sending a letter, talking about RCMP allegations that were never brought to light.

Routine Proceedings

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, sadly, we see that the member for Timmins—James Bay is continuing with the NDP pattern of delay and obfuscation when it comes to debating government legislation. We have government legislation that we consider to be of importance to all Canadians, yet the NDP sees fit on almost a daily basis to try to delay and sidetrack important debate from occurring in this place.

Therefore, I have no alternative but to, regretfully, move the following motion. I move:

That the debate be now adjourned.

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

Some hon. members: Yea.

The Speaker: All those opposed will please say nay.

Some hon. members: Nay.

The Speaker: In my opinion the nays have it.

And five or more members having risen:

The Speaker: Call in the members.

• (1605)

(The House divided on the motion, which was agreed to on the following division:)

*(Division No. 54)***YEAS**

Members

Abлонczy	Adams
Adler	Aglukkaq
Albas	Albrecht
Alexander	Allen (Tobique—Mactaquac)
Allison	Ambler
Anders	Anderson
Armstrong	Ashfield
Aspin	Bateman
Benoit	Bernier
Bezan	Blaney
Block	Boughen
Braid	Breitkreuz
Brown (Leeds—Grenville)	Brown (Newmarket—Aurora)
Bruinooge	Butt
Calandra	Calkins
Cannan	Carmichael
Carrie	Chisu
Chong	Clarke
Clement	Daniel
Davidson	Dechert
Del Mastro	Dreeshen
Dykstra	Findlay (Delta—Richmond East)
Finley (Haldimand—Norfolk)	Fletcher
Galipeau	Gallant
Gill	Glover
Goguen	Goldring
Goodyear	Gosal
Gourde	Grewal
Harris (Cariboo—Prince George)	Hawn

Hayes	Hiebert
Hillyer	Hoback
Hoepfner	Holder
James	Jean
Keddy (South Shore—St. Margaret's)	Kenney (Calgary Southeast)
Kent	Kerr
Komarnicki	Kramp (Prince Edward—Hastings)
Lake	Lauzon
Leaf	Leitch
Lemieux	Leung
Lizon	Lobb
Lukiwski	Lunney
MacKay (Central Nova)	MacKenzie
Mayes	McColeman
McLeod	Menegakis
Menzies	Merrifield
Miller	Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)	Nicholson
Norlock	O'Connor
O'Neill Gordon	Oda
Oliver	Opitz
Paradis	Payne
Penashue	Pollievre
Preston	Raii
Rajotte	Rathgeber
Reid	Rempel
Richards	Richardson
Rickford	Ritz
Schellenberger	Seeback
Shea	Shipley
Shory	Smith
Sopuck	Sorenson
Stanton	Storseth
Strahl	Sweet
Tilson	Toet
Toews	Trost
Trottier	Truppe
Tweed	Uppal
Valcourt	Van Kesteren
Van Loan	Wallace
Warawa	Warkentin
Watson	Weston (West Vancouver—Sunshine Coast—Sea to
Sky Country)	
Weston (Saint John)	Wilks
Williamson	Wong
Woodworth	Young (Oakville)
Young (Vancouver South)	Zimmer— 150

NAYS

Members

Angus
Bélangier
Benskin
Blanchette
Boivin
Boutin-Sweet
Brisson
Byrne
Casey
Charlton
Choquette
Christopherson
Coderre
Côté
Crowder
Davies (Vancouver Kingsway)
Dion
Doré Lefebvre
Duncan (Etobicoke North)
Easter
Fortin
Garneau
Genest-Jourdain
Godin
Gravelle
Harris (Scarborough Southwest)
Hughes
Julian
Lamoureux
Larose
Laverdière
LeBlanc (LaSalle—Émard)

Leslie
Mai
Masse
May
McKay (Scarborough—Guildwood)
Moore (Abitibi—Témiscamingue)
Morin (Notre-Dame-de-Grâce—Lachine)
Murray
Nash
Nunez-Melo
Papillon
Perreault
Quach
Ravignat
Regan
Sandhu
Sellah
Sims (Newton—North Delta)
Stewart
Thibeault
Tremblay
Turnmel

Liu
Marston
Mathysen
McGuinty
Michaud
Morin (Chicoutimi—Le Fjord)
Morin (Laurentides—Labelle)
Nantel
Nicholls
Pacetti
Péclet
Pilon
Rafferty
Raynault
Rousseau
Scarpaleggia
Simms (Bonavista—Gander—Grand Falls—Wind-
sor)
St-Denis
Stoffer
Toone
Trudeau
Valeriote— 108

PAIRED

Nil

The Speaker: I declare the motion carried.

Mr. Kevin Lamoureux: Mr. Speaker, I rise on a point of order. I refer to what has just taken place. I look at the order paper where it says that debate is limited to two hours, pursuant to section 28(11) of the Conflict of Interest Code for Members of the House of Commons. That is reflecting the amount of debate that should have been allowed on this particular issue.

That is the reason I stand on a point of order. It is important to note that the NDP had moved a motion that was supposed to be entitled to two hours of debate and before any other member was even afforded the opportunity to speak to the motion, the government, using its majority, made the—

• (1610)

The Speaker: Order, please. I have to stop the member there.

The motion to adjourn a debate is not debatable. It is votable and members have all had the opportunity to express their view on the motion, and the House has just taken a decision on it.

[*Translation*]

Given the results of the previous vote, the Chair would like to remind the House of the provisions of subsection 28(12) of the Conflict of Interest Code for Members of the House of Commons, which reads:

[*English*]

If no motion pursuant to subsection (11) has been previously moved and disposed of, a motion to concur in the report shall be deemed to have been moved on the 30th sitting day after the day on which the report was tabled, and the Speaker shall immediately put every question necessary to dispose of the motion.

Given that the motion of the member for Timmins—James Bay has not been disposed of and given that today is the 30th sitting day after the day on which the report was tabled, the Chair is obliged to proceed.

[*Translation*]

In accordance with subsection 28(12) of the Conflict of Interest Code for Members of the House of Commons, a motion to concur in

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the report of the Conflict of Interest and Ethics Commissioner, entitled *The Guergis Report*, is deemed to have been moved.

[*English*]

Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

The Speaker: All those opposed will please say nay.

Some hon. members: Nay.

The Speaker: In my opinion the nays have it.

And five or more members having risen:

The Speaker: The chief government whip has just advised me that if I were to seek it, I might find consent to proceed with the vote immediately.

Some hon. members: No.

The Speaker: There is no consent.

Call in the members.

• (1650)

(The House divided on the motion, which was agreed to on the following division:)

(*Division No. 55*)

YEAS

Members

Ablonczy	Adams
Adler	Aglukkaq
Albas	Albrecht
Alexander	Allen (Welland)
Allen (Tobique—Mactaquac)	Allison
Ambler	Anders
Anderson	Angus
Armstrong	Ashfield
Aspin	Aubin
Bateman	Bélanger
Bennett	Benoit
Benskin	Bernier
Bevington	Bezan
Blanchette	Blanchette-Lamothe
Blaney	Block
Boivin	Boughen
Boulerice	Boutin-Sweet
Brahmi	Braid
Breitkreuz	Brisson
Brosseau	Brown (Leeds—Grenville)
Brown (Newmarket—Aurora)	Bruinooge
Butt	Byrne
Calandra	Calkins
Cannan	Carmichael
Caron	Carrie
Casey	Cash
Charlton	Chicoine
Chisu	Chong
Choquette	Chow
Christopherson	Clarke
Cleary	Clement
Coderre	Comartin
Côté	Cotler
Crowder	Cuzner

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Daniel	Davidson
Davies (Vancouver Kingsway)	Day
Dechert	Del Mastro
Dion	Dionne Labelle
Doré Lefebvre	Dreeshen
Dubé	Duncan (Etobicoke North)
Dusseault	Dykstra
Easter	Eyking
Findlay (Delta—Richmond East)	Finley (Haldimand—Norfolk)
Fletcher	Fortin
Freeman	Galipeau
Gallant	Garneau
Garrison	Genest-Jourdain
Giguère	Gill
Glover	Godin
Goguen	Goldring
Goodale	Goodyear
Gosal	Gourde
Gravelle	Grewal
Groguhé	Harris (Scarborough Southwest)
Harris (St. John's East)	Harris (Cariboo—Prince George)
Hawn	Hayes
Hiebert	Hillyer
Hoback	Hoepfner
Holder	Hughes
Jacob	James
Jean	Julian
Keddy (South Shore—St. Margaret's)	Kellway
Kenney (Calgary Southeast)	Kent
Kerr	Komarnicki
Kramp (Prince Edward—Hastings)	Lake
Lamoureux	Lapointe
Larose	Latendresse
Lauzon	Laverdière
LeBlanc (Beauséjour)	LeBlanc (LaSalle—Émard)
Leef	Leitch
Lemieux	Leslie
Leung	Liu
Lizon	Lobb
Lukiwski	Lunney
MacKay (Central Nova)	MacKenzie
Mai	Marston
Masse	Mathysen
May	Mayes
McColeman	McGuinty
McKay (Scarborough—Guildwood)	McLeod
Menegakis	Menzies
Merrifield	Michaud
Miller	Moore (Abitibi—Témiscamingue)
Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	
Morin (Chicoutimi—Le Fjord)	Morin (Notre-Dame-de-Grâce—Lachine)
Morin (Laurentides—Labelle)	Murray
Nantel	Nash
Nicholls	Nicholson
Norlock	Nunez-Melo
O'Connor	O'Neill Gordon
Oda	Oliver
Opitz	Pacetti
Papillon	Paradis
Patry	Payne
Pécllet	Penashue
Perreault	Pilon
Poillievre	Preston
Quach	Rafferty
Raitt	Rajotte
Rathgeber	Ravignat
Raynault	Regan
Reid	Rempel
Richards	Richardson
Rickford	Ritz
Rousseau	Sandhu
Scarpaleggia	Schellenberger
Seeback	Sellah
Shea	Shipley
Shory	Simms (Bonavista—Gander—Grand Falls—Wind- sor)
Sims (Newton—North Delta)	Smith
Sopuck	Sorenson
St-Denis	Stanton
Stewart	Stoffer
Storseth	Strahl
Sweet	Thibeault
Tilson	Toet

Toews	Toone
Tremblay	Trost
Trottier	Trudeau
Truppe	Turmel
Tweed	Uppal
Valcourt	Valeriotte
Van Kesteren	Van Loan
Wallace	Warawa
Warkentin	Watson
Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)	
Weston (Saint John)	
Wilks	Williamson
Wong	Woodworth
Gill	Young (Vancouver South)
Young (Oakville)	
Zimmer — 259	

NAYS

Nil

PAIRED

Nil

The Speaker: I declare the motion carried.

It is my duty pursuant to Standing Order 38 to inform the House that the question to be raised tonight at the time of adjournment is as follows: the hon. member for Vaudreuil-Soulanges, Infrastructure.

* * *

PETITIONS

MULTIPLE SCLEROSIS

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, I have the honour to present a petition signed by a number of people across western Canada, particularly in Saskatchewan and Alberta, expressing their concern about Canadians who are suffering from the combination of multiple sclerosis and chronic cerebrospinal venous insufficiency, otherwise known as CCSVI. They point out that when the two diseases appear to occur together simultaneously, often our medical system declines to treat the multiple sclerosis or the CCSVI with the new angioplasty type of treatment.

The petitioners are calling upon the Minister of Health to consult more broadly with experts, particularly those who have experience with the new technology and treatments. They urge the Minister of Health to proceed with phase III clinical trials on an urgent basis with respect to this new treatment and to develop a follow-up system so the consequences of the treatment can be accurately tracked.

● (1655)

[*Translation*]

WAPIKONI MOBILE

Ms. Marjolaine Boutin-Sweet (Hochelaga, NDP): Mr. Speaker, today, I am very pleased to present a petition signed by nearly 2,000 people—it is too heavy for me to lift—including a number of residents of a first nation village, people from various cities and elected officials.

As you can see, these people come from a variety of backgrounds, but they all firmly believe in a very important project: Wapikoni Mobile. This program, which produces movies and music, gives hope to aboriginal youth and sometimes literally saves their lives, is itself in danger.

The program's main source of funding—the \$490,000 that it receives from the federal government and that ensures the survival of the mobile studio—was eliminated without warning.

Yet, in the seven years that the program has been in place, Wapikoni Mobile has proven its worth. Young participants have won 49 national and international awards, which is an average of seven awards per year.

How many projects can boast such an accomplishment?

Wapikoni Mobile must survive. That is what the nearly 2,000 people who signed this petition are asking the Department of Human Resources and Skills Development.

[English]

MULTIPLE SCLEROSIS

Ms. Kirsty Duncan (Etobicoke North, Lib.): Mr. Speaker, I am pleased to present a petition regarding chronic cerebrospinal venous insufficiency, or CCSVI. Canada has one of the highest rates of devastating multiple sclerosis in the world, with 55,000 to 75,000 Canadians suffering. Four hundred people die of MS each year, and the suicide rate among MS patients is many times that of the national population.

While the government has announced clinical trials for CCSVI, all we have right now is announcements. What we need is action. Canadians with MS cannot afford to wait, as any delay possibly means more damage. Therefore the petitioners call on the Minister of Health to consult experts actively engaged in diagnosis and treatment of CCSVI, to undertake phase III clinical trials on an urgent basis with a large patient participation in multiple centres across Canada and to require follow-up care.

HEALTH

Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.): Mr. Speaker, I would like to proudly place this petition in the House for consideration by the government regarding a fundamental right for individuals to be able to choose to prevent illness. Freedom of choice in health care is becoming increasingly curtailed and further threatened by legislation and statutory regulations. The petitioners call on Parliament to guarantee the right of every Canadian to health freedom by enacting the charter of health freedom, drafted for the Natural Health Products Protection Association on September 4, 2008. The petitioners are primarily from central Newfoundland, including Grand Falls, Windsor, Bishop's Falls and also Buchans.

* * *

QUESTIONS ON THE ORDER PAPER

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, Questions Nos. 148 and 157 will be answered today.

[Text]

Question No. 148—**Ms. Elizabeth May:**

With regard to the Afghan detainee documents, excluding all matters which are in their nature secret, for each document: (a) what are its contents; (b) what are the names of the (i) sender, (ii) recipients; and (c) on what date was it sent?

Hon. John Baird (Minister of Foreign Affairs, CPC): Mr. Speaker, on March 25, 2010, and on April 1, 2010, two sets of documents pertaining to Afghan detainees were tabled in the House of Commons. These documents can be accessed through the House

Routine Proceedings

of Commons Journals, sessional paper numbers 8530-403-3 and 8530-403-4.

On June 22, 2011, as agreed to by unanimous consent, the Minister of Foreign Affairs tabled an additional 362 documents.

The 362 documents tabled in the House of Commons on June 22, 2011 can be accessed through the Government of Canada's website on Afghanistan at the following address: <http://www.afghanistan.gc.ca/canada-afghanistan/documents/362.aspx?lang=eng>.

Parliamentarians also have direct access to the June 22, 2011, documents through the Journals in the House of Commons, which can be referenced through sessional paper number 8530-411-3.

The tabling brought to a close a \$12 million, 12-month process that reinforced what the government has said all along.

Question No. 157—**Mr. Claude Patry:**

With respect to the Guaranteed Income Supplement (GIS) program of the Department of Human Resources and Skills Development: (a) how many GIS recipients were there in 2010 and 2011, by municipality, (i) in the riding of Jonquière—Alma, (ii) in the riding of Chicoutimi—Le Fjord?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, there were approximately 6,700 guaranteed income supplement, GIS, recipients in 2010, and 6,800 in 2011, in the riding of Jonquière-Alma.

There were approximately 7,000 GIS recipients in 2010 and 7,200 GIS recipients in 2011 in the riding of Chicoutimi-Le Fjord.

GIS recipients are not available by municipality .

* * *

[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. 145, 146, 147, 149, 150, 152, 153, 154, 155, 156, 158, 159 and 160 could be made orders for returns, these returns would be tabled immediately.

The Acting Speaker (Mr. Bruce Stanton): Is that agreed?

Some hon. members: Agreed.

[Text]

Question No. 145—**Hon. Ralph Goodale:**

Have any studies of any kind whatsoever been undertaken by any Minister or any department or agency, or any non-governmental individual or entity at the request of any Minister or government department or agency, pertaining to the impacts, consequences, costs or benefits of eliminating the single-desk marketing system of the Canadian Wheat Board: (a) what were the terms of reference of any such studies; (b) who specifically worked on those studies and what were their professional qualifications; (c) when were any such studies begun; (d) when were they completed; (e) what were their principal findings; and (f) when will they be made public?

(Return tabled)

*Routine Proceedings***Question No. 146—Ms. Jinny Jogindera Sims:**

With respect to the Economic Action Plan: (a) under the Infrastructure Stimulus Fund, in the riding of Newton—North Delta, (i) to date, what is the name and nature of each approved project, (ii) for each project, who are the partners involved and what is each partner's contribution, including the government's contribution, (iii) for each project, how much of the funding has flowed and to whom, (iv) what criteria were used to determine which projects were approved; (b) under the Building Canada Fund—Communities Component, in the riding of Newton—North Delta, (i) to date, what is the name and nature of each approved project, (ii) for each project, who are the partners involved and what is each partner's contribution, including the government's contribution, (iii) for each project, how much of the funding has flowed and to whom, (iv) what criteria were used to determine which projects were approved; (c) under the Building Canada Fund—Communities Component top-up, in the riding of Newton—North Delta, (i) to date, what is the name and nature of each approved project, (ii) for each project, who are the partners involved and what is each partner's contribution, including the government's contribution, (iii) for each project, how much of the funding has flowed and to whom, (iv) what criteria were used to determine which projects were approved; (d) under the Building Canada Fund—Major Infrastructure Component, in the riding of Newton—North Delta, (i) to date, what is the name and nature of each approved project, (ii) for each project, who are the partners involved and what is each partner's contribution, including the government's contribution, (iii) for each project, how much of the funding has flowed and to whom, (iv) what criteria were used to determine which projects were approved; (e) under the Recreational Infrastructure program in the riding of Newton—North Delta, (i) to date, what is the name and nature of each approved project, (ii) for each project, who are the partners involved and what is each partner's contribution, including the government's contribution, (iii) for each project, how much of the funding has flowed and to whom, (iv) what criteria were used to determine which projects were approved; and (f) under the Green Infrastructure Fund in the riding of Newton—North Delta, (i) to date, what is the name and nature of each approved project, (ii) for each project, who are the partners involved and what is each partner's contribution, including the government's contribution, (iii) for each project, how much of the funding has flowed and to whom, (iv) what criteria were used to determine which projects were approved?

(Return tabled)

Question No. 147—Ms. Jinny Jogindera Sims:

What is the total amount of government funding since fiscal year 2009-2010, up to and including the current fiscal year, allocated within the constituency of Newton—North Delta, identifying each department or agency, initiative and amount?

(Return tabled)

Question No. 149—Hon. John McCallum:

With regard to each department and agency and for each fiscal year from 2006-2007 to 2010-2011: (a) what is the number of Advanced Contract Award Notifications (ACAN) issued; and (b) for each ACAN issued by the department, (i) what is the date the ACAN was issued, (ii) who is the supplier identified in the ACAN, (iii) what is the number of other suppliers which provided a statement of capabilities for the ACAN, (iv) was the ACAN converted to a full tender, (v) was the contract awarded to the original supplier identified in the ACAN, (vi) what was the value of the contract at the time of its awarding, (vii) what was the total value paid for the contract once the work was complete?

(Return tabled)

Question No. 150—Hon. John McCallum:

With regard to the government-owned aircraft, since April 1, 2006, to present: (a) by fiscal quarter, what is the number of times government aircraft have been used by a minister, including the Prime Minister, or a minister's, including the Prime Minister's, exempt staff; and (b) what is every aircraft on which a minister, the Prime Minister, or a minister's or the Prime Minister's exempt staff have flown and, for each aircraft, what is (i) the tail number, make and model of the aircraft, (ii) the average hourly cost to operate the aircraft, (iii) the average hourly cost for food and beverages while the aircraft is in use, (iv) the department with tasking authority for the aircraft, (v) the title of the person with tasking authority for the aircraft, (vi) the number of times the aircraft has been used by a minister or the Prime Minister, (vii) the number of times the aircraft has been used by a member of a minister's or the Prime Minister's staff without the minister or the Prime Minister being on board the aircraft?

(Return tabled)

Question No. 152—Ms. Kirsty Duncan:

With respect to the development of unconventional gas resources, including shale, tight and coal bed methane, and its possible impacts on the environment: (a) what, if any, research has the government undertaken regarding the development of unconventional gas resources, (i) what was the scope of this research in the areas of, but not limited to, air quality, aquatic and terrestrial ecosystem impacts, economic impacts, occupational risks, public safety concerns, and seismic risks, (ii) what, if any, resources did the government provide for this research, (iii) what, if any, process was established to ensure the independence of the researchers, their research, and their findings, (iv) what, if any, case studies were considered as a part of this research, (v) what, if any, scenarios regarding the development of unconventional gas resources were developed as frameworks for the research, (vi) what economic, environmental and social impacts were identified by this research, (vii) what, if any, priority research areas were identified for further study as a result of this research, (viii) what, if any, departments were involved in this research, (ix) what, if any, action was undertaken to ensure inter-departmental cooperation throughout the research process, (x) what, if any, gaps or weaknesses in the regulatory framework did the research identify; (b) what, if any, research has the government undertaken regarding balancing shale gas' potential contribution to energy security with environmental risks; (c) what are the sources of greenhouse gas emissions associated with unconventional gas; (d) has the government developed a process to determine the overall carbon footprint of shale gas throughout the life cycle of natural gas use, if not, why not, and, if so, (i) what federal departments are involved in this process, (ii) how does the government ensure inter-departmental collaboration on this process, (iii) what is the process, (iv) what, if any, data has been acquired and analysed through this process, (v) what is the government's estimate of shale gas' potential footprint in Canada; (e) what are the government's calculations concerning how the overall carbon footprint of shale gas compares with conventional oil and gas for various end-uses; (f) what, if any, analysis has the government conducted concerning carbon capture and storage opportunities in the development of unconventional gas resources, namely analysis of (i) its feasibility, (ii) its cost-effectiveness, (iii) its reliability, (iv) liabilities that might arise from such strategies; (g) what, if any, research has the government undertaken regarding how effective well construction practices are at containing fluids and gases before, during, and after hydraulic fracturing, what are the dates of any such studies, and what were the results of this research;

Routine Proceedings

(h) what, if any, research has the government undertaken regarding well-bore drilling and sealing techniques and their reliability in containing hydraulic fracturing fluids and produced water from shale gas extraction, what are the dates of any such studies, and what were the results of this research; (i) what, if any, cases of gas bubbling (i.e. methane contaminating surface water) related to hydraulic fracturing have been reported, and what, if any, process is in place to ensure reporting; (j) what, if any, cases of drinking water contamination related to shale gas activity have been reported, and what, if any, process is in place to ensure reporting; (k) what are the potential impacts of the injection and fracturing process on (i) water availability, (ii) water quality, (iii) water quantity; (l) what, if any, studies has the government undertaken, for each of the issues listed in (k); (m) what are the potential impacts of pre-existing human-made or natural pathways and features on contaminant transport, (i) how is the concept of “acceptable risk” defined and determined, (ii) which wells, if any, have undergone a risk analysis, (iii) which wells, if any, have been found to exceed “acceptable risk”, (iv) what are the potential impacts on drinking water, (v) what factors may affect the likelihood of contamination of drinking water resources, (vi) what are the possible human health impacts of possible drinking water contamination, (vii) how effective are mitigation approaches in reducing impacts to drinking water resources; (n) what is the specific composition of hydraulic fracturing fluids, (i) what chemicals are non-biodegradable, (ii) how long does each persist in the ground, (iii) how are non-biodegradable chemicals tracked in groundwater, (iv) does the government currently undertake any such tracking, (v) what, if any, results are available concerning this tracking; (o) what steps is the government taking to ensure that the volume of water required for shale gas fracturing does not challenge resources in regions already experiencing water stress; (p) what is the composition and variability of flowback and produced water, and what does the government project will be the possible impacts of releases of flowback and produced water on drinking water resources; (q) what steps, if any, is the government taking to ensure that best practices are adopted by industry in areas including, but not limited to, well development and construction, especially casing, cementing, and pressure management; (r) have micro-seismic surveys been conducted to assure that hydraulic fracturing is limited to gas-producing formations; (s) what steps, if any, is the government taking to ensure (i) inspections at safety-critical stages of well construction and hydraulic fracturing, (ii) that operators take prompt action to repair defective cementing jobs; (t) what analysis, if any, has the government conducted concerning whether it should require that baseline water quality and quantity monitoring occur prior to the hydraulic fracturing process;

(u) what analysis, if any, has the government conducted concerning encouraging or requiring producers of unconventional gas to use non-toxic drilling fluids; (v) what analysis, if any, has the government conducted concerning the implementation of proximal restrictions for both horizontal and vertical drilling with the aim of avoiding the potential for contamination of valuable water sources; (w) what analysis, if any, has the government conducted concerning strategies that would ensure that companies declare the type, concentration, and volume of all chemicals added to the hydraulic fracturing fluid; (x) what is the government’s assessment regarding whether the necessary resources exist to detect identified chemicals in water supplies should an incident lead to potential contamination of water resources; (y) what analysis, if any, has the government conducted concerning important landscapes, habitats, and migration corridors to inform planning, prevention, mitigation and reclamation of surface impacts; (z) what analysis, if any, has the government conducted concerning the need to limit drilling and support infrastructure in unique or sensitive areas; and (aa) what, if any, studies has the government undertaken regarding (i) the prospects for shale gas in Canada, (ii) Canadian shale gas estimates, (iii) Canadian exploration and production of shale gas, (iv) shale gas markets and prices, (v) the security of the supply of shale gas, (vi) government support for shale gas production, (vii) renewable energy sources in comparison with shale gas, (viii) the risks of rapid depletion of shale gas, (ix) regulatory challenges surrounding shale gas

(Return tabled)

Question No. 153—Mr. Claude Patry:

With respect to budget cuts at the Department of Human Resources and Skills Development, including the computerization of Employment Insurance claims: (a) how many jobs will be cut across Canada over the next three years, (i) by region, (ii) by province; (b) when will these cuts take place and what Employment Insurance claims processing centres will be affected; (c) how many jobs will be transferred; (d) how many jobs will be eliminated through attrition; (e) how many public liaison officer positions will be eliminated; (f) how will the computerization of claims processing affect service to citizens in impacted areas; (g) exactly how much money will the Department of Human Resources and Skills Development save through these job cuts; (h) how will the computerization of claims processing help reduce wait

times; (i) what is the department’s strategy to ensure that the transition to computerized claims processing does not increase wait times; (j) how long will it take, on average, to process a claim once the system is computerized; (k) how can a person without access to the Internet or basic computer skills file an Employment Insurance claim online; (l) what are the reasons for choosing to centralize claims processing in one centre over another, (i) was the unemployment rate one of the selection criteria; and (i) why are services being centralized in Thetford Mines, in the riding of Mégantic—L’Érable, not in New Richmond?

(Return tabled)

Question No. 154—Mrs. Carol Hughes:

With regard to surplus lighthouses being made available under the Heritage Lighthouse Protection Act: (a) concerning the land surrounding the light stations, (i) will the Treasury Board Decision #828161 allow “sponsors” to proceed with plans to use the land to make the sites economically self-supporting, (ii) will up-to-date surveys be conducted of all properties prior to transfer; (b) concerning the contaminated or toxic sites that are reported to be present on all light stations, (i) will “sponsors” be shown where they are, told what they are composed of, and given written assurance by the Ministry of the Environment that all dangerous materials have been removed; and (c) concerning the cost of bringing the buildings “up to standard” as outlined by building inspectors (Maintenance Cost Studies), (i) will monies be made available to cover this cost, (ii) what kind of financial and advisory support will be provided to assist the “sponsors” in employing the approved methods of care and development of the sites to meet heritage specifications, (iii) will the government be establishing a fund under the auspices of Heritage Canada, whereby “sponsors” of lighthouses can apply for “renovation funds” if local fund-raising efforts need topping up?

(Return tabled)

Question No. 155—Ms. Anne Minh-Thu Quach:

With regard to the Lac Saint-François, Cap Tourmente, Baie de l’Île-Verte and Pointe-de-l’Est national wildlife areas: (a) did the fixed or firm prices of the service contracts between the non-governmental agencies of these areas and Environment Canada decrease between May 2010 and September 1, 2011; (b) what are the reasons for the reduced fixed prices for these areas; (c) are the general conditions of the service contracts for these areas different from those of previous years; (d) are the service contract statements of work for these areas different from those of previous years; (e) what is the financial allocation plan for these areas; (f) did Environment Canada hold consultations on the fixed prices or budgets of these areas; (g) who were the individuals consulted; (h) who made the decisions regarding the fixed prices for these areas; (i) was a value-for-money assessment conducted on Canada’s wildlife areas; and (j) are changes to the fixed or firm prices of other areas across the country being considered?

(Return tabled)

*Routine Proceedings***Question No. 156—Ms. Irene Mathysen:**

With regard to Human Resources and Skills Development Canada (HRSDC) funding in the riding of London-Fanshawe for the last five fiscal years: (a) what is the total amount of spending by (i) year, (ii) program; and (b) what is the amount of each spending item by (i) Aboriginal Skills and Employment Partnership (ASEP), (ii) Aboriginal Skills and Employment Training Strategy, (iii) Aboriginal Skills and Training Strategic Investment Fund, (iv) Adult Learning Literacy and Essential Skills Program, (v) Apprenticeship Completion Grant, (vi) Apprenticeship Incentive Grant, (vii) Career Development Services Research (Employment Programs), (viii) Canada—European Union Program for Cooperation in Higher Education, Training and Youth (International Academic Mobility Program), (ix) Canada Summer Jobs (Youth Employment Strategy Program), (x) Career Focus (Youth Employment Strategy Program), (xi) Children and Families (Social Development Partnerships Program), (xii) Contributions for Consultation and Partnership-Building and Canadian-Based Cooperative Activities (International Trade and Labour Program), (xiii) Disability Component (Social Development Partnerships Program), (xiv) Employment Programs—Career Development Services Research, (xv) Enabling Accessibility Fund, (xvi) Enabling Fund for Official Language Minority Communities, (xvii) Federal Public Service Youth Internship Program (Youth Employment Strategy Program), (xviii) Fire Prevention Grants, (xix) Fire Safety Organizations, (xx) Foreign Credential Recognition Program, (xxi) Homelessness Partnering Strategy, (xxii) International Academic Mobility—Canada—European Union Program for Cooperation in Higher Education, Training and Youth, (xxiii) International Academic Mobility—North American Mobility in Higher Education, (xxiv) International Labour Institutions in which Canada Participates Grants (International Trade and Labour Program), (xxv) International Trade and Labour Program (ITLP) Contributions for Consultation and Partnership-Building and Canadian-Based Cooperative Activities, (xxvi) International Trade and Labour Program (ITLP) Grants for Technical Assistance and Foreign-Based Cooperative Activities, (xxvii) International Trade and Labour Program (ITLP) International Labour Institutions in which Canada Participates Grants, (xxviii) Labour-Management Partnership Program, (xxix) Labour Market Agreements, (xxx) Labour Market Agreements for Persons with Disabilities, (xxxi) Labour Market Development Agreements, (xxxii) Labour Mobility, (xxxiii) New Horizons for Seniors Program, (xxxiv) Occupational Health and Safety, (xxxv) Opportunities Fund for Persons with Disabilities, (xxxvi) Organizations that Write Occupational Health and Safety Standards, (xxxvii) Sector Council Program, (xxxviii) Skills and Partnership Fund—Aboriginal, (xxxix) Skills Link (Youth Employment Strategy Program), (xl) Small Project Component (Enabling Accessibility Fund), (xli) Social Development Partnerships Program—Children and Families, (xlii) Social Development Partnerships Program—Disability Component, (xliii) Surplus Federal Real Property for Homelessness Initiative, (xliv) Targeted Initiative for Older Workers, (xv) Technical Assistance and Foreign-Based Cooperative Activities Grants (International Trade and Labour Program), (xlvi) Work-Sharing, (xlvii) Youth Awareness, (xlviii) Youth Employment Strategy—Canada Summer Jobs, (xlix) Youth Employment Strategy—Career Focus, (l) Youth Employment Strategy—Federal Public Service Youth Internship Program, (li) Youth Employment Strategy—Skills Link?

(Return tabled)

Question No. 158—Mr. Claude Patry:

With regard to Human Resources and Skills Development Canada funding in the riding of Jonquière—Alma for the last five fiscal years: (a) what is the total amount of spending by (i) year, (ii) program; and (b) what is the amount of each spending item by (i) Technical Assistance and Foreign-Based Cooperative Activities (International Trade and Labour Program), (ii) Skills Link (Youth Employment Strategy), (iii) Consultation and Partnership-Building and Canadian-Based Cooperative Activities (International Trade and Labour Program), (iv) Canada Summer Jobs (Youth Employment Strategy), (v) Children and Families (Social Development Partnerships Program), (vi) Labour Market Development Agreements, (vii) Labour Market Agreements, (viii) Labour Market Agreements for Persons with Disabilities, (ix) Enabling Fund for Official Language Minority Communities, (x) Opportunities Fund for Persons with Disabilities, (xi) Aboriginal Skills and Training Strategic Investment, (xii) Enabling Accessibility Fund, (xiii) Skills and Partnership Fund—Aboriginal, (xiv) Targeted Initiative for Older Workers, (xv) International Academic Mobility Initiative—Canada-European Union Program for Co-operation in Higher Education, Training and Youth, (xvi) International Academic Mobility Initiative—Program for North American Mobility in Higher Education, (xvii) Surplus Federal Real Property for Homelessness Initiative, (xviii) International Labour Institutions in which Canada Participates (International Trade and Labour Program), (xix) Labour Mobility, (xx) New Horizons for Seniors, (xxi) Career Focus (Youth Employment Strategy), (xxii) Fire Safety Organizations, (xxiii) Organizations that Write

Occupational Health and Safety Standards, (xxiv) Social Development Partnerships Program—Disability, (xxv) Foreign Credential Recognition Program Loans (pilot project), (xxvi) Fire Prevention Canada, (xxvii) Adult Learning, Literacy and Essential Skills Program, (xxviii) Canada-European Union Program for Co-operation in Higher Education, Training and Youth (International Academic Mobility Initiative), (xxix) Labour-Management Partnerships Program, (xxx) Social Development Partnerships Program—Children and Families, (xxxi) Social Development Partnerships Program—Disability,

(xxxii) Foreign Credential Recognition Program, (xxxiii) International Trade and Labour Program—Technical Assistance and Foreign-Based Cooperative Activities, (xxxiv) International Trade and Labour Program—Consultation and Partnership-Building and Canadian-Based Cooperative Activities, (xxxv) International Trade and Labour Program—International Labour Institutions in which Canada Participates, (xxxvi) Sector Council Program, (xxxvii) Federal Public Sector Youth Internship Program (Youth Employment Strategy), (xxxviii) Aboriginal Skills and Employment Partnership Program, (xxxix) Employment Programs—Career Development Services Research, (xl) Career Development Services Research (Employment Programs), (xli) Occupational Health and Safety, (xlii) Youth Awareness, (xliii) Aboriginal Skills and Employment Training Strategy, (xliv) Homelessness Partnering Strategy, (xlv) Youth Employment Strategy—Skills Link, (xlvi) Youth Employment Strategy—Canada Summer Jobs, (xlvii) Youth Employment Strategy—Career Focus, (xlviii) Youth Employment Strategy—Federal Public Sector Youth Internship Program, (xlix) Apprenticeship Completion Grant, (l) Apprenticeship Incentive Grant, (li) Work-Sharing, (lii) Small Project Component (Enabling Accessibility Fund)?

(Return tabled)

*Government Orders***Question No. 159—Mr. Sean Casey:**

With respect to the considered cuts to Environment Canada: (a) which specific departments and programs are affected, and what was the process taken to determine whether or not to make cuts to a specific department and program, (i) what, if any, Environment Canada Research Scientists were consulted regarding the considered cuts, (ii) what scientists outside of Environment Canada were consulted, (iii) for each department and program specified in (a), what is the number of current full-time, part-time, and contract scientific positions, (iv) the number of full-time, part-time, and contract scientists who have been given “workforce adjustment” letters, (v) the number of full-time, part-time, and contract scientists who are going to be moved out of their current “job function”, (vi) what, if any, consideration has been given to shutting-down the Integrated Atmospheric Deposition Network (IADN), and, if so, has the United States been consulted, as Canada has commitments under the Great Lakes Water Quality Agreement, (vii) specify all programs run by a single scientist who has been given a “workforce adjustment” letter, and for each program identified, what, if any, concern was expressed regarding the ability of the program to continue, (viii) the process that will be taken to place scientists in appropriate research areas, (ix) what, if any, consideration has been given to the fact that many scientists are highly trained in very specialized fields, and that an appropriate replacement position may not be possible; (b) specify all national and international environmental commitments to which Canada is subject, including, but not limited to the Global Climate Observing System, the World Meteorological Organization/United Nations Environment Programme Scientific Assessments of Ozone Depletion, which are mandated by the Montreal Protocol to occur at least every four years, and hosting the World Ozone and UV Data Centre, (i) what, if any, environmental commitments are affected by “workforce adjustments”; (c) what, if any, consideration was given to the possible impacts of cuts to ozone research on (i) Canada’s environment, (ii) the health of Canadians, including, but not limited to, non-melanoma and melanoma skin cancers, cataract, immunosuppression, and vitamin D, (iii) if so, what are the predicted environmental impacts, (iv) what are the predicted epidemiological impacts for each of non-melanoma skin cancer, melanoma, and cataract, and if not, (v) why not; (d) explain the advantages and disadvantages of both ozonesonde and Brewers, (i) whether or not the two technologies complement one another; (e) specify why ground-based ozone networks, and especially the ozonesonde component of this network, are critical for monitoring long-term changes in ozone, monitoring vertical profiles and tropospheric ozone, and assessing the link between climate change and ozone; (f) what, if any, research has been undertaken to assess what the loss of Canadian measurements might mean to the global ozone network, and the continuity, reliability and stability of the record; and (g) specify whether the oil sands monitoring plan announced in July was to include aircraft measurement, air quality measurements, and ozonesonde measurement, (i) whether any of aircraft measurement, air quality, air toxics, and ozonesonde programs is being considered for cuts, (ii) how many scientists run each of the specified programs in (i), and how many scientists have been given a “workforce adjustment” letter, (iii) how proposed cuts might specifically affect the oil sands monitoring program?

(Return tabled)

Question No. 160—Ms. Manon Perreault:

With regard to Human Resources and Skills Development Canada funding in the riding of Montcalm for the last five fiscal years: (a) what is the total amount of spending by (i) year, (ii) program; and (b) what is the amount of each spending item by (i) Technical Assistance and Foreign-Based Cooperative Activities (International Trade and Labour Program), (ii) Skills Link (Youth Employment Strategy), (iii) Consultation and Partnership-Building and Canadian-Based Cooperative Activities (International Trade and Labour Program), (iv) Canada Summer Jobs (Youth Employment Strategy), (v) Children and Families (Social Development Partnerships Program), (vi) Labour Market Development Agreements, (vii) Labour Market Agreements, (viii) Labour Market Agreements for Persons with Disabilities, (ix) Enabling Fund for Official Language Minority Communities, (x) Opportunities Fund for Persons with Disabilities, (xi) Aboriginal Skills and Training Strategic Investment, (xii) Enabling Accessibility Fund, (xiii) Skills and Partnership Fund—Aboriginal, (xiv) Targeted Initiative for Older Workers, (xv) International Academic Mobility Initiative—Canada-European Union Program for Co-operation in Higher Education, Training and Youth, (xvi) International Academic Mobility Initiative—Program for North American Mobility in Higher Education, (xvii) Surplus Federal Real Property for Homelessness Initiative, (xviii) International Labour Institutions in which Canada Participates (International Trade and Labour Program), (xix) Labour Mobility, (xx) New Horizons for Seniors, (xxi) Career Focus (Youth Employment Strategy), (xxii) Fire Safety Organizations, (xxiii) Organizations that Write Occupational Health and Safety Standards, (xxiv) Social Development Partnerships Program—Disability, (xxv) Foreign Credential Recognition Program Loans (pilot

project), (xxvi) Fire Prevention Canada, (xxvii) Adult Learning, Literacy and Essential Skills Program, (xxviii) Canada-European Union Program for Co-operation in Higher Education, Training and Youth (International Academic Mobility Initiative), (xxix) Labour-Management Partnerships Program, (xxx) Social Development Partnerships Program—Children and Families, (xxxi) Social Development Partnerships Program—Disability, (xxxii) Foreign Credential Recognition Program, (xxxiii) International Trade and Labour Program—Technical Assistance and Foreign-Based Cooperative Activities, (xxxiv) International Trade and Labour Program—Consultation and Partnership-Building and Canadian-Based Cooperative Activities, (xxxv) International Trade and Labour Program—International Labour Institutions in which Canada Participates, (xxxvi) Sector Council Program, (xxxvii) Federal Public Sector Youth Internship Program (Youth Employment Strategy), (xxxviii) Aboriginal Skills and Employment Partnership Program, (xxxix) Employment Programs—Career Development Services Research, (xl) Career Development Services Research (Employment Programs), (xli) Occupational Health and Safety, (xlii) Youth Awareness, (xliii) Aboriginal Skills and Employment Training Strategy, (xliv) Homelessness Partnering Strategy, (xlv) Youth Employment Strategy—Skills Link, (xlvi) Youth Employment Strategy—Canada Summer Jobs, (xlvii) Youth Employment Strategy—Career Focus, (xlviii) Youth Employment Strategy—Federal Public Sector Youth Internship Program, (xlix) Apprenticeship Completion Grant, (l) Apprenticeship Incentive Grant, (li) Work-Sharing, (lii) Small Project Component (Enabling Accessibility Fund)?

(Return tabled)

[English]

Mr. Tom Lukiwski: Mr. Speaker, I ask that the remaining questions be allowed to stand.

The Acting Speaker (Mr. Bruce Stanton): Is that agreed?

Some hon. members: Agreed.

GOVERNMENT ORDERS**COPYRIGHT MODERNIZATION ACT**

● (1700)

[Translation]

The House resumed from October 21 consideration of the motion that Bill C-11, An Act to amend the Copyright Act, be read the second time and referred to a committee, and of the amendment.

Mr. Jean-François Fortin (Haute-Gaspésie—La Mitis—Matapédia, BQ): Mr. Speaker, I have the honour to speak today to defend creators.

The massive use of new recording and copying technologies has caused major upheaval in the cultural sector. For years now, in sectors such as literature and the medical industry, for example, or even the gaming and software sectors, artists have been posting major losses in revenue, essentially because of piracy and illegal downloads.

Government Orders

Instead of lending an ear to the creators who make up the true foundation of Quebec's cultural industry, the government has chosen, once again, to try to impose a plan that will further reduce creators' revenues and benefit big corporations.

Quebec is unanimous in its opposition to the bill. Quebec's creators have condemned Bill C-32 and Bill C-11 with all their might, underscoring the inconsistency of Ottawa's position: "We recognize that music is worth something when it is copied to a CD, but it is worth nothing when it is copied to a digital audio recorder". Quebec's cultural industry and its artists are against Bill C-11.

Stakeholders have called for such essential provisions as the imposition of royalties on Internet service providers, in order to compensate for the losses caused by illegal downloading, but those calls remain unanswered to this day. Yet people across Quebec are speaking in support of creators.

Only 8% of music revenues are given to copyright holders in the music sector, while Internet service providers keep 83%. Since cultural products are attractive to Internet service providers and represent a huge portion of their inventory, it is only fair that artists get a share of the revenues generated from distributing their works on the Internet.

The National Assembly has unanimously rejected the government's bill and called for substantial amendments. Organizations that are well aware of the consequences of adopting the provisions currently on the table, such as the Barreau du Québec and the Union des consommateurs, have protested in similar fashion. Even the Fédération des commissions scolaires du Québec finds that the damage caused to the creation industry outweighs the benefits the Conservative bill promises to provide to the education sector.

The Bloc Québécois believes that we must modernize the private copying system by taking into account the reality facing creators and other artists, so that they can receive fair compensation for their work. We must maintain the contributions coming from educational uses, as well as the royalties paid by broadcasters for ephemeral recording. Artists and other creators need this income. Without legitimate compensation, Quebec's creation industry itself is in jeopardy in the medium term.

By introducing a new copyright bill—which is a carbon copy of Bill C-32, a bill categorically rejected by creators—the Conservatives are once again showing their contempt for the vitality of Quebec culture. The Conservatives' bill forgets a fundamental principle: artists need an income to survive and to continue to create.

It is clear that this bill will make our artists poorer and will benefit big corporations. The Conservatives did not listen to any of the legitimate criticisms and are proposing amendments that would significantly benefit the software, gaming, film and broadcasting industries, at the expense of our artists' rights.

The Fédération des commissions scolaires du Québec said:

Accepting the principle that access to copyrighted works is synonymous with offering them free of charge would negate the importance of authors' contribution to our children's education, and weaken the school publishing sector.

The Union des artistes said:

The bill...does away with private copying and completely strips Internet service providers of any responsibility, when they already profit from cultural content free of

charge. It exempts the education sector from paying copyright and kills reproduction rights.

● (1705)

To sum up, what are artists asking for? First of all, they want the government to implement a system of royalties on sales of digital audio players to compensate artists for their copyright. They also want legislation to prohibit illegal downloading of artistic creations, to amend the bill to ensure that educational institutions continue to pay copyright fees, to amend the bill to remove the YouTube exception, and to not limit pre-established damages. Artists also want to receive compensation that represents a fair percentage of the profits of Internet service providers, and to be able to distribute musical creations in exchange for compensation, rather than having them trapped behind a digital lock.

The Bloc Québécois would like to reiterate four important principles. First of all, it is not free. Artistic creations are not free. Creators, artists and artisans have created them and they deserve to be paid for their work, just as everyone else is paid for the work they do. We must encourage creation in all of its forms and ensure that artists are paid, that Internet service providers are assuming their responsibilities and that consumers can make copies for their personal use.

Second, we must support dissemination. Consumers must be able to take advantage of the increased accessibility provided by new technologies and artists must be able to take advantage of all these dissemination platforms. We must therefore promote the dissemination of artistic works on all existing platforms. Through its subsidy programs, the government must support dissemination via new media without negatively affecting conventional media, which are often where new works appear in the first place.

The third principle relates to increasing public awareness about the value of artistic creations. In order to protect against illegal copying, it is the government's duty to launch a public information campaign, targeted at youth in particular, to raise awareness about respecting artistic works and to explain that the law protects copyright.

The Bloc Québécois' fourth principle relates to cracking down on piracy. The new copyright legislation must also address illegal copies made by people for commercial purposes. The law should come down hard on professional pirates and known repeat offenders.

In short, the Bloc Québécois and artists want a bill that protects artists' copyright and pays them for their work. Helping our artists is another way we express our culture and the concept of our Quebec nation.

That is why the Bloc Québécois cannot support the bill in its present form.

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Mr. Jean Rousseau (Compton—Stanstead, NDP): Mr. Speaker, I would like to thank the hon. member for his wonderful speech. We know that the Copyright Act has not aged well and clearly needs to be updated. What would the hon. member say is the main change that needs to be made, especially in terms of piracy? The member spoke about piracy in terms of going to a flea market and thinking that you are buying a real copy when it is not genuine.

Does the member feel that that is the most important thing to deal with, or should we be dealing with the overall issue of copying and Internet piracy?

Mr. Jean-François Fortin: Mr. Speaker, I would like to thank the hon. member for his excellent question. The law needs to be adapted to today's reality. We need to understand that new technologies are creating a new reality in which creators' copyright may be infringed. Copyright must be protected and we need to understand that. However, in improving the law, we need to ensure that those truly guilty of copyright infringement—the pirates—will suffer the consequences.

The government needs to do a better job of targeting real copyright infringement instead of punishing creators.

[*English*]

Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.): Mr. Speaker, by way of illustration, one of the major issues that would come out of this would be digital locks. There is not a lot of talk about the cultural arts and how this would be one of the mechanisms by which artists could protect their crafts.

I think, quite frankly, that the government is focusing way too much on this digital lock idea, and, of course, it is really just favouring a business model. When it comes to individual songs right now, digital locks are going by the wayside. We can see how the evolution of technology is basically indicating that we cannot afford to have an inflexible bill.

I am not too encouraged by the fact that there will not be a lot of changes and that the government will not be open to a lot of changes when the bill gets to committee.

I would ask my colleague about the cultural arts sector in Quebec that he spoke to in reference to the money that would be lost from the use of this levy. The government has tried to turn the debate around to this iPod tax idea, but this is still a lost revenue for artists.

What would my colleague propose that the government do to help get some of that revenue back and help our most vulnerable artists?

• (1710)

[*Translation*]

Mr. Jean-François Fortin: Mr. Speaker, when we spoke about a levy on digital audio players, the Conservatives said it was a new tax. However, it needs to be understood that this is not a new tax. A tax is revenue for the government, whereas a levy allows our artists and creators to receive fair compensation in light of the new reality. With the distribution of digital audio files comes copyright responsibility. There is a clear difference between imposing a new tax and collecting a fair levy on the purchase of a digital audio player.

[*English*]

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, I was not going to participate in this debate but I need to given that the Bloc, the Liberals and the NDP have all commented on a copyright bill with regard to this idea of extending the levy.

[*Translation*]

My Bloc Québécois colleague calls it a levy.

[*English*]

It is astonishing to me that a member of Parliament would stand in this place with so much enthusiasm and speak in favour of something, the technology about which he clearly has no idea of what he is talking about. People do not download MP3s and burn them onto discs anymore. Therefore, the idea of an iPod tax or a levy for MP3s, which is what the Bloc Québécois has been proposing for years, does not work. How does his proposal work with Stitcher and iCloud and the new streaming media advances that are being made right now?

The Bloc Québécois and the NDP proposals with regard to the idea of an iPod tax, as we call it, or extending the private copying levy, make absolutely no sense whatsoever to anybody who has even the simplest understanding of how technology works.

[*Translation*]

Mr. Jean-François Fortin: Mr. Speaker, I am still waiting for the question. That was more a statement or comment. What I have gathered from the minister's intervention is that the Conservatives, no matter what the vision of the opposition parties, clearly have an ideological vision. Hence, no matter what bill they introduce, they will defend it without taking into consideration the amendments or the suggestions of the opposition. Once again, the Conservatives do not understand the situation of creators. It has to be pointed out to them over and over again.

[*English*]

Mr. Andrew Cash (Davenport, NDP): Mr. Speaker, it is an honour to rise this evening to speak to Bill C-11.

There is no question that Canada's Copyright Act is in dire need of an overhaul to reflect and to serve the needs and realities of artists, creators, rights holders and consumers in the 21st century. However, on too many counts Bill C-11 fails to meet the task at hand and for every problem that it attempts to fix, new problems are created.

We in the NDP and Canadians across the country have serious concerns about the bill in its present state, and we look forward to working constructively with the government to amend elements of the bill to address concerns that Canadian stakeholders have.

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As we know, the bill was introduced in the last Parliament exactly in the state it appears before us today. This is not the first time the government has done this in the 41st Parliament. Indeed, since the election in May, it has introduced several bills that have been virtually word for word the same as the bills it put forward in previous Parliaments.

It is a bit early in the mandate of a government to show inertia, but from the recycling of bills, the omnibus crime bill, the ending of the long gun registry and the recycling of Bill C-11, this is a government that has begun to run out of ideas already. By limiting debate and railroading committees, the Conservatives have shown that they do not have any ideas themselves, and they sure are not interested in the ideas of Canadians who want to speak to the bill.

Notwithstanding the fact that the legislative committee looking at Bill C-32, as it was called in the 40th Parliament, met with over 100 witnesses who all spoke about the many serious problems that existed in the legislation, the legislation has not changed. What is more, we hear that the government is not interested in any more input from Canadians on the substance of the bill, and that is too bad. The government is missing an important and historic opportunity to craft a made in Canada copyright act that would stimulate innovation in digital industries and that would truly protect artists, other content creators and rights holders and at the same time balance the needs of consumers.

While the government does not seem interested any longer in what Canadians have to say about copyright, it certainly cares about the big boys in Hollywood and New York who want Canada to toe the line, and a deeply flawed line it is, that creative industries and consumers toe south of the border. The government's anti-circumvention position as it pertains to technological prevention measures, TPMs or digital locks, is a case in point.

I understand that if someone makes available thousands upon thousands of songs, movies, or pieces of software and is profiting from that activity, that person is clearly infringing on copyright for commercial purposes. Pirated DVDs sold on street markets or making semi-conductors specifically to allow gamers to hack their gaming platform to play pirated software are other examples. Someone is making money off of the blood, sweat, tears and creativity of artists and entrepreneurs, but the creators are not getting paid, and that goes beyond the regular practices of consumers to share and enjoy content.

However, much of the scare-mongering from major record labels and film studios unfortunately has tried to conflate the practices I have just described as the common practices of music and movie fans. This has led to the bizarre circumstances that we all know of, such as grandmothers being sued for downloading some tunes on the Internet.

The Conservatives could have crafted a Canadian-made solution to this very complex set of circumstances. Instead they caved to their U.S. buddies again. On the one hand, Bill C-11 finally recognizes common consumer practices which should be for the benefit of consumers and creators, such as time shifting, recording TV for later viewing, format shifting, as well as parody, satire and education as fair-dealing exceptions. On the other hand, all of this is moot if there

is a digital lock on the content since that measure in the anti-circumvention measure that is attached to it supersedes all else.

What Canadian consumers win with one hand, they lose with the other. If there is a digital lock on a CD, they will not be able to make a back-up copy. If there is a digital lock on an e-book, they cannot change its format for use on a different type of e-reader. If there is a digital lock on a DVD, journalists will not be able to use part of it under the fair-dealing rights. It does not make sense that digital locks could supersede other rights that are guaranteed in the very same piece of legislation.

What is worse, not only do digital locks prevent Canadians from fully enjoying materials that they have legally purchased, they are also backed by incredibly unreasonable punitive damages with fines of up to \$1 million and five years in jail for doing something that, if it were not for the presence of the digital lock, would be entirely acceptable. It is beyond logic.

• (1715)

While we in the NDP have an issue with the practice of suing fans and suing consumers, I would like to point out that it is only the very large multinational media outlets that could avail themselves of this kind of protection anyway. For example, members of the Canadian Independent Music Association as a block represent 24% of all music sales in Canada, which is larger than EMI and Warner music sales combined and greater than Sony music sales. This organization is made up of Canadian-owned companies, mostly small- and medium-size businesses which include record producers, labels, publishers, recording studios, managers, agents, and so on. In other words, they are the heart, soul and bones of the English language Canadian music business.

Few, if any, of the member organizations could pursue those who under C-11 infringe copyright through the courts. It would be cost prohibitive for them. While executives at the big multinationals slap themselves on the back at how compliant the government has been with C-11, the bill really does not help the independent music industry. It does not help the small businesses. It does not help the small entrepreneurs.

There is no question the music industry has gone through a very difficult time over the last 15 years. Therefore, it is all the more pressing that we craft copyright legislation that addresses the profound need to invest in new business models and innovation in the Canadian cultural industries. Instead, C-11 takes tens of millions of dollars out of the hands of artists annually by waiving the so-called broadcast mechanical tariff and by playing politics with the blank copying levy.

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Prior to my election to this place in May 2011, I derived my primary income in the arts and culture sector as a musician, a songwriter, a producer, a composer, and a journalist. I can tell the House that it is a very difficult way to make a living and raise a family. Most in that profession work terribly long hours for many years and most barely earn a dollar. Having been lucky enough to make my living in the arts, I can say it is potentially a good way to get rich, but a lousy way to make a living.

With the arrival of the digital era many believed this would herald a new day for artists, a dawning of a middle class where it was not always a feast or a famine, where new revenue streams and business models would raise the average income for Canadian artists from below the poverty line to something resembling a decent living. That is what we should be striving for always. I think it is fair to say that that dream has largely gone unfulfilled. Writers still make more money slinging burgers than they do from their work. The average annual income of Canadian artists is under \$13,000.

It is important to remember that the spokespeople for the multinational music and movie businesses are not speaking for artists. They are speaking for their shareholders. Prior to the digital revolution, prior to Napster, BitTorrent sites and Netflix, artists were still struggling. Not a lot has changed for artists.

Let us be clear. Artists have always done most of the work and received the smallest share of the return. It was the same before the digital revolution and it is the same now. That is too bad, and Bill C-11 only makes the situation worse.

We know that Canadians support the arts and are willing to pay for it, but this bill wipes out \$20 million in annual revenue that goes directly to artists and rights holders by eliminating the broadcast mechanical tariff. Surely in the hundreds of witness testimonies on Bill C-32 the government heard that this would be detrimental to artists and rights holders. Again, the government is very in touch with the business interests of private broadcasters and big Hollywood film studios, but it is out of touch with Canadian artists and their audience, the Canadian public, who supports them.

Bill C-11 could have set an innovative and exciting course for Canada's cultural industries and workers, the artists who create the content, as well as Canadian consumers.

• (1720)

In its current state, Bill C-11 would fall far short of moving Canada forward into the 21st century. However, we look forward to working with the government on constructive amendments to fix the bill.

Mr. Paul Calandra (Parliamentary Secretary to the Minister of Canadian Heritage, CPC): Mr. Speaker, as members may have heard, through the summer I had many meetings with a lot of different groups with respect to the bill. What I heard consistently is how important the sector is to the Canadian economy. It is a \$40 billion industry. Hundreds of thousands of jobs are created or supported through this industry.

The hon. member talked earlier in his discussion about debate, when he knows that this is something that has been before the House for many years. There have been thousands of hours of testimony

from hundreds of witnesses, and hon. members of Parliament have been hearing the exact same thing.

He talked about the technical protection measures. In our neck of the woods, it is extremely important for those who create video games that there be technical protection measures that would support and protect that industry. Does he not support that?

Has he looked at other jurisdictions where similar things to what we have put in place in Bill C-11 have actually not limited the public's access to quality digital content but have actually improved it? Is the only solution the NDP has to continue to tax Canadians? Does he actually think the only way to support Canadian artists is to punish the artists and to punish Canadians and that a \$40 billion industry is somehow going to collapse under the threat, as he would project it, of a \$20 million levy that he suggests would no longer exist?

• (1725)

Mr. Andrew Cash: Mr. Speaker, I am a little surprised the hon. member opposite would just wave his hand at \$20 million for a sector where the average annual income is under \$13,000. I think the hon. member owes artists across Canada an apology.

Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.): Mr. Speaker, I actually agree with my hon. colleague from the NDP. Not only that, I would add that the Conservatives did not seem to flinch when it came to the money that was potentially lost from the auto sector. It seems there was very little debate there.

The parliamentary secretary talked about the technological protection measures, TPMs, and this model that is out there to protect all of them. I will give him several examples of countries, including Australia and the United States, which looked at ways of circumventing TPMs for the reasons of education. As a matter of fact, they went fully into using TPMs and digital locks but backed away on several measures simply because they were too strong. Therefore, some exemptions were made.

I would humbly suggest using something like the three-step process by which we can judge TPMs as a way of circumventing them for instances such as education. That would be one of the measures. However, certainly he speaks truth to this matter by saying that it is just an all or naught measure that simply should be looked at once again, and in committee.

Mr. Andrew Cash: Mr. Speaker, there is no question this is a very complex bill. It is very difficult to balance all of the interests of all the stakeholders. It does Canadians no service to listen to this overheated rhetoric around taxing Canadians, taxing artists, hurting artists, and punishing artists. Canadians want to see some constructive debate. That is what we would like to see in committee.

Mr. Dan Harris (Scarborough Southwest, NDP): Mr. Speaker, we heard the Minister of Canadian Heritage and Official Languages a few minutes ago say that anyone who does not agree with him does not understand technology. I, of course, would like to comment on that.

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First, people who are pirating movies are burning them onto DVDs and people who are downloading songs are putting them onto iPods. What is it that the minister does not understand?

My hon. colleague talked about a \$13,000 average income and making a decent living. What kind of missed opportunities does my colleague think there would be with Bill C-11?

Mr. Andrew Cash: Mr. Speaker, one of the great examples of innovation and a business model that works spectacularly is the collection of performance royalties by SOCAN. It licenses the songs. Artists become members and the organization collects that licence and disperses it to its members. It has worked for years and years and is a cornerstone of many artists' annual income. It is a very effective tool. It is one example that we would have liked the government to look at, ways in which we could license content and recoup it in a different way.

[*Translation*]

Ms. Laurin Liu (Rivière-des-Mille-Îles, NDP): Mr. Speaker, copyright modernization has been needed for a long time, especially to introduce the principles contained in the World Intellectual Property Organization treaties, which the Canadian government signed on December 22, 1997.

Since the comprehensive revision of the Copyright Act in 1997, the act has not been substantially amended because of the inability of previous governments, both Liberal and Conservative, to introduce a bill that would balance the interests of creators, the industry and consumers. Bill C-11, and its predecessor in the last Parliament, Bill C-32, are along the same lines. The government is continuing to stress access to creative content without providing adequate compensation for the authors.

The Conservatives took a stand from the beginning. They are firmly on the side of large content owners in the United States: the movie studios, record labels and video game developers. Unfortunately, consumers and creators will pay the price. Allow me to speak for a while about creators.

The Copyright Act is the legal foundation that ensures that creations can be reproduced, presented and communicated to the public while guaranteeing proper compensation for their creators. To weaken copyright by increasing the exceptions that allow people to use creations without authorization or any financial compensation is tantamount to preventing creators from earning a living from their trade. It also does away with collectives. To weaken copyright jeopardizes cultural industries by cutting off their supply of creations and by preventing them from developing markets that meet the needs of consumers while protecting their investments.

Bill C-11 introduces dozens of exceptions to copyright, including an exception for broadcasting and one for private copying. These exceptions give individuals and companies the right to use creations without compensating the creators. According to the Canadian Conference of the Arts, the ream of new exceptions introduced by Bill C-11 will deprive creators of over \$126 million a year. The Union des artistes du Québec estimates that the cumulative effect of the exceptions will decrease creators' income by 70%.

We know that the arts and culture sector is an important economic sector. According to the Canadian Conference of the Arts, it

generates spinoffs of over \$46 billion and provides work for over 600,000 people in Canada. However, without creators, the arts and culture sector would not exist. Nevertheless, the government insists on strangling creators by increasing the exceptions and failing to propose any measures that would compensate them for the resulting loss of revenue. This will have a huge impact on creators' ability to survive.

It is appalling to see that artists and creators receive only a small portion of the \$46 billion generated by their work. Artists in Quebec are the best paid in Canada. Yet, with an average income of \$24,600, they make 25% less than the average income of the total labour force. Their income dropped by 11% in the past 15 years, and now the Conservative government wants to impose its unfair copyright reform on them, which would deprive them of tens of millions if not hundreds of millions of dollars a year.

Meanwhile, despite the recession, commercial radio stations reported a pre-tax profit of 21% in 2009. They spent only \$21 million on acquiring reproduction rights, which is less than 1.4% of their \$1.5 billion in revenues.

Businesses have a right to earn a profit. However, creators also have a right to make a living from their work, and we must create a more balanced copyright regime.

If exceptions to the copyright principle are introduced, we must find another way to compensate creators. For example, some groups in the cultural sector have proposed extending the private copying exception to include digital audio recorders.

● (1730)

Instead of considering this proposal, the Conservatives preferred to stick to demagoguery. For example, they talked about a so-called iPod tax, when there is already a similar levy on traditional recording media. Furthermore, they were the ones who propose to increase the existing levies on cassettes, CDs and DVDs.

The problem with Bill C-11 is that it shows, once again, the Conservative government's contempt for artists and creators. This bill joins a long list of initiatives that weaken the arts and culture sector.

For example, I remind members of the cancellation in 2008 of the Trade Routes and PromArt cultural promotion programs; the Conservatives' refusal to double funding for the Canada Council for the Arts; their attack on the CBC, an important catalyst for our culture and our identity; cuts to the museum assistance program; and Bill C-10, which would allow them to censor films deemed contrary to public safety.

Next to creators, consumers are probably the biggest losers in this bill. By giving unprecedented powers to major multinational rights owners, Bill C-11 will result in a situation where digital locks will practically trump all other rights, including fair dealing for students.

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Bill C-11 could mean that consumers, for example, would no longer have access to content they have paid for. In one example provided to us, distance-learning students would have to destroy their class notes within 30 days of the course's end in order to comply with provisions in Bill C-11. That is completely absurd, especially given that these provisions are subject to fines of more than \$1 million and five-year prison terms. The NDP believes that Bill C-11 needs to be recalibrated to take consumers' rights into consideration.

To conclude, I should point out that this bill does contain some positive elements. Artists, creators and cultural workers in general are pleased with the amendments to distribution rights, performers' moral and reproduction rights, the longer duration of protection for musical works and the recognition of photographers' rights.

Nevertheless, Bill C-11 is unbalanced because it clearly favours the corporate sector. It needs significant amendments to meet the needs of consumers and creators as well. We hope that the government will listen to the artistic community, which is opposed to Bill C-11.

• (1735)

[*English*]

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): A couple of points need to be cleared up, Mr. Speaker.

First, the hon. member opposite said that our government had cut funding for museums. That is not true. We have created two new national museums, increased funding for existing museums and for local museums across the country.

Second, she mentioned PromArt and Trade Routes, two programs costing \$7 million. It cost \$5 million to deliver \$2 million worth of benefits. We eliminated those programs, took that money, gave it to the Canada Council for the Arts, which now has its highest budget ever. We have increased the Canada Council for the Arts budget by 20% with regard to copyright. Therefore, her facts are just wrong. I do not know who wrote her speech, but it is just wrong.

With regard to copyright, the only proposal the NDP members have talked about, and she mentioned it again and again in her speech, is the need to compensate artists, that artists have a right to an income.

The reality is the only proposal that the NDP has put forward on that measure is private member's Bill C-499, by the member for Timmins—James Bay, and it does call for a new tax on consumers. It says that people are downloading MP3s and in this transaction we need to tax that and that money should be collected into the private copying levy and distributed to artists.

I mentioned this as well to the member from the Bloc Québécois, but how does that work with iCloud? How does that work with streaming services? On the proposal from the NDP to compensate artists, even if one agreed with the premise, which I do not, how does that proposal work with streaming media? It is technologically impossible for the proposal of the NDP members to even achieve what they pretend it will achieve. How does it work?

Ms. Laurin Liu: Mr. Speaker, first, I deplore the fact that the Conservative government refuses to support an industry that contributes \$85 billion per year to our country's economy.

Despite these significant contributions, the median earnings of an artist in Canada is just \$12,900 per year, so these artists need to live off other jobs. It is important to encourage our cultural industry by paying those artists well for the work they have completed.

As for the private copying levy, the NDP's position is that we should update this levy to accommodate modern technology. The member should not just take it from us, but he could also take it from the Canadian private copying collective that supports our position and that represents thousands and thousands of Canadians across the country.

• (1740)

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, there are a great deal of students across Canada who are quite concerned with regard to a potential impact of the bill if it were to pass as is. Would the member expand on this point?

For years, thousands of university students have done their reports and their studies at university. Now there is this whole cloud of confusion regarding what the obligation is as to whether they can retain their notes.

Could the member comment on the point that the legislation seems to imply that students will have to get rid of their studies after a 30-day period of time?

Ms. Laurin Liu: Mr. Speaker, we believe that copyright laws in Canada can balance the rights of creators so they can be compensated fairly for their work, while respecting the right of consumers to have reasonable access to content.

My hon. colleague cited the case of a student who would have to destroy documents 30 days after a course ends. On our side, we do not believe this gives students reasonable rights to access content.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I want to follow up on my hon. colleague's last comment.

In this bill students who take long-distance learning courses are forced to destroy their class notes after 30 days. Does that not create a two-tier set of rights? If students go to a school in a city, they will have a certain set of rights, but if they are in a rural or isolated area trying to do long-distance education, they will be told that they have to destroy their class notes.

What does the member think the impact is on students across Canada who are trying to make the most of learning in a digital environment?

Ms. Laurin Liu: Mr. Speaker, I do not think we have reached a balance within Bill C-11 between compensating creators for the work they have done and giving consumers rights to access the content that they have paid for and that they have the right to use.

I would also add that we have a lot of support for our position, notably from Michael Geist who is a renowned technology commentator. He stated:

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The foundational principle of the new bill remains that anytime a digital lock is used—whether on books, movies, music, or electronic devices—the lock trumps virtually all other rights.

This means that both the existing fair dealing rights and Bill C-11's new rights all cease to function effectively so long as the rights holder places a digital lock on the—

The Acting Speaker (Mr. Bruce Stanton): Order, please. We have exhausted the time allowed.

Resuming debate, the hon. member for Montcalm.

[*Translation*]

Ms. Manon Perreault (Montcalm, NDP): Mr. Speaker, it is difficult to try and understand an ill-conceived bill that does not really fix the problems in the current law. The Canadian government wants to reintroduce former Bill C-32 in the hopes of modernizing the Copyright Act. After listening to many expert witnesses speak on this topic in 2009 and after consultations, this government chose to table a catch-all bill.

It is true that Canada needs new copyright legislation, but this one is confusing. It contains too many major problems and, in certain cases, creates problems where there were none before. The government has managed to alienate intellectual property expert Michael Geist, the cultural industries, the Writers Guild of Canada and SOCAN, the Society of Composers, Authors and Music Publishers of Canada, to name just a few.

Reforming copyright law in Canada is not simple. It is quite complex. I greatly fear that the government's proposal is not the right solution. On one hand, the government is allowing for fair use for educational purposes, but on the other hand, it is imposing strict rules with regard to digital locks, allowing them to supersede all other rights guaranteed under the Canadian Charter of Rights and Freedoms. The Writers Guild of Canada has been very clear about digital locks: adding a digital lock effectively blocks the creators' current source of income and denies consumers the same rights they are guaranteed in other clauses of the bill.

The United States adopted similar legislation 10 years ago, and we have already seen the major shortcomings of such legislation in recent years. Their bill has reduced fair access to electronic resources, limited individual freedom of expression, legislated contradictory terms, resulted in unending and expensive legal battles against the public and has hindered innovation. Why is this government proposing a bill based on that same model? Canada should be a leader in copyright law instead of repeating the mistakes of its neighbours. Canada has to move forward and show leadership in this area, especially given the astonishing number of artists here who are brimming with talent.

The Minister of Industry and Minister of State for Agriculture announced that Canadians would soon have modern copyright laws that protect and help create jobs, promote innovation and attract new investment. However, quite the opposite seems to be true. Over 80 arts and culture organizations believe that Bill C-11 will be bad for Canada's digital economy. Howard Knopf, a lawyer who specializes in copyright, raises an important question. He says that this bill does not encourage innovation and that, in fact, it inhibits it. He wonders how making it illegal to bypass a regional code in order to watch a

legally imported Bollywood DVD that is not available in Canada is going to encourage innovation.

The bill could seriously affect artists' incomes, even though they are already underpaid. A Conference Board of Canada report found that the cultural sector generated approximately \$25 billion in tax revenue in 2007. That is more than three times higher than the \$7.9 billion that was invested in culture by all levels of government in 2007. We must also consider that the average salary of an artist in Canada is \$12,900 a year, which is a pittance. This bill will deprive artists of million of dollars in revenue and jeopardize their market share.

Canada can be proud of its artists and creators. Why does this government want to penalize them? Does the government think that, with this bill, it can download additional costs onto artists, who are already underpaid? How does the government expect to create new jobs like this? It would definitely be more effective to examine the issue of job creation separately rather than trying to pass this incoherent bill off as a job creation strategy.

The Canadian Association of University Teachers was clear: this bill needs to be amended. The NDP is proposing that we delete the clauses that criminalize the removal of digital locks for personal, non-commercial purposes. This would easily allow people who have a print disability to change the format of electronic resources so they can access them.

• (1745)

What worries me is the impact that this bill would have on people with a print disability, which includes those with learning disabilities and those who are visually impaired. The accessibility of resources is clearly not a priority for this government. It is important to remember that, last year, the Federal Court ordered the government to make its websites accessible to people with visual impairments. The court gave them 15 months to fix the problem and we note that the government has only three months left. This is an example of the lack of consideration that this government has shown with respect to the accessibility of resources. The hon. members will understand my concern about the plans for digital locks.

What also concerns me is that the government held consultations on the accessibility of library resources. For three years, the government consulted experts on the issue and listened to people with print disabilities describe their experience in trying to access resources.

I have the clear impression that the government did not listen to anything they said. This bill may actually create obstacles for people with a print disability in accessing resources. We have to protect artists' and authors' creations but we also have to be careful not to create problems for people with visual impairments. We must strike a balance; such a thing is possible. Unfortunately, the government did not do the research it should have when drafting this bill. It would be preferable to consider any amendments that could improve the legislation and make it better reflect what is at stake for Canadians.

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Right now, Bill C-11 could have a number of unintended consequences, which is why it is important to consider amendments to improve the Copyright Act. One possible effect of the bill would be to increase the current levies on cassettes, DVDs and CDs, for example.

The bill could also create grey areas that would be difficult to manage and would require an endless, complex and inefficient list of exceptions. For example, the bill allows users to record television shows to watch them later but does not allow them to create a library of recorded content. What is the difference? How do we know whether two or three recorded episodes of a television show constitute a library or not?

Furthermore, is it illegal to transfer the music that we listen to on a CD player to a computer in order to listen to it on an MP3 player? According to this bill, the answer seems to be yes. However, according to the Conservatives, we do not have to worry because it is highly unlikely that the artist will sue us.

This bill creates all manner of difficult situations where judges will have a very hard time giving a ruling. This bill does not tackle the real problems faced by today's artists and consumers. In fact, it runs the risk of making things even more complicated.

I am asking this government to take our objections to this bill very seriously. I am asking the government to work with copyright experts who have identified serious problems with the law and to improve their proposals for modernizing the Copyright Act by taking into consideration users, artists and persons with a print disability.

• (1750)

Hon. Geoff Regan (Halifax West, Lib.): Madam Speaker, I congratulate the hon. member on her speech. She is perhaps aware that Conservative members shared their comments in a letter to their constituents stating that it would be acceptable to break the new law in order to circumvent digital locks.

[*English*]

Government members have apparently been saying that it would be okay to break the new law and to circumvent digital locks. The member for Calgary Centre wrote:

If a digital lock is broken for personal use, it is not realistic that the creator would choose to file a lawsuit against the consumer, due to legal fees and time involved.

In other words, he is suggesting not to worry about this, that the law can be broken and nothing would happen, that really we are encouraging consumers to break the law.

What does that say about the Conservatives' position, that they are telling Canadians to break this law that they have not passed yet?

[*Translation*]

Ms. Manon Perreault: Madam Speaker, I think I will quote Michael Geist, who said that the foundational principle of the new bill remains that any time a digital lock is used—whether on books, movies, music or electronic devices—the lock trumps virtually all other rights.

This means that fair dealing rights and the new rights set out in Bill C-11 are no longer in effect once the copyright holder places a digital lock on the content or the device.

[*English*]

Mr. Paul Calandra (Parliamentary Secretary to the Minister of Canadian Heritage, CPC): Madam Speaker, I listened intently to my colleague's comments.

I note that there are some countries around the world where TPMs are protected. We have not seen an actual decline in the availability of visual material in all of those countries, but we have seen an increase in it. I wonder if my colleague could cite one example for me of one country where there has been a decline in the availability of creative works because of TPMs.

Many opposition members have been focusing on the destruction of course notes for students. That is not actually in the bill. Students are not going to be required to burn their notes at the conclusion of their course work. That is simply not true.

I wonder if—

• (1755)

Mr. Charlie Angus: Madam Speaker, I rise on a point of order. I would not want the member to mislead the folks back home, but it is in the bill. If he were to read the bill, he would understand that. It is on page 23 of the bill. If he were to read the bill—

The Deputy Speaker: Order, please. The hon. member knows that this is debate. I would ask the hon. parliamentary secretary to conclude as there is little time left for a response.

Mr. Paul Calandra: I would like to respond to the point of order, Madam Speaker. One of the—

The Deputy Speaker: Order. The matter is settled. This was not a point of order. Could the hon. parliamentary secretary conclude his response?

Mr. Paul Calandra: You are quite correct, Madam Speaker. It was not a point of order because the opposition is wrong on most facets of Bill C-11.

Could the hon. member cite one instance out of those 80 countries, where TPMs are available, where they have seen less creative work? Could she cite for me specifically where—

The Deputy Speaker: The hon. member for Montcalm. There is one minute left to respond to the question.

[*Translation*]

Ms. Manon Perreault: Madam Speaker, the NDP's position is clear. The NDP believes that Canadian copyright laws can balance the right of creators to fair compensation for their work and the right of consumers to reasonable access to content.

In other words, the NDP wants to examine all the amendments that could be made to the bill in order to create a fair royalty system for artists, as we have now. This bill would wipe out millions of dollars in revenues for artists. That is what we are talking about.

*Government Orders**[English]*

Mr. Matthew Kellway (Beaches—East York, NDP): Madam Speaker, I am pleased to speak to Bill C-11, the copyright modernization act.

Without question, copyright is a very complex issue, and on that I think we can all agree. It is required as a balancing of competing demands of multiple interests.

At the root of this issue is the fact of unrelenting technological advancements. Therefore, I rise today to speak to this issue with some trepidation. I am not a very technologically sophisticated kind of guy. In the race to keep up with technology, my 15-year-old blew past me some years ago and has disappeared over the horizon. My 12-year-old has lapped me several times and now I simply marvel at my 7-year-old's facility with all technological matters. It seems like it is intuitive and, to extend or abuse the metaphor, I hear his footsteps right behind me.

My challenges with technology notwithstanding, I do realize and recognize that there are great possibilities and new horizons that open up to us on our current trajectory of technological development. These possibilities emerge from our ability to explore vistas that were not available or accessible to us before. Much of the broadening of horizons comes from our greater exposure to and easier access to the arts of all kinds, but performing arts in particular.

From this we all benefit. It gives us as Canadians a better sense of each other across this vast land with such tremendous historical, cultural and linguistic diversity. Collectively, it gives us a greater sense of our national identity and our place in this world. It gives us, as Canadians, an existential foothold. The reverse is also true. It gives others around the world a better sense of who we are as Canadians. For all of this, we should be thankful and understand ourselves to be in the debt of our Canadian artists. One asks where our creative Canadians are represented in the bill. Where in the bill do we acknowledge their role in our lives and acknowledge our debt to them?

In the answers to these questions, we discover the fatal flaw of the bill because artists are locked behind the digital locks that prevent the sharing of product and the opportunity to support themselves economically. What our artists need and what we all need is to take advantage of our technology to enhance access to creative products hand-in-glove with enhancing compensatory opportunities for our artists. The value of proceeding in this fashion is not just cultural but economic.

A 2008 Conference Board of Canada report found that the cultural sector generated approximately \$25 billion in taxes for all levels of government in 2007. This amount is more than three times higher than the \$7.9 billion that was spent by these governments on culture in that year.

The Alliance of Canadian Cinema, Television and Radio Artists, better known as ACTRA to many, estimates that Canada's arts and culture industries contribute \$85 billion per year to our country's economy. This works out to roughly 7.4% of Canada's gross national income and 1.1 million jobs, equivalent to about 6% of Canada's labour force.

In stark contrast, the average earnings of a Canadian artist in 2009-10 was just \$12,900, well below the poverty line. Far too many people in Canada's arts and culture community have no choice but to subsist, depending on the generosity of friends and family to get by. They are relegated to a state of quasi-survival that does not reflect the tremendous economic and cultural benefits that we all reap from their talents.

What we should be doing in the House is protecting the creator by providing him or her with a way to make a living and at the same time protecting the ability of Canadians, often called consumers in the language of this debate, to enjoy the creative product of Canadian artists. Instead, the bill seems to privilege or enhance the economic and legal position of content owners, not creators and certainly not consumers, because the bill does nothing to deal with the most troublesome issue confronting us under the present copyright regime, which is the digital lock.

● (1800)

Behind that lock is the artist's work with limited ability to get out. On the other side is the consumer who is limited by his or her ability to access the creative product. We should be facilitating cultural and economic exchange between creators and consumers, not placing barriers between them that will benefit almost exclusively large foreign content owners. It is backward and it needs to be reworked.

On the same theme that I began with, the democratic possibilities of new technology, I would like to talk about the implications of this bill for education. Our new technologies carry with them this tremendous opportunity for providing greater access to education by making knowledge and information available to a much larger audience. This technology is an equalizer of educational opportunity, not by limiting opportunity for some but by raising it for all.

However, this bill, again primarily through the mechanism of the digital lock, places in front of students obstacles to their education. This is most obvious in the case of distance education. It should be noted that distance education or learning is an important issue, not just because of the sheer vastness of Canada but also because of the intensity with which so many of us live our lives and the convenience that distance education offers. It is also a huge issue because of the need for so many Canadians to pursue continuous education to keep up with new technologies and shifting labour market demands.

This bill would require that digital copies of educational materials for the purpose of study be made to self-destruct within five days. This would pose obvious problems for those pursuing long distance education, among others. In the case of long distance education, people in a remote isolated community would have to destroy their course materials within 30 days after the conclusion of the course of study. This is hardly an appropriate use of copyright law as these people would be effectively prohibited from having future access for reference or other purposes to content they have already paid for.

Further, with this bill, as presented, digital locks supersede other rights guaranteed in the Canadian Charter of Rights and Freedoms, such as changing format in the case of a perceptual disability. Again I would argue that this is hardly an appropriate use of copyright law.

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Under the terms of this bill, any removal of digital lock information would come with punitive fines of up to \$1 million and five years in jail. This measure is based directly on the United States' controversial digital millennium copyright act model.

In conclusion, I will point to some principles that should not change over time and should inform copyright legislation. One is that we need to value, treasure and protect the creative people among us. Their gifts are gifts for all of us and this needs to be recognized socially but, and very important, materially with appropriate remuneration for those in the arts and cultural community.

A second such principle is that education is critically important to us individually and collectively and, in all that we do, we should enhance access to education not limit it.

A third and very serious principle is the inviolable rights afforded to all Canadians by our Charter of Rights and Freedoms.

On all three of those principles, this bill fails and requires, as a result, significant amendment.

• (1805)

Mr. Peter Julian (Burnaby—New Westminster, NDP): We heard earlier, Madam Speaker, from a Conservative member of Parliament, a very intelligent person, who denied that what we all know to be in the bill was in the bill. I want to read page 23 of the bill, proposed subsection 30.01(5), which states, “the student shall destroy the reproduction”, that is the textbook, “within 30 days after the day on which the students who are enrolled in the course to which the lesson relates have received their final course evaluations”. That is black on white.

Very clearly, from the questions that we have been hearing from Conservatives, it appears that none of the Conservatives have actually even read the bill. This is quite tragic when they are supposed to be representing the interests of their constituents.

Could the member for Beaches—East York comment on the fact that the retroactive book burning is in the bill and on how surprised he may be that Conservatives have not bothered to read the legislation that is before the House?

Mr. Matthew Kellway: Madam Speaker, it is in the bill and, as the member noted, I commented on it in my speech. I think it is an egregious part of the bill.

I may be a bit of a nerd but I have retained and actually found quite useful for my speech earlier today my notes and papers from my course work back in university. I know there are others in this caucus who have commented on having that same habit of retaining these materials for a long time and finding them from time to time quite useful.

For all students, being able to retain notes, course materials, et cetera, that they have paid for is a tremendous advantage and only right having taken the courses. We all know that education is not inexpensive these days.

The provision read by my colleague about having to destroy these notes is something that I would like to see removed in amendments in committee.

Mr. Scott Simms (Bonaville—Gander—Grand Falls—Windsor, Lib.): Madam Speaker, a lot of the conversation earlier centred around the issue of the iPod tax, as the government likes to call it. We like to call it essential revenues for many of our artists and musicians.

One of the situations that we had just prior to the last election dealt with that. A lot of the media put that out as being just a myth.

What ends up happening here is that there is a relinquishing of revenues as a result of technology change. One of the things that we wanted to do, as part of the Liberal Party, was to provide that funding through general revenues.

Is that something that the NDP would consider in light of the fact that we keep talking about this levy? Sometimes a debate gets misconstrued.

• (1810)

Mr. Matthew Kellway: Madam Speaker, it is interesting that the levy has existed on other forms of technology that are now, in a sense, timed out, such as cassette tapes, et cetera.

We would certainly support moving that private copying levy onto new forms of technology so that we retain those levies for the benefit of arts and culture in Canada.

[*Translation*]

Ms. Hélène Laverdière (Laurier-Sainte-Marie, NDP): Madam Speaker, I would like to thank the hon. member for another excellent speech today. He spoke very eloquently about the importance of creativity.

That said, the hon. member also spoke about economic issues. I would like to ask him if he feels that this bill is yet another example of how the Conservative government favours big business over small businesses. Artists are SMEs, small businesses.

[*English*]

Mr. Matthew Kellway: Madam Speaker, it would seem to be that this is the case, that once again we have Canadian legislation mirroring or mimicking legislation in the United States. It seems that it would be foreign owned and content owners who benefit from this copyright law and Canadian artists, who benefit us all so much, would be left out in spite of their very keen economic needs.

Mr. Dan Harris (Scarborough Southwest, NDP): Madam Speaker, I will take over my colleague's spot.

While I would like to commend the government for tabling legislation that seeks to bring about long overdue changes to bring Canada in line with advances in technology and current international standards—changes that New Democrats have been recommending since 2004, I might add—I cannot commend the bill in its current form, and will not, unless the government is willing to amend the digital lock provisions and restore royalty provisions for artists. The government has yet to create a copyright reform that would balance the rights of creators and the public. Rather, the legislation it has brought forward would satisfy the demands of large American content owners and trump the rights of Canadian consumers.

Government Orders

Canadians did not give the government a mandate to cater to the needs of already hugely profitable content owners while restricting the rights that consumers currently possess. They also did not elect it to waste time fixing problems that never existed in the first place. The government's own clause-by-clause analysis of the bill, obtained under the Access to Information Act, states that the digital lock provisions apply even when there is not an infringement of copyright and the defences to infringement of copyright are not defences to these prohibitions.

It is not hard to fathom why the government would not attempt to find balance in its legislation. We all know that nothing the government has done since May 2 has ever had anything to do with balance. In committee, witness after witness testified that while the bill brings to life some of the much-needed modernization of our outdated copyright laws, major flaws exist within these digital lock provisions. Witness after witness said these flaws could be fixed and that a balance could be found in the same way that many of our trading partners are achieving, including many European countries and now even the United States.

It is clear from everything the government has done since May 2 that the government is simply not interested in anything to do with balance. All of its actions and all of its legislation have been very obviously one-sided and, frankly, ideological. Nothing the government does has anything to do with consultation or with balance. One would think that it had a mandate from a majority of Canadians, but of course we all know that it has a mandate from fewer than 40% of Canadians. The majority of Canadians support neither the government nor its actions, yet the government has the arrogance to completely ignore the concerns of any Canadian who may question its rigid and inflexible agenda.

Ignoring the concerns and advice of witnesses testifying in committee comes as no surprise to anyone in and around this chamber.

Canadians need to know that the Conservative government is making a complete mockery of the time-honoured parliamentary committee process. Governments have used this process for many years to examine proposed legislation and to garner input and feedback from Canadians. This government does not want input and feedback from anyone with a different point of view.

Canadians need to know that this government wants to effectively shut down the committee process, and not just the committee looking at this bill, but most, if not all, committees. The government simply wants to act as a bully, forcing its narrow agenda on the Canadian public and on the majority of Canadians who did not, and do not, support its agenda.

What witnesses have told the government on the bill is that the provisions on digital locks will create problems, problems that do not exist now. They could have serious implications for many creators in the entertainment industry and also for students, who presumably, as has been demonstrated many times over, will have to destroy their notes after 30 days. This is insane. Frankly, it reminds me of *Inspector Gadget* and *Mission Impossible*, where notes self-destruct within 30 days.

It makes absolutely no sense that the government would adopt such restrictive digital lock rules, which have, by the way, been described as the most restrictive in the world. A more balanced approach is not only available but is being used with apparent success in most other jurisdictions. What is wrong with balance and flexibility? What is wrong with fairness? It seems those are rhetorical questions when dealing with this government, which knows nothing of the meaning of fairness, balance or flexibility.

It is clear to the majority of Canadians that digital locks as proposed in this legislation will have a devastating effect on our cultural community, a sector that currently contributes \$85 billion a year to our economy and supports over 1.1 million jobs. These are very large and significant numbers, especially in the troubling economic times we are currently seeing. Representatives from this sector cannot simply be ignored, but the government is doing just that.

● (1815)

The Writers Guild of Canada told the government that digital locks might work for software. However, from my own background in technology, I would take a different point of view and remind the House that locks keep honest people out. There is a way around every single lock, and I think the hackers of the world have proven that point in their attacks on governments and industry. If a lock is there, somebody will find a way around it.

Also, according to the Writers Guild of Canada, digital locks

are likely to be selected against in the open market as they were with music. They are neither forward-looking nor in the consumers' or creators' best interests. Digital locks, at their best, would simply freeze current revenue streams for creators.

That is pretty clear advice.

The Canadian Internet Policy and Public Interest Clinic told the government that:

Overall, these digital lock provisions are some of the most restrictive in the world.

To achieve a fair balance between users and copyright owners, the government needs to fix the digital lock provisions before this bill passes into law.

I could go on quoting from the cultural community, which told the government that it had a problem with the bill and that the government needed to change the digital lock provisions. Did the government listen? No.

It is as if the government is operating in a cone of silence. I would like to say that it is time to get smart. While we may not be using shoe phones, all of our phones nowadays do have the ability to download and receive copyrighted information. The levies and provisions that existed in former forms of media should be advanced onto the new forms.

The government has to start listening to Canadians. Trying to fix the situation after the demise of a whole industry will simply be too late. I call on the government to go back to the drawing board, rework this legislation and protect our vital cultural industry and the jobs it provides. If not, let us do it in committee.

Government Orders

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Madam Speaker, I have emphasized in the past a very offensive aspect that I think would cause concern for many Canadians. If the bill were to pass, it would by law prohibit post-secondary students, who have paid for their education, from retaining the studies and reports that they have done, as the bill has that 30-day clause. I wonder if the member would like to provide some additional comment on that issue.

• (1820)

Mr. Dan Harris: Madam Speaker, I would like to emphasize for the Conservatives that if they had actually read the bill, they might know that those provisions are in fact there. I think it is troubling that the parliamentary secretary did not know that this provision was in the bill. Conservatives just seem to be making it up as they go along.

Certainly with respect to the 5-day or 30-day provisions, it is inexcusable, given the tremendous cost and burden that students are facing to get their education, that they would not be able to retain that material and use it for years to come.

Mr. Paul Calandra (Parliamentary Secretary to the Minister of Canadian Heritage, CPC): Madam Speaker, I listened intently. Could my hon. friend point out for me the sections in the bill that actually refer to requiring the class notes of students to be destroyed after 30 days?

Also, has the member read proposed subsection 30.01(5) of the act, which talks about 30 days for the taped version of the distance education course that the student watches? After 30 days, that is what cannot be kept. Nowhere does the bill suggest that students have to destroy or burn the class notes that they have created while watching a taped version. The assertion is absolutely ridiculous.

I would defer to the hon. member's scholarly knowledge of the bill if he could point out for me the sections of the bill that identify that students have to destroy their class notes. He mentioned that it is in the bill a number of times. I will sit and listen and wait for the hon. member's scholarly advice as to where those sections are in the bill.

The Deputy Speaker: Order, please. I would ask all hon. members to wait until they are recognized to make comments or to ask questions.

For response, the hon. member for Scarborough Southwest.

Mr. Dan Harris: Madam Speaker, I would first refer the Parliamentary Secretary to the Minister of Canadian Heritage back to my hon. colleague from Burnaby—New Westminster in reference to proposed subsection 30.01(5), which states in part:

However, the student shall destroy the reproduction within 30 days after the day on which the students who are enrolled in the course to which the lesson relates have received their final course evaluations.

Where did I say that they would have to destroy their class notes? Once again, the Conservatives are just making it up as they go along.

[*Translation*]

Mr. Pierre Jacob (Brome—Missisquoi, NDP): Madam Speaker, I have a question for my colleague.

SOCAN, the Society of Composers, Authors and Music Publishers of Canada, said it believes that Bill C-11 should be amended in order to facilitate access to creative content via new media and to

ensure that creators are fairly compensated for the use of their creative content via new media.

How will artists be affected if this delicate balance is disturbed?

Mr. Dan Harris: Madam Speaker, it will definitely be disturbed if artists do not receive the money they deserve after the bill is amended.

[*English*]

Certainly if the provisions are not carried forward to new technologies, then artists are going to suffer. As my colleague from Davenport mentioned earlier, currently artists have an average income of \$13,000 per year and cannot afford to lose any more.

Mr. Peter Julian (Burnaby—New Westminster, NDP): Madam Speaker, the riding of Burnaby—New Westminster is one of the ridings where we are concerned about the bill that the government has brought forward, Bill C-11, which was supposed to be a modernization of copyright.

We on this side of the House, as a number of our very eloquent speakers have said, are fully in support of modernization in copyright law. We have said that. Our member for Timmins—James Bay, who was the critic in the former Parliament on digital issues and continues to be the critic in this Parliament, brought forward a whole variety of very positive amendments and suggestions to the government. As we know within the NDP caucus, one of the reasons we are 102 strong is that we did extensive consultations, which the government has consistently refused to do on this bill. We got from the artistic community, from those involved in digital issues, those involved in copyright issues, a series of amendments to fix this bad bill.

As has been the trend of the government since it was elected on May 2, since it took off the sweater vest and stopped talking about moderation and approaching government in a responsible way, the government has refused to acknowledge any of the concerns raised in the artistic community, any of the concerns raised in the educational community, any of the concerns raised across this country by members in this House and by many members of the public. It has not addressed any of those issues. That is why we are faced with, instead of a bill that would modernize copyright, a bill that would in many respects take us backward in time.

I have only a few minutes left, but I will be delighted to continue the discussion at a later date. This is a fundamentally important piece of legislation that has huge flaws, huge holes, and has been approached by the government in what is a wholly irresponsible way.

Let us talk about three of the elements that would take us back in time.

We have had a number of great speakers today talking about the impact on the artistic community and that, in a real sense, this so-called modernization of copyright for artists would take them back to the dirty thirties. That was a time when the artistic community did not receive the kind of supports for the works that it put forward to benefit our country, a time when artists basically were starving artists.

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Subsequent to that, over the years, we have put in a variety of mechanisms so that artists could actually profit from their work. It is not a surprise that we are the foremost advocates for our artists in this House of Commons and we have a number of artists who have gone on to become members of Parliament.

However, the government is turning back the clock, ripping away those supports which the artistic community has and benefits from. As my colleague, the member for Scarborough Southwest, said just a few moments ago, the median earnings of an artist in Canada are under \$13,000 a year. For the government, in a mean-spirited way, to rip away the supports that artists have through its provisions in Bill C-11, shows to what extent the government is willing to turn back the clock.

Now, let us look at some of the other provisions that would turn back the clock.

Madam Speaker, because you come from a riding where there is a good sense of history, Victoria, British Columbia, you are aware of the 19th century and the paupers' prisons. Those paupers' prisons were established because there were draconian laws that penalized the poor, that penalized the middle class. When those people could not afford to pay their fines, they were thrown into paupers' prisons.

What we have here when we look at the bill, and I am going to reference it for the Conservative members who have obviously not yet read the bill, at page 57, it talks about the penalties that this legislation would bring forward. I will refer to clause 48, which is proposed subsection 42(3.1)(a), where it says that on conviction on indictment—that is when an individual is guilty of an offence through this bill that is brought forward—an individual is liable to a fine not exceeding \$1 million or to imprisonment for a term not exceeding five years, or to both.

Paupers' prisons and middle-age book-burning. That is how far back the government has turned the issue on copyright. Modernization of copyright—

• (1825)

The Deputy Speaker: Order, please. The hon. member will have five minutes left for further comments when the bill returns to the House.

ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

[*Translation*]

INFRASTRUCTURE

Mr. Jamie Nicholls (Vaudreuil—Soulanges, NDP): Madam Speaker, I would like to speak more about the Champlain Bridge and public transit on the bridge.

As we know, the Champlain Bridge is federally owned but, clearly, the provincial and municipal governments involved want to see public transit on the bridge, particularly in the form of light rail.

We are being asked why the NDP talks so much about public transit. We currently have a national strategy. Bill C-305, which

promotes a national public transit strategy, has been introduced in the House.

Why are we talking about public transit and, in particular, public transit on the Champlain Bridge? In short, it is because of the competition, the economy and the economic spinoffs that are generated by public transit.

What are the economic spinoffs for the greater Montreal area? Public transit provides 13,000 jobs on the island of Montreal and injects a billion dollars into that economy. The federal and provincial governments collect \$300 million a year from public transit alone. In addition, 50% of parts for the manufacturing of personal cars are imported, compared to 10% of parts for public transit vehicles. This means that 90% of the parts used in public transit vehicles are produced here in Canada, which represents major economic spinoffs.

There are other, non-economic spinoffs as well. Promoting a transit system reduces the cost of public transit. The cost per unit for one personal automobile is two to three times higher than for public transit. That is a saving of roughly \$570 million a year. Transit provides stimulus to family homes because it enhances consumer power and gets people around to major centres more easily and more efficiently.

There are many economic spinoffs related to public transit. We want to plan well in order for public transit to use the bridge and boost the economy in the greater Montreal area. We believe that, with a strategy in place, we can generate healthy economic spinoffs.

• (1830)

[*English*]

Ms. Eve Adams (Parliamentary Secretary to the Minister of Veterans Affairs, CPC): Madam Speaker, I am pleased to rise in response to the question posed by the hon. member for Vaudreuil-Soulanges.

The Conservative government understands the importance of public infrastructure and making our country and our communities more prosperous, safer and more environmentally friendly. Supporting provincial, territorial and municipal infrastructure has been and continues to be a key priority for our government.

In 2007 we launched the seven year, \$33 billion building Canada plan. This historic investment represented Canada's first long-term infrastructure plan.

To protect Canadians from the worst effects of the global economic downturn, the government also launched Canada's economic action plan in budget 2009. This included \$6 billion in new funding programs for provincial, territorial and municipal infrastructure, such as the infrastructure stimulus fund and the recreational infrastructure Canada program. We also accelerated funding under our existing programs to increase the amount of investment that would occur during the 2009 and 2010 construction seasons.

Together with our partners, provinces, territories and municipalities, we have been able to make historic investments in infrastructure that are having a real impact on the lives of all Canadians.

Let me provide just one example of the difference we are making.

I am very proud of the significant contribution our government is making in public transit projects both large and small right across Canada. Many of Canada's largest cities, including Toronto, Vancouver, Ottawa, Calgary and Edmonton, now dedicate a very large portion of their federal gas tax funding to public transit.

As a former municipal councillor for the Region of Peel and the City of Mississauga, I can say that the City of Mississauga undertook its largest transit expansion in its history because of the dedicated gas tax funding.

Since our government took office in 2006, we have committed close to \$5 billion to public transit projects across Canada. This is an unprecedented commitment to public transit by the federal government. At no other time has the Government of Canada made such substantial investments in transit systems across Canada, but we are not finished. Under our long-term infrastructure program, the building Canada plan, funding for important infrastructure projects, including public transit, drinking water and waste water systems, green energy, national highways, local roads, and so on will continue to be provided in the coming years.

In addition, our government has made and will continue to make significant commitments to cities and communities through the gas tax fund. In fact, we recently tabled legislation to make the gas tax fund permanent. As everyone knows, that is something municipalities have been requesting for years. At \$2 billion per year, this money will allow municipalities to count on stable funding for their infrastructure needs now and in the future. This allows them to plan.

The government also recognizes the need for future infrastructure support beyond 2014. That is why budget 2011 included a commitment that the government would work with provinces, territories, the Federation of Canadian Municipalities and other stakeholders to develop a new long-term plan for public infrastructure that extends long beyond the expiry of the building Canada plan.

I am very proud of the unprecedented investments in public infrastructure that the Conservative government has made since taking office in 2006. We will continue to build on this momentum by working with provinces, territories and municipalities to address Canada's infrastructure priorities and challenges.

• (1835)

Mr. Jamie Nicholls: Madam Speaker, it is my hope that the government will not rest on its laurels.

The hon. member talked about the gas tax fund. Presently, the federal government collects 10¢ in gas taxes and returns 5¢ to the

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municipalities. I would hope that instead of holding on to that 5¢ it would give municipalities the other 5¢.

I was addressing the strategy and planning behind the Champlain Bridge. It is my hope that the federal government will work closely with the provinces and the municipalities surrounding the Champlain Bridge in order to do proper planning so that they actually have in place the transit system that they want. This will take a strategy, and so far I have not seen any evidence from the government that it has done proper planning in terms of working with the provinces and municipalities to offer an efficient, modern transit system.

Ms. Eve Adams: Madam Speaker, our Conservative government is proud to be making significant investments in infrastructure for our cities and communities across Canada.

Recently, our government tabled legislation to make the \$2 billion a year gas tax fund a permanent measure, as I mentioned. I would hope, after listening to the hon. member's passion for public infrastructure funding, that he would choose to support our Conservative government in ensuring that the gas tax funding is a permanent measure.

Just last month the Minister of Transport, Infrastructure and Communities announced that our government would proceed with a new bridge across the St. Lawrence River in Montreal to replace the existing Champlain Bridge.

We are also committed to the long-term future of Canada's infrastructure. Going forward, we will work with our partners on developing a long-term plan that addresses priorities and key challenges.

It is clear that our government continues to recognize the vital role infrastructure plays in the creation and protection of jobs, in building and maintaining strong, healthy and sustainable communities, and in strengthening the foundation for our long-term prosperity.

I hope that the opposition parties will see fit to support our government in these very important endeavours for the benefit of all Canadians.

• (1840)

[*Translation*]

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 6:40 p.m.)

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