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(HANSARD)

Wednesday, February 27, 2013

Speaker: The Honourable Andrew Scheer

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HOUSE OF COMMONS

Wednesday, February 27, 2013

The House met at 2 p.m.

Prayers

• (1405)

[English]

The Speaker: It being Wednesday, we will now have the singing of the national anthem led by the hon. member for London West.

[Members sang the national anthem]

STATEMENTS BY MEMBERS

[English]

PROPORTIONAL REPRESENTATION

Mr. Bruce Hyer (Thunder Bay—Superior North, Ind.): Mr. Speaker, in 2011 most voters did not get what they voted for. Whether they favoured Greens, NDP or Liberals, they often received a Conservative MP due to our undemocratic voting system.

Most of the world's democracies have some kind of proportional representation. If we had fair elections, then Conservatives would have only 122 seats, the NDP 96, the Liberals 58 and the Greens would have at least a dozen. Canadians would have the Parliament they voted for, most likely a NDP-Liberal-Green government.

Only one of the candidates running for the Liberal leadership has a real plan for electoral reform, putting democracy before party politics.

I hope that Canadians will seriously consider the ideas of the member for Vancouver Quadra and that other candidates will also put their country before personal and political ambitions.

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SCOUTS CANADA

Mr. Ed Holder (London West, CPC): Mr. Speaker, Scouts Canada held its day on Parliament Hill yesterday. Scouts from across Canada met MPs and senators to share their message of leadership, respect and community service.

I was honoured to meet Alex Killby from London, as well as Nhattan Nguye, Cody Dixon and Heather Eskritt. These young people reminded me of my days in Scouts. Although it was many years ago, I remember well the lessons taught about integrity and

personal conduct and how to develop survival skills, technical skills and confidence. These principles of duty to God, duty to others and duty to self resonate today.

In my city of London we have 30 Scouts groups with more than 1,000 members and 400 volunteers, with service ranging from one to 60 years.

Just this past weekend London Scouting hosted a citizenship court welcoming 27 new Canadians, and 20 scouts received their pathfinder citizenship certificate.

Members may know that the Canadian General Council of the Boy Scout Association was incorporated by an act of the Canadian Parliament on June 12, 1914, so as scouting enjoys 100 years of service, let me on behalf of the House thank Scouts from across Canada for what they do to make London, Canada and our communities better.

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[Translation]

EMPLOYMENT INSURANCE

Mr. Pierre-Luc Dusseault (Sherbrooke, NDP): Mr. Speaker, last Saturday, I marched through the streets of Sherbrooke, alongside my constituents, to protest the employment insurance reform.

I made a speech and congratulated them on having the guts to take to the street to denounce this direct attack on our workers. The Conservatives are a threat to my region's economy.

This government wants to label the unemployed as good or bad. It is not as though they chose to lose their jobs; that is the reality, the up-and-down nature of seasonal work. This systematic labelling will erode seasonal industries and drive wages down.

I have a message for all Canadians. We need you if we are going to beat this reform. We will win the employment insurance fight today, and I can assure you that we will win the war in 2015, when we form the first NDP government in Canadian history.

Together, we shall succeed.

Statements by Members

[English]

INSPIRATIONAL ROLE MODELS

Mr. Dan Albas (Okanagan—Coquihalla, CPC): Mr. Speaker, last week was a truly great week in my riding of Okanagan—Coquihalla.

On Friday morning I joined a very large and very excited group of students from Uplands Elementary School to have a live conversation with Canada's very own Chris Hadfield. Our conversation was carried out live through the ARISS amateur radio program. To say these students were very inspired by this experience is an understatement.

Later in the day I visited Summerland Middle School and had the honour to present Canadian Olympian Kristi Richards with a Diamond Jubilee Medal. The staff and students at Summerland Middle School have a very special relationship with Ms. Richards. Kristi is a talented young leader and is a positive role model to young people in my riding.

I believe we are stronger as a nation when proud Canadians such as Commander Hadfield and Kristi Richards so positively influence our next generation of young leaders.

* * *

PINK SHIRT DAY

Hon. Hedy Fry (Vancouver Centre, Lib.): Mr. Speaker, today is pink shirt day in B.C. It commemorates an event in Nova Scotia, where a student was bullied for wearing a pink shirt. Fellow students wore pink shirts in support, and thus began a potent act of peaceful defiance.

There will be events across B.C. today. Firefighters wearing pink shirts will sell them to raise funds for boys and girls clubs, B.C. Place will be lit up with 6,000 pink LED lights and Vancouver's anti-bullying punk band Childsplay will perform.

Businesses, schools, media, athletes and celebrities will bring awareness to adults and youth that bullying can cause irreparable harm.

Trans and gay bullying is on the rise, as is the resulting suicide rate. The justice committee will hold final hearings today on my bill to make cyberbullies accountable, but it is only one small part of the action that we as parliamentarians must take to develop an anti-bullying strategy with education, prevention, accountability and rehabilitative components.

If people have a pink shirt, they should wear it as a quiet act of solidarity and defiance against bullies.

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● (1410)

HOME JAMES DESIGNATED DRIVER PROGRAM

Mr. David Tilson (Dufferin—Caledon, CPC): Mr. Speaker, I am very pleased to be recognizing an outstanding program that is saving lives in my riding of Dufferin—Caledon. Home James, launched last fall by the Community Designated Drivers Association, is a free designated driver program to reduce impaired driving in the community.

During the 2012 holiday season, Home James recruited an impressive 145 volunteers who provided 360 rides to 822 passengers, which resulted in \$9,105.78 in donations that were later presented to local youth groups on January 17.

I congratulate this exceptional organization on a job well done. I include Stan Janes and Diane Tolstoy, as well as the many service clubs and sponsors who supported the program, such as Bolton Rotary, Palgrave Rotary, Bolton Lions Club, Bolton Kinsmen, True Blue Lodge, Knights of Columbus Holy Father Catholic Church, Baffo's and Tim Hortons.

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[Translation]

DOMINICAN REPUBLIC

Mr. José Nunez-Melo (Laval, NDP): Mr. Speaker, I would like to take a moment to recognize the 169th anniversary of the independence of my home country, the Dominican Republic. Every year, over 800,000 Canadians visit this wonderful and prosperous country, located on the island of Hispaniola.

The Dominican Republic has strengthened its position and built the second-largest economy in the Caribbean, and Canada is one of its major trading partners. In 2012, Canadian exports to the Dominican Republic amounted to \$128 million, and imports to Canada from that country totalled nearly \$283 million.

I would also like to recognize the civic engagement and excellent conduct of Dominican nationals in this extraordinary country, Canada.

Happy birthday, Dominican Republic. *Feliz cumpleaños.*

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[English]

ABORIGINAL WOMEN'S RIGHT

Ms. Candice Bergen (Portage—Lisgar, CPC): Mr. Speaker, tens of thousands of aboriginal women in this country are at a disadvantage when going through a divorce because they do not have the rights to real matrimonial property. Our government is correcting this situation with Bill S-2, which will not only give matrimonial property rights to women living on reserve but will also allow judges to enforce emergency protection orders in situations of family violence.

Shockingly, the opposition is not supporting this basic right for aboriginal women. They are putting political posturing ahead of these rights, rights that every other Canadian woman enjoys. This is shameful.

Our Conservative government will continue to stand up for the rights of aboriginal women. On this side of the House we do not just talk about supporting women: we take real action to make a real difference in the lives of women and to empower them during the most difficult situations, those of divorce or separation.

Statements by Members

I call on all of the opposition to stop only talking about helping women and to actually do something by supporting Bill S-2.

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HIRING OF VETERANS

Ms. Eve Adams (Mississauga—Brampton South, CPC): Mr. Speaker, I am pleased to rise today to highlight our government's actions to create jobs for Canadian veterans.

Each year, between 4,000 and 5,000 Canadian armed forces members leave the military at an average age of 37. These people are hard-working, well trained and the very definition of team players. By working with private and public sector organizations, our Conservative government is helping veterans transition into the civilian workforce.

Earlier this afternoon I was joined by Dr. Woolf, the principal and vice-chancellor of Queen's University, to announce that Queen's University will offer priority hiring to qualified Canadian veterans. I would like to thank Queen's for its support of veterans and the program for hiring veterans. Queen's is one of the oldest, most prestigious universities in our country.

Hiring a veteran just makes sense. I strongly encourage all Canadian businesses to join us.

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[Translation]

BULLYING

Mr. Dany Morin (Chicoutimi—Le Fjord, NDP): Mr. Speaker, today I am wearing pink to show my support for Anti-Bullying Day. Even though the Conservatives voted overwhelmingly against my national bullying prevention strategy, I am continuing my cross-Canada "For the Kids" tour.

I have met many people from all over Canada who have been affected by bullying. They want the federal government to do its part. The government has failed to do its job. According to a study conducted by the WHO, Canada is ranked in the bottom third of developed countries when it comes to protecting its young people from bullying.

Before rising for the Christmas break, the Senate released its report on cyberbullying. The committee suggested that the federal government establish a coordinated national bullying prevention strategy. In short, experts on bullying are calling for this strategy, as are families and young people. The Senate has come to the same conclusion as the NDP.

After voting against bullying prevention, when will the government finally adopt a national bullying prevention strategy? Time is of the essence.

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● (1415)

[English]

ANTI-BULLYING DAY

Ms. Joyce Bateman (Winnipeg South Centre, CPC): Mr. Speaker, today is national Anti-Bullying Day. Bullying is a sad and

difficult issue that affects children and families right across the country.

Our government has taken strong action to combat bullying. Our government invests significantly in initiatives that promote awareness and cracks down on bullying. We created the walk away, ignore, talk it out and seek help initiative, which teaches our children to make positive choices when faced with bullying, peer victimization and conflict.

The RCMP operates the website DEAL.org, which offers resources to youth, parents and educators on bullying and cyberbullying. We invested to expand Cybertip.ca's capacity to address self and peer exploitation.

[Translation]

We encourage all Canadians to think about what they can do in their schools and their communities. By working with all parties, the provinces and Canadian families, we can stop bullying.

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HOUSING

Ms. Marie-Claude Morin (Saint-Hyacinthe—Bagot, NDP): Mr. Speaker, yesterday I had the opportunity to participate in the launch of the YWCA's Homes for Women campaign. Canada's housing crisis is obvious. We have more than 150,000 people who are homeless, and more than 150 million households have an urgent need for housing.

[English]

The housing crisis is obvious. We have more than 150,000 people homeless and more than 1.5 million households do not have access to affordable and safe housing.

[Translation]

It goes without saying that a large number of these households are run by women and that the rate of homelessness among women has been rising. That is why this campaign is needed.

I urge the government to let us make history, not only by supporting this campaign, but also by voting in favour of a national housing strategy this evening, so that we can ensure that all women have safe, adequate, accessible and affordable housing.

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[English]

SCIENCE AND TECHNOLOGY

Mr. Robert Sopuck (Dauphin—Swan River—Marquette, CPC): Mr. Speaker, as a fisheries biologist, I understand and appreciate the importance of scientific research and innovation. That is why I am truly proud of the work of Canadian scientists and researchers.

Our government has provided over \$8 billion in new science and technology funding since 2006 for state-of-the-art infrastructure, equipment and talent to make Canada a global leader in science and innovation.

Statements by Members

Today, Canada's top researchers are in Ottawa to be awarded prizes from the Natural Sciences and Engineering Research Council for their innovative ideas and groundbreaking research.

A recent study by the Council of Canadian Academies confirms our government's success, revealing that our scientific enterprise is growing, internationally competitive, well-respected and ranks fourth-best in the world. This is something of which all Canadians can truly be proud.

We are on the right track. Our government will continue our record support for science, even if the NDP continues to vote against it.

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SIKH SUMMIT

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, yesterday the first Sikh summit was held in Ottawa and with it hundreds of faithful Sikhs arrived in the capital under the theme, "Preserving Our Past and Investing in Our Future".

This group came to Ottawa with a message of peace and tolerance to give voice to the challenges faced by the Sikh community around the world. They participants also discussed the tremendous success and positive impact of their global humanitarian efforts and outreach, something that is to be admired by all of us.

Last night I was pleased to attend a dinner hosted as part of the Sikh summit and I was even more pleased to speak with many of the attendants afterwards.

On behalf of the Liberal caucus, I send a special note of thanks to Ranbar Singh, Hardayal Singh, Paul Minhas, Baljit Bawa, JP Mann, Preet Pal Singh and all of the others who worked hard to make the first Sikh summit a success.

I look forward to continuing in friendship with the United Sikhs throughout Canada.

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• (1420)

THE ECONOMY

Mr. Paul Calandra (Oak Ridges—Markham, CPC): Mr. Speaker, hard-working Canadian families know they can count on our Conservative government to look after their interests. Under our government's economic action plan, we have created some 900,000 net new jobs since July of 2009. Moreover, our tax reductions have saved the average family \$3,400 a year, and when we add the universal child tax benefit on top of it, that is an extra \$2,400 a year for kids under six.

While we are focused on keeping Canadian taxpayer dollars where they belong, in the pockets of Canadians, the NDP is focused on wasteful new spending, higher taxes and increased debt. We have seen this before. This is the exact type of mismanagement that has got so many parts of Europe into such trouble.

For instance, take the NDP's proposed national social housing program. This one demand will cost taxpayers \$5.5 billion each year, and that translates into \$162 for every man, woman and child in this country every year.

Canadians can count on this government to continue to put the focus on jobs and the economy.

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[*Translation*]

THE SENATE

Ms. Éleine Michaud (Portneuf—Jacques-Cartier, NDP): Mr. Speaker, Canadians work hard to support their families, and they expect their tax dollars to be well spent on programs that are accessible to everyone.

Canadians also expect those who manage public funds to be accountable. However, right now, Canadians are angry because they see that the Conservatives would rather pad their party's coffers with the help of their friends in the Senate than provide public services.

The Conservatives are attacking unemployed workers while proudly defending the real abusers of public funds—Wallin, Duffy and the others.

The Conservatives do not understand the reality of employment insurance. They know nothing about the economic reality in the regions. They think seasonal businesses are a nuisance.

The Conservatives are sending inspectors after unemployed workers to intimidate them, and they are making cuts to anti-gang squads. Meanwhile, senators are getting off scot-free. The Prime Minister himself is the one who is granting them impunity, and he has already absolved his senators, who are guilty of serious abuse, of any wrongdoing.

The Conservatives are cutting essential services but increasing the budget of the outdated relic we call the Senate.

In 2015, the NDP will put an end to this sad spectacle.

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[*English*]

NEW DEMOCRATIC PARTY OF CANADA

Mr. Joe Daniel (Don Valley East, CPC): Mr. Speaker, week after week we see NDP members proposing risky spending schemes. They continue to propose very expensive and poorly thought out plans that would cost Canadian families billions. As an example, today we are voting on their \$5.5 billion housing bill. One wonders how they plan to support these dangerous and risky spending schemes. Perhaps it is through their \$20 billion carbon tax that would raise the price on everything, including gas, groceries and electricity.

Canadians do not want risky spending and more higher taxes. We will continue with our low-tax plan for jobs and growth. We will not support a new spending program that would justify the Leader of the Opposition imposing a \$20 billion carbon tax on hard-working Canadians.

ORAL QUESTIONS

[Translation]

PUBLIC SAFETY

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, over the past few days, I have had the opportunity to meet with a number of aboriginal leaders who are deeply concerned about Conservative cuts to police services for first nations.

The Prime Minister is trampling treaty rights and backing away from Canada's obligations towards first nations. These communities must be able to count on quality police services.

Will the Prime Minister respect the Crown's commitments—Canada's obligations towards first nations—or will he continue to cut police services for first nations?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, that statement is utterly untrue. The government has not made cuts to those services. As we have already indicated, we will soon be announcing our stance on these services and their funding.

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[English]

ETHICS

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, an independent judiciary is fundamental to the rule of law. The Minister of Finance has been caught illegally lobbying an independent tribunal. The Prime Minister says that it is just an administrative error, a letterhead malfunction, but the Minister of Finance was not using his title and signature on behalf of a constituent from Oshawa. He was lobbying in his role as minister on behalf of a Conservative donor from North York.

Could the Prime Minister explain how an administrative error leads a senior cabinet member to lobby illegally on behalf of a Conservative Party donor?

• (1425)

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, I have already answered this question and I think the circumstances speak for themselves.

As I will say once again, the Minister of Finance has been doing a tremendous job for Canadians and is widely viewed around the world as the best finance minister.

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, he still has not answered the question.

Sixteen Conservative senators are still refusing to provide evidence that they actually live in the provinces they are supposed to represent. Fifteen of those were appointed by the Prime Minister. In its eighth year of broken promises, this is the Conservative record on Senate reform.

Will the Prime Minister demand that his senators and members of his caucus come clean with Canadians, or will he keep covering up for them?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, all senators conform to the residency requirements. That is

Oral Questions

the basis on which they are appointed to the Senate, and those requirements have been clear for 150 years.

We recognize there have to be reforms to the Senate, including limiting senators' mandates and encouraging an elected Senate. Unfortunately, it is the NDP that consistently opposes reforming the Senate and opposes an elected Senate, hoping in the future to appoint its own senators. I would encourage the NDP to join with us and allow the bill to pass so we can have an elected Senate.

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[Translation]

EMPLOYMENT INSURANCE

Ms. Nycole Turmel (Hull—Aylmer, NDP): Mr. Speaker, we are wondering where this Senate reform proposal is. We have been waiting for it for a year now.

Documents from the Department of Human Resources show that the minister misled the House, but that is not the end of the quota issue. New evidence shows that employment insurance inspectors are evaluated on a weekly basis and are given a pat on the back if they are able to cut about \$2,500.

They are allegedly even getting performance pay. The way this department is run is disgraceful.

Will the minister put an end to the reform right now?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the hon. member is wondering where the Senate reform is. It is contained in Bill C-7. Senate reform bills have been before the House since we took office. The NDP has blocked this bill 17 times.

I urge the House to give its unanimous consent to pass this bill today.

Ms. Nycole Turmel (Hull—Aylmer, NDP): Mr. Speaker, the government needs to leave job seekers alone and take care of the fraudsters in the Senate instead.

Everyone knows that quotas and objectives are the same thing. The government also knows that its botched reform has placed regional economies in a very precarious position.

Seasonal workers do not deserve to be treated with the contempt that the Conservatives have for them. Mayors, reeves and workers have implored the minister to put an end to this risky plan.

When will she listen to them?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, we are working to ensure that employment insurance is there for people who follow the rules and contribute to the system.

Front-line staff and unionized managers at Service Canada do not receive bonuses. The performance pay of executives working in the integrity services branch at Service Canada is no different than that given to executives at the same level across the public service.

Oral Questions

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, with regard to the minister's response, can the Prime Minister confirm that there are bonus systems for managers in the departments? Managers are receiving bonuses because people have to reimburse the government for their employment insurance payments.

Does the government not realize that it is doing something that has never been done before? Everyone opposes what the government is proposing, including chambers of commerce.

• (1430)

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, it is crucial that workers who have contributed to the employment insurance fund be able to receive payments from that fund when they need them.

Clearly, it is also crucial to identify illegal or inappropriate payments.

With regard to compensation in the public service, in all departments, a portion of the pay that managers receive is based on performance.

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, the Prime Minister just confirmed what we have been saying for the past three days. People's pay depends on incentives, and those incentives depend on repayments from the unemployed and other workers in Canada. That is unacceptable.

Does the Prime Minister not also realize that the Government of Canada is simply passing the burden of the debt and the economic crisis on to Canada's regional economies and the provinces? The provinces will have to pay more social assistance—

The Speaker: The Right Hon. Prime Minister.

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, it is quite the opposite.

The purpose of our system is to grant employment insurance benefits to those who have lost their jobs and need those benefits.

Public servants are there to ensure that the fund is helping those who are truly unemployed and the workers who have contributed to it.

[*English*]

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, there are two ways in which the government is passing the burden from the federal government to the provinces.

It is very clear how it is being done. It is very clear what the impact is. It is very clear that all it is doing is creating a greater demand for social assistance and a greater demand for welfare at the same as the government cuts its employment insurance.

That is exactly what the government—

Some hon. members: Oh, oh!

The Speaker: Order, order. There is far too much noise going on. The hon. member for Toronto Centre has the floor. I am having difficulty hearing the question.

The hon. member for Toronto Centre.

Hon. Bob Rae: Mr. Speaker, I seem to have stirred up the other side. That is fine. They need waking up.

What is taking place is not only an affront to the workers, it is not only an affront to the chambers of commerce, it is not only an affront to business groups and others who are now coming forward: it is an affront to the nature of the federation itself.

All the government is doing is saving money on the backs of the provinces and on the backs of working people.

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, absolutely nothing could be further from the truth. We ensure in our system that when the unemployed, people who have paid into the system, cannot find jobs in their area that correspond to their abilities, then employment insurance will be there for them. That is precisely what we are doing. We are also making greater efforts to help the unemployed to be able to get jobs when jobs are available.

Of course, we are making sure that there are not inappropriate payments from the fund taken from workers who have paid legitimately into that fund. We are making sure it goes to workers and to the unemployed who legitimately need it.

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DEMOCRATIC REFORM

Hon. Thomas Mulcair (Leader of the Opposition, NDP): Mr. Speaker, a few minutes ago the Prime Minister turned around to his House leader to get information on Bill C-7. He might have looked at the wrong date, because it was indeed on February 27 that the bill was last debated, but that is today; it was one year ago today that we actually debated the bill for the last time. The Conservatives have done nothing in the meantime.

The Prime Minister wants unanimous consent. Here it is. If he starts working with the provinces and territories to abolish the Senate, he will get unanimous consent from us.

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, of course, here is the dodge from the leader of the NDP. He does not want to have an elected Senate, so he tries to turn it over and says “get the provinces to do it” so that he can hide behind the various premiers, knowing it is not going to happen.

The reality is this: we know that what he really wants. The reason the NDP members have blocked this piece of legislation 17 times in the House is that they do not want elected senators because they want to appoint their own. Guess what? The people of Canada are never going to give them that chance.

* * *

• (1435)

[*Translation*]

TRANSPORTATION

Mr. Robert Aubin (Trois-Rivières, NDP): Mr. Speaker, Canadians expect the federal government to fulfill its responsibilities with respect to transportation safety and to protect Canadians by having the highest safety standards.

Unfortunately, the budget for aviation safety, for example, will be cut by \$17 million, and the budgets for marine and railway safety are also being cut.

With investigations into the Burlington derailment and the capsizing of the *Miss Ally* fishing boat still under way, why are the Conservatives cutting programs meant to prevent these types of accidents?

Hon. Denis Lebel (Minister of Transport, Infrastructure and Communities and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr. Speaker, we are maintaining our essential services and have not cut any front-line safety inspectors. No front-line inspector jobs have been eliminated.

The reality is that we are improving passenger safety. For example, the number of air accidents has decreased by 25% since 2000. The number of railway accidents has decreased by 23% and the number of train derailments has decreased by 37% since 2007. These are excellent results, and we continue to be very mindful of transportation safety.

[English]

Ms. Olivia Chow (Trinity—Spadina, NDP): Mr. Speaker, the Conservatives' planned cuts will make travellers less safe in the air, on the water or riding the rails. The minister has repeatedly ignored recommendations from the Transportation Safety Board. He just will not implement its recommendations. Conservatives are cutting Transport Canada's budget by almost 30%. Canadians are travelling more than ever, so how can the minister possibly justify these drastic cuts to transportation safety?

Hon. Denis Lebel (Minister of Transport, Infrastructure and Communities and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr. Speaker, we maintain our core function and we have not cut any front-line safety inspectors. The reality is that we have improved safety for travellers. The number of aviation accidents has fallen by 25% since 2000 while air travel increased significantly. Since 2007, train accidents have decreased by 23% and train derailments have decreased by 37%. These are very good results.

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FOOD SAFETY

Mr. Malcolm Allen (Welland, NDP): Mr. Speaker, making up stories does not change the facts. Conservatives have cut service to Canadians. Where did they increase the spending? In the Senate, of course.

However, in the spending plans the Conservatives tabled yesterday, we learned of more cuts to food safety. This is the same government that brought us the largest meat recall in Canadian history. Reduced meat inspections, ignored compliance orders and increased self-regulation: why are they gambling with Canadians' health, and why are these reckless cuts coming to Canada's food safety system?

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC): Mr. Speaker, absolutely none of that diatribe is true. It is well known that the main estimates do not include departments' total budgets for the year. That

Oral Questions

is why they are called "estimates". The member opposite should know that. There are supplementary estimates throughout the year that continue to build the capacity for CFIA and other departments to do the job that Canadians require of them.

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[Translation]

THE BUDGET

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, they are making cuts to food safety but increasing the Senate's budget. They are cutting \$1 billion from the infrastructure budget but increasing the propaganda budget. Not to mention that VIA Rail's budget is being slashed in half.

More money for party friends and propaganda, less money for services for Canadians. Are the estimates a taste of what is to come in the next budget?

[English]

Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, as my hon. colleague, the Minister of Agriculture and Agri-Food, has already indicated, and as the hon. members should know and do know, the estimates are not the budget. The estimates are a baseline that is used for planning purposes. The budget is the budget, and of course we will continue to fulfill our responsibilities when it comes to health and safety and the core programs of the federal government. We will continue to build jobs, opportunity and economic prosperity for our country. That is what the budget is about, and we will continue to stand with Canadians.

● (1440)

Ms. Peggy Nash (Parkdale—High Park, NDP): Mr. Speaker, for a refreshing change, let us look at the facts. Conservatives are cutting services that Canadians rely on and spending more on the Senate. Infrastructure spending is down almost 25% while our communities face crumbling roads and bridges. While the rest of the world invests in rail, Conservatives are cutting VIA Rail in half.

Will the next budget be more of the same: more money for Senate cronies, more money for well-connected friends, and less for the services and safety programs that Canadians rely on?

Oral Questions

[Translation]

Hon. Denis Lebel (Minister of Transport, Infrastructure and Communities and Minister of the Economic Development Agency of Canada for the Regions of Quebec, CPC): Mr. Speaker, as I said, we have not cut any front-line transportation inspectors. Our transportation safety statistics are the best in Canada's history. We are investing where the money is needed. As announced in 2007, thanks to the infrastructure program, the building Canada fund will continue until March 31, 2014. There have not been any cuts made there. These issues have strictly to do with budget years and fiscal years. No government has invested as much as ours in our country's infrastructure.

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EMPLOYMENT INSURANCE

Mrs. Anne-Marie Day (Charlesbourg—Haute-Saint-Charles, NDP): Mr. Speaker, their budget choices consist in thanking the friends of their party and cutting services for Canadians. The minister's attacks against job seekers are as arrogant as the Conservatives are incompetent. She did not even consult with unemployment groups, the provinces and people in seasonal industries. She did not even conduct an impact study on her reform. It takes an amateur Conservative government to make changes without understanding the impact of those changes.

Why did the minister not do her homework before carrying out her reform?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, our government's primary objective is economic growth, job creation and long-term prosperity. For us to achieve that, workers need to have the skills that employers require and people who lose their jobs need support without fail. That is what the employment insurance system is there for. That is why we have instituted reforms to help people get back to work with the skills they need to succeed.

Mr. Philip Toone (Gaspésie—Îles-de-la-Madeleine, NDP): Mr. Speaker, the question was on employment insurance impact studies. The Minister of Veterans Affairs confirmed that they did not conduct a study. They did not do their job.

The Conservatives' ideological attack on employment insurance is not just hypocritical; it is also bad public policy. Experts agree. A poll of economists shows that most of them think that employment insurance reform will not reduce unemployment, and three-quarters of them are against the Conservatives' aggressive measures.

Why do the Conservatives not listen to the experts instead of attacking seasonal workers?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, let us be clear. For seasonal workers, if there is no work in their field in their region, employment insurance will be there for them, as always. However, there is a labour and skills shortage in many parts of this country, and that is why we have expanded the support system for the unemployed, in order to connect them with available positions in their field in their region.

[English]

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, today seasonal workers showed up at the minister's door to tell her exactly what they think of her short-sighted cuts to EI.

When I look out at them in Ottawa here today, I do not see fraudsters and cheats. I see honest, hard-working seasonal workers who want the minister to explain why she is coming after them. I see workers from seasonal industries threatened by politically driven Conservative cuts.

When will the minister call off her witch hunt, cancel her unfair cuts and finally start listening to the industries, provinces and people affected?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, we do know that Canadians want to work, and that is why we have expanded the EI system to help them find the jobs that are available within their skill sets in their geographic areas.

We do have a shortage of skills and labour in many parts of this country. That is why we are working hard to connect those who have lost their jobs through no fault of their own with the jobs that are there for them. If jobs are not available in their local area, then employment insurance will be there for those people and their families, as it always has been.

* * *

●(1445)

PENSIONS

Hon. Judy Sgro (York West, Lib.): Mr. Speaker, we all know the Prime Minister's view that seniors should work longer and harder to qualify for their old age pension. Seniors want to know why they are being forced to take on more debt because the government is unwilling to help them.

Conservatives waste millions of dollars to advertise their so-called economic action plan but offer only cuts for working-class families and seniors. Why does the Conservative vision for prosperity and success exclude Canada's seniors?

Hon. Alice Wong (Minister of State (Seniors), CPC): Mr. Speaker, when it comes to seniors poverty, our government has a record we can be proud of. Canada has one of the lowest senior poverty rates in the world, thanks in part to our actions, which include removing hundreds of thousands of seniors from the tax rolls completely, making significant investment in affordable housing for low-income seniors and introducing the largest GIS increase in a quarter of a century. Canadians know that they can count on our government to deliver for seniors.

*Oral Questions***VETERANS AFFAIRS**

Mr. Sean Casey (Charlottetown, Lib.): Mr. Speaker, yesterday the President of the Treasury Board, a man deeply committed to wasting taxpayers' money, advocated spending tens of millions of dollars on advertising in order to tell Canadians what a great job the Conservatives are doing unravelling Canada's social safety net. Meanwhile, his friend, the Minister of Veterans Affairs, is cutting funding for veterans' funerals as the propaganda budget grows.

Why do Conservatives choose propaganda over the dignity of a veteran's funeral?

Hon. Steven Blaney (Minister of Veterans Affairs and Minister for La Francophonie, CPC): Mr. Speaker, contrary to the Liberals, who cut programs and benefits for veterans, let me assure the member that we are investing in our veterans at record levels.

Regarding the funeral and burial program, members do not have to take my word for it. They can just listen to this: "These measures...were adopted to ensure that the delivery of the Funeral and Burial program for our Veterans remains at its present level of quality".

Who said that? It was the Last Post Fund, ten months ago.

* * *

GOVERNMENT ADVERTISING

Hon. Scott Brison (Kings—Hants, Lib.): Mr. Speaker, the Martin government spent \$45 million a year on advertising, which is half of what the current Conservative—

Some hon. members: Oh, oh!

The Speaker: Order. The hon. member for Kings—Hants has the floor. I would like to hear the question.

The hon. member for Kings—Hants.

Hon. Scott Brison: Mr. Speaker, the Martin government spent less than half of what the current Conservative government is spending on advertising every year. I know that, because I was the minister responsible. The Conservatives should know that, because it is in their own government advertising report.

Why is the President of the Treasury Board repeating, as he did yesterday, misinformation in this House? Is it because he does not know his files, or is he trying to mislead Canadians?

Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, I know it was in the distant past when the member was in government, but the facts speak for themselves: it was \$111 million in the Liberals' last year in government, and we are spending tens of millions of dollars less than that.

In fact, I remember when that particular fox for Kings—Hants was in charge of the henhouse. The Liberals were spending tens of millions of dollars more on advertising, and he was up in this House saying, "Wait for Gomery", when we questioned their advertising budget. We waited, and we still want to know where the \$40 million is.

ETHICS

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, speaking of Gomery, yesterday Senator Patterson, of no fixed address, was the latest senator caught doing the Mike Duffy shuffle out the back door. It seems we cannot turn on a TV without catching a senator running from accountability. So much for reform.

We now have 17 senators refusing to say if they are even eligible to be in the Senate. Fifteen of them were personally appointed by the current Prime Minister. How many are under investigation? How much money have they had to pay back? Are there going to be consequences for ripping off the taxpayers, and will the Conservatives stop defending the entitlements of these senators?

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, because that question has already been answered, let me take the occasion to celebrate some non-fiction Canadian literature that is just out.

I am reading a page-turner, filled with political intrigue, backroom dirty deals and blatant hypocrisy. The starring character is the member for Timmins—James Bay. It is from the independent Electoral Boundaries Commission for Ontario, and it says of him, "This was the first hint of what the Commission considers to be inappropriate involvement by a Member of Parliament in the electoral redistribution process".

How can he explain that?

• (1450)

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, trying to stone me to death with popcorn does not change the fact that it is their senators who are under investigation and that Canadians are fed up.

Speaking of Conservative patronage run amok, an arrest warrant has now been issued for Arthur Porter. He is charged with fraud, conspiracy to commit fraud, fraud against government, breach of trust and money laundering. Mr. Porter was personally chosen by the current Prime Minister to be the chair of the Security Intelligence Review Committee.

What is with that? When will the government come clean about its relationship with Mr. Porter?

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, by lecturing on ethics, that member is making great progress in his effort to make the world a safer place for hypocrisy.

I read from this report that says of him, "This was the first hint of what the Commission considers to be inappropriate involvement by a Member of Parliament in the electoral redistribution process". It is clear that Charlie is no angel.

The Speaker: Order, please.

Oral Questions

The parliamentary secretary knows he cannot use proper names. We refer to each other by the riding or title. We also need to stay away from some of the connotations he may have been implying.

[*Translation*]

Ms. Ève Pécelet (La Pointe-de-l'Île, NDP): Mr. Speaker, another partisan appointment, another friend of the Conservative Party, and another friend of the Prime Minister finds himself in hot water. Despite all that has happened, the Conservatives refuse to accept responsibility for their antics. Like Brazeau, Wallin and Duffy, Arthur Porter, who was at CSIS, was the Conservatives' man. Porter made generous contributions to the party and the Conservatives returned the favour, but today he is facing a litany of charges for his involvement in one of the biggest corruption scandals in Canada's history.

When will the Conservatives admit that they lacked judgment in appointing Porter to CSIS?

[*English*]

Hon. Vic Toews (Minister of Public Safety, CPC): Mr. Speaker, Arthur Porter submitted his resignation. It was accepted almost two years ago. The leaders of the NDP and the Liberal Party were consulted prior to his appointment, and they consented to the appointment.

The allegations Mr. Porter is facing do not have anything to do with his former responsibilities.

[*Translation*]

Ms. Ève Pécelet (La Pointe-de-l'Île, NDP): Mr. Speaker, it is easy enough for them to accuse job seekers of fraud, but it is not so easy for them to admit that the real fraudsters are found within their own party.

Take the Senate, for example. Despite the revelations that are piling up about the residency scandal and travel expenses, the Conservatives are still standing up and fighting for their senator friends. Fifteen of their friends, appointed by the Prime Minister and paid with taxpayers' money to do partisan fundraising, are refusing to say where they live.

How much has Pamela Wallin had to pay back? When was the Prime Minister told about this? What will the consequences be?

[*English*]

Hon. Peter Van Loan (Leader of the Government in the House of Commons, CPC): Mr. Speaker, our government has introduced a concrete proposal to allow Canadians to make the Senate truly accountable by choosing who represents them in the Senate. What has happened when we have had that bill debated in the House? It has been blocked 17 times by NDP members of Parliament, including, for example, the member for Beauharnois—Salaberry.

What did this NDP member say about the concept of Canadians actually having a say on who should represent them? That member said, "The bill the Conservative government has introduced is a travesty of democratic reform and an affront to Canadians' intelligence".

It is an affront to Canadians' intelligence that they get to choose who represents them. That is what the NDP gives a standing ovation to.

Some hon. members: Oh, oh!

• (1455)

The Speaker: Order, please. I have asked members to wait until the response is finished before they start their applause. I do not think the minister quite finished his response.

We will have to look at getting rid of coffee at caucus meetings, since today is not going as smoothly as other days.

The hon. member for Wild Rose.

* * *

THE ECONOMY

Mr. Blake Richards (Wild Rose, CPC): Mr. Speaker, under the leadership of our Conservative government, Canada has become a leader in a troubled global economy. We have the lowest debt burden and the strongest job creation record in the G7, with over 900,000 net new jobs since July 2009. Not only that, but the IMF and the OECD forecast Canada to be among the fastest-growing G7 economies in the years ahead.

Canada is a model for the world. Can the parliamentary secretary share with this House the latest example of the recognition our economic leadership has received abroad?

Mrs. Shelly Glover (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, Canada is indeed being recognized around the world. Here is what the CEO of Cisco Systems, a leading global enterprise, had to say about the economic leadership of our Conservative government:

The easiest place in the world to do business is Canada. Their prime minister gets it. They make it easy for me to invest and do acquisitions there; they have a great education program and they have a great immigration policy.

While our plan attracts investment and creates jobs for Canadians, the NDP will harm that with the \$21 billion—

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

* * *

[*Translation*]

EMPLOYMENT INSURANCE

Mr. Guy Caron (Rimouski-Neigette—Témiscouata—Les Basques, NDP): Mr. Speaker, the Minister of Human Resources misled the House by denying the existence of employment insurance quotas, and she continues to do so by repeating ad nauseam that employment insurance will be there for unemployed workers who need it.

Yet she put an end to a pilot project that provided an additional five weeks of benefits in regions with high unemployment and axed another pilot project, which means that workers now have to work more hours even though their benefit period will be shorter from now on.

As a result, many seasonal workers will lose one to three months of benefits when they have no income. Employment insurance will not be there for them.

Oral Questions

Will the minister apologize to the unemployed workers who are the victims of these changes?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, a few years ago when we announced the pilot project involving an additional five weeks of benefits, we clearly stated on numerous occasions that the program was temporary and would be in place only during the global recession.

Times have changed and, as planned, we have put an end to this program. We have made changes to help unemployed workers find jobs in their region and in their field.

Mr. Jonathan Tremblay (Montmorency—Charlevoix—Haute-Côte-Nord, NDP): Mr. Speaker, that is nonsense. For months, workers, employers and representatives of my region have been trying to meet with the minister to get her to listen to reason. The gutting of the EI program will unfairly punish seasonal workers.

It will also deprive industries of valuable expertise. The costs associated with training and lost productivity will be enormous. People in my riding think that the Conservatives want to empty the regions.

After months of pressure, will the minister finally meet with representatives from a number of the affected regions? Will she listen to them and work to find solutions to the problems that they raise?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, that is exactly what I am going to do in the near future. We will continue to help unemployed workers and let them know about jobs available in their region. This will be better for them, their families and the community. That is a good thing.

Mr. François Lapointe (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, NDP): Mr. Speaker, the government could not be more out of touch with the needs of seasonal industries. The minister did not anticipate that her reform would overload SMEs with job applications, which is counter-productive.

She defends her new electronic system, which encourages unemployed people back home to travel 31 km by rowboat to work on Isle-aux-Coudres. She ignores the fact that the Quebec tourism industry association has criticized the reform and has urged her to suspend it. She is dismantling the human resource base of many industries, including the forestry industry.

She must live in a parallel universe if she believes that destroying employment insurance is a good thing for workers. Will she suspend her botched reform today?

• (1500)

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, the hon. member should know the truth about this issue. We have repeated many times in the House that decisions regarding the eligibility of claimants depend on individual circumstances.

We have a goal and we know that when people are working, they are better off than when they are not working. So it makes sense to help families, unemployed workers and communities.

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, the Minister of Human Resources and Skills Development thinks that it is open season on unemployed workers at Service Canada.

The inspectors have quotas to meet and they are evaluated every week based on the number of claimants they eliminate. Plus, managers receive bonuses when everything goes well.

The Conservatives are tracking the unemployed as though they were all fraudsters, but they are not tracking senators. What is worse is that the minister told us right to our faces that this reform will help workers. She is mocking us. Workers have had enough.

Will the minister immediately put an end to her ill-advised reform for workers, or do she and the Prime Minister not care at all?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, let us be reasonable. Canada has an employment insurance system to help people who have lost their jobs and are looking for new ones. That is the truth, and we support these principles.

We owe it to the unemployed, to taxpayers, and to the employers and employees who contribute to the EI fund to make sure that money is there for the people who are entitled to benefits. That is our goal and we are working towards that.

Hon. Stéphane Dion (Saint-Laurent—Cartierville, Lib.): Mr. Speaker, we have just seen how insensitive the minister can be towards workers.

Will she at least listen to entrepreneurs and job creators, who are saying that her reform will do the exact opposite of what she hopes to achieve, increase the labour shortage and put seasonal industries at risk?

Will she listen to Marinard Ltée, Les Pêcheries Gaspésiennes Inc., the Regroupement des employeurs du secteur bio-alimentaire, the Association des marchands de Rimouski, the Chambre de commerce et de tourisme de Gaspé, the Chambre de commerce de Baie-des-Chaleurs, the Chambre de commerce de Charlevoix, the Chambre de commerce de la MRC du Rocher-Percé, the Rivière-du-Loup tourism association, the Charlevoix Regional Tourism Association, the Chambre de commerce de—

The Speaker: The hon. Minister of Human Resources and Skills Development.

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, of course there are employers who need skilled workers.

That is why we are investing in the system to help those employers find the right workers who have the skills required. This includes seasonal employers, of course, as well as full-time employers.

We want to connect people with the jobs that are available to them. If there are no jobs available, employment insurance will be there, as always.

Oral Questions

[English]

Mr. Rodger Cuzner (Cape Breton—Canso, Lib.): Mr. Speaker, first the Minister of Human Resources throws a net around the entire community of Bay St. Lawrence, stops payment to anyone receiving EI benefits and has claimants show up at the RCMP station to prove their case, only to find just a few questionable files. Now she has placed a bounty on unemployed workers, making reluctant civil servants go out and do her dirty work. It is like a bad episode of *Dog the Bounty Hunter*.

When in Canada did we go from investigation to intimidation? When did we do that?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, let us inject some truth into this discussion. The employment insurance system is there to support people while they are looking for another job. There are responsibilities, while people are claiming it, to be actively looking for another job. EI is paid for by employers and employees. We as a government owe it to them to make sure that eligible people are receiving those benefits. That shows respect for all of them.

* * *

● (1505)

[Translation]

OFFICIAL LANGUAGES

Ms. Alexandrine Latendresse (Louis-Saint-Laurent, NDP): Mr. Speaker, Bill C-419 on the bilingualism of officers of Parliament will be put to a vote this evening.

It is unfortunate that the Conservatives forgot the parliamentary tradition of appointing bilingual officers of Parliament and that the NDP was forced to remind them of it with a bill.

However, they are not the only ones to have lost their way. Auditor General Kenneth Dye, who was appointed by Pierre Elliot Trudeau, did not speak a word of French.

Now that the Prime Minister has acknowledged that appointing unilingual officers of Parliament is a mistake, can the Conservatives assure us that they will not prevent Bill C-419 from going to committee?

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, we always try to appoint qualified people to these positions, and we clarify that they must be bilingual. With our roadmap for official languages we have invested \$1 billion over five years and have had good success.

According to Marie-France Kenny, “The Minister of Canadian Heritage [and the government] are to be commended for their commitment and their efforts to achieve this result [for the official languages].”

Our approach is getting results and we have policies. We will continue to protect both official languages in the House of Commons and across Canada.

Ms. Alexandrine Latendresse (Louis-Saint-Laurent, NDP): Mr. Speaker, if the Conservatives are serious about protecting the French language, they will have to be accountable with respect to the status of the study of French in federally regulated businesses.

In November 2011, the member for Mégantic—L'Érable promised to set up a committee to study the issue.

It is now 2013. Where is the committee? Who will sit on it, and what will its mandate be?

Hon. James Moore (Minister of Canadian Heritage and Official Languages, CPC): Mr. Speaker, the committees themselves can make these decisions. I am certain that the minister will take the necessary steps to protect Canada's official languages.

[English]

I would like to remind the House, as I just said in French, that our government's approach to respecting both of Canada's official languages is something of which we are very proud because of the results we have seen.

In fact, here is what Marie-France Kenny, who is the president of the Fédération des communautés francophones et acadienne du Canada, said. She said, “We salute [this government's] commitment” and “Thank you for defending the interests of francophone and Acadian Canadians”. She is a spokesperson who has come out time and again recognizing our government's efforts to protect French in all parts of this country, including here in the House of Commons.

* * *

AEROSPACE INDUSTRY

Ms. Wai Young (Vancouver South, CPC): Mr. Speaker, Canada's aerospace and space sectors are major contributors to our economy, providing good quality, well-paying jobs to Canadians. Our government has a proven record of support. In a report commissioned by our government, Mr. Emerson noted that the Canadian space industry is well positioned to take advantage of emerging opportunities, to succeed commercially and to contribute to the public good.

Canadians from coast to coast to coast are proud of these iconic national industries. Can the Minister of State for Science and Technology update the House on the latest developments in the space sector?

Hon. Gary Goodyear (Minister of State (Science and Technology) (Federal Economic Development Agency for Southern Ontario), CPC): Mr. Speaker, I would like to thank the member for Vancouver South for a very relevant, tough but fair question.

It is true. The Minister of Industry announced, today, a \$15.8 million contract to MacDonald Dettwiler for the design of a very sophisticated mapping system, demonstrating once again this Conservative government's commitment to Canada's space industry and to jobs, growth and long-term prosperity.

What would be very nice is if the NDP would drop its political games and fearmongering agenda and help do something positive for Canadian industry.

*Oral Questions***PUBLIC SAFETY**

Hon. Carolyn Bennett (St. Paul's, Lib.): Mr. Speaker, the facts are clear. First nations police forces are keeping their communities safer. Since 2004, violent crime is down 19%, homicide is down 36% and assaults are down 20%. Alarming, this so-called law and order government is slashing \$15 million from the first nations policing program.

Will the Minister of Public Safety reassure first nations today that the \$15 million of funding will be renewed before March 31 so they will not have to lay off the essential first nations police?

Hon. Vic Toews (Minister of Public Safety, CPC): Mr. Speaker, the Prime Minister answered that earlier in question period.

I find it interesting that the member is talking about improving safety for aboriginals, yet that member and her party oppose matrimonial real property rights for aboriginal women, tougher sentences for sexual assault, ending house arrest for serious crimes, tougher penalties for those who sell drugs to our children and funding to keep young people out of gangs.

We will take no lesson from that party.

* * *

●(1510)

TRANSPORTATION

Mr. Ryan Cleary (St. John's South—Mount Pearl, NDP): Mr. Speaker, Marine Atlantic ferry rates are increasing on April 1. The fee hikes spell trouble for passenger travel in Newfoundland and Labrador, damaging its crucial tourism industry. It just reached the \$1 billion mark. The trucking industry has said it cannot absorb a hike in commercial rates. Higher costs will be passed on to consumers. The price of goods will most definitely increase.

Why are the Conservatives pricing the ferries out of service and making life more expensive for Newfoundlanders and Labradorians?

Hon. Steven Fletcher (Minister of State (Transport), CPC): Mr. Speaker, this is actually the first question since the 2011 election on Marine Atlantic, so that gives us an idea of how much the NDP actually cares about Marine Atlantic.

In fact, the Conservative Party, under my predecessor, the member for Yellowhead, and the current foreign affairs minister, conducted an investment of capital that allowed Marine Atlantic to acquire new ships and greater capacity. They are on time, and there is faster entrance onto the boats and off the boats. Marine Atlantic—

The Speaker: The hon. member for Scarborough Centre.

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GOVERNMENT SPENDING

Ms. Roxanne James (Scarborough Centre, CPC): Mr. Speaker, the NDP is at it again, treating hard-earned taxpayer dollars like they simply grow on trees. Last week it released a long list of demands for increased spending that would break the backs and empty the pockets of Canadian families. My constituents are worried. My Conservative colleagues are worried, and everyone else at home should be worried too.

Would the President of the Treasury Board please update the House on how our government is standing up for hard-working Canadian taxpayers?

Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, I thank the member very much for that pertinent question.

I can tell the House what we do know. We know that the NDP is planning a brand new social program, even though this is on top of the \$12 billion the federal government transfers to the provinces each year out of the Canada social transfer. We know that it is on top of the hundreds of millions of dollars the federal government spends on affordable housing and homelessness each and every year. We know that the estimates of the cost of this program would be \$5.5 billion.

That is equivalent to a one-point hike in the GST. We cannot allow that to pass.

* * *

[*Translation*]

HOUSING

Ms. Marie-Claude Morin (Saint-Hyacinthe—Bagot, NDP): Mr. Speaker, the fiction being spouted by the President of the Treasury Board about the cost of my bill does not change the fact that they have been stalling for four years, while millions of Canadian families do not have access to safe, affordable housing. The experts all agree: we need a national housing strategy. The solution is right in front of them; they just need to vote for Bill C-400.

Will the Conservatives support families who need safe, adequate, accessible and affordable housing? Yes or no?

[*English*]

Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, as I indicated, this is on top of the social transfer. This is on top of the hundreds of millions we spend every year on these affordable housing and homelessness programs. Could it be the NDP is desperately trying to find ways to spend the money from its \$21 billion carbon tax?

Privilege

[Translation]

EMPLOYMENT INSURANCE

Mr. Jean-François Fortin (Haute-Gaspésie—La Mitis—Matane—Matapédia, BQ): Mr. Speaker, people from eastern Quebec are in Ottawa today to make a clear, reasoned plea and convey the devastating effects of employment insurance reform. Their striking examples of workers and employers who are being penalized illustrate the real-life impact of these new rules. The minister needs to be open-minded and show them some respect. Quebec's labour minister will also meet with the minister today, so the door is wide open.

Will the minister listen, understand and respond to the legitimate requests they are making today and put the reform on hold?

Hon. Diane Finley (Minister of Human Resources and Skills Development, CPC): Mr. Speaker, I am looking forward to meeting with the minister and her colleagues this afternoon so that we can get a better understanding of the real impact of the employment insurance changes. The changes were made to help people find another job, a better job that can improve their family's quality of life. That is a good thing. We will continue to work to that end.

* * *

● (1515)

[English]

PRESENCE IN GALLERY

The Speaker: I would like to draw to the attention of hon. members the presence in the ladies' gallery of the Gerhard Herzberg Canada Gold Medal for Science and Engineering winner Stephen Cook.

Some hon. members: Hear, hear!

The Speaker: Also with us are the winners of the Natural Sciences and Engineering Research Council Steacie Fellowships, the Synergy Awards for Innovation and the Howard Alper, Brockhouse, Polanyi, André Hamer and Gilles Brassard prizes.

Some hon. members: Hear, hear!

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POINTS OF ORDER

TABLING OF DOCUMENTS

Hon. Scott Brison (Kings—Hants, Lib.): Mr. Speaker, I seek unanimous consent to table, in both languages, a copy of page 17 of the government's 2009-10 annual report on Government of Canada advertising activities, which shows how much the government spent on advertising between 2002 and 2009. I would ask, subsequent to this, that the President of the Treasury Board apologize for—

The Speaker: Order, please. Does the hon. member have the unanimous consent of the House?

Some hon. members: Agreed.

Some hon. members: No.

Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP): Mr. Speaker, it is accepted practice in the House that when government members refer to a document for the sake of accountability and

transparency, they table that document, under Standing Order 32(2). A number of times the Conservatives referred to a costing study on a New Democrat private member's bill supporting, at last, affordable housing for Canadians. I ask the government to table this document, if it even in fact exists.

Hon. Tony Clement (President of the Treasury Board and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, I have already indicated that this calculation came from HRSDC and I would be happy to provide whatever information is available.

* * *

PRIVILEGE

MINISTER OF HUMAN RESOURCES AND SKILLS DEVELOPMENT

Hon. Bob Rae (Toronto Centre, Lib.): Mr. Speaker, I want to make a couple of submissions to you on the question of privilege that was raised by the House Leader of the Official Opposition and responded to by the Minister of Human Resources and Skills Development. My argument has the benefit of being fairly simple. It is not a complicated question.

It seems to me, Mr. Speaker, that the question you have to answer is whether a minister who has been economical with the truth, if I may borrow an expression that has been used before, is in fact misleading the House. That is really what it comes down to. There is absolutely no question with respect to the facts that the minister has not been fully transparent with respect to the issue that has been in front of the House for the last several days, which is the question of performance payments made to members of the human resources Service Canada ministry with respect to the repayment of funds in the employment insurance plan.

The minister's categorical statement has been on the one side that there are no quotas, but on the other side that performance targets are an integral part of dealing with the extent of potential employment insurance fraud. It seems to me that the minister has to come clean and that the opposition House leader has in fact raised a point that is not simply a point of debate but rather a point of fact. The government has not revealed and has chosen to obscure the nature of the payment system in the department concerned. The Conservatives have chosen not to give to the House the factual basis upon which they are providing compensation to employees. Instead they are persisting in denying something that is clearly the case.

It is not simply a matter of argument or debate between the opposition parties and the government, but rather it is a question that you, Mr. Speaker, have to answer. That is whether a minister who has told us less than the truth and less than what she knows is in fact misleading the House. That is the important question at hand.

● (1520)

The Speaker: I thank the hon. member for Toronto Centre for the further points on this current question.

*Routine Proceedings***ROUTINE PROCEEDINGS***[English]***GOVERNMENT RESPONSE TO PETITIONS**

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, pursuant to Standing 36(8) I have the honour to table, in both official languages, the government's response to 14 petitions.

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COMMITTEES OF THE HOUSE

GOVERNMENT OPERATIONS AND ESTIMATES

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, I have the honour to present, in both official languages, the ninth report of the Standing Committee on Government Operations and Estimates in relation to its study of the supplementary estimates (C) for the fiscal year ending March 31, 2013.

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*[Translation]***PARLIAMENTARY BUDGET OFFICER ACT**

Hon. Thomas Mulcair (Leader of the Opposition, NDP) moved for leave to introduce Bill C-476, An Act to amend the Parliament of Canada Act (Parliamentary Budget Officer).

He said: Mr. Speaker, this enactment provides for the appointment of the Parliamentary Budget Officer as an officer of Parliament.

[English]

This enactment provides for the appointment of the Parliamentary Budget Officer as an officer of Parliament.

Several years ago when the Conservative Party was in opposition, it told the Canadian public it believed in accountability. This was supposed to be one of the answers to a long-standing problem that had been posed by a series of Liberal governments that refused to give people real numbers on the budget. We got an extraordinary Parliamentary Budget Officer. Unfortunately, he has been muzzled ever since by the Conservatives, has been shut down and has had his budget reduced.

We want to ensure that people understand this is a priority for the NDP, but we do not want to wait for the formation of the first NDP government in 2015 to bring it in. We want to ensure it is in place right away, based on the model of the Congressional Budget Office in the United States.

[Translation]

We believe it is a model that should be put in place. When we form the government in 2015, we hope that the official opposition, whichever party may form it, will have a Parliamentary Budget Officer who is free to do his or her work, worthy of his or her role and able to provide real information to parliamentarians on behalf of the Canadians who have contributed the funds that have to be examined here for budgetary purposes.

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

*[English]***ORGAN DONOR REGISTRY ACT**

Mr. Malcolm Allen (Welland, NDP) moved for leave to introduce Bill C-477, An Act to establish the Pan-Canadian Organ Donor Registry and to coordinate and promote organ donation throughout Canada.

He said: Mr. Speaker, there is an absolute need for a national donor registry right across the country. There are a number of provinces that do not have donor registries at all. This would combine all that information so folks would not have to wait for donors.

Now there are literally 4,000 transplant recipients across the country waiting for an organ donor. In some cases, for certain types of donors, 80% of that donor tissue is coming from the United States. This would rectify the issue. Whether folks lived on the Atlantic coast, the Pacific coast or the Arctic coast, they would be on a registry and would get matched. Then we would not see the issue of donors who wished to give that material not have it get to the appropriate recipient simply because the information was not there. The bill is about that.

I would point out that the Canadian Blood Services supports it. The Canadian Transplant Association has also said there is need for this as a bigger picture of how to do donor transplants across the country. I would appreciate the support of the House.

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

* * *

● (1525)

RESPECTING FAMILIES OF MURDERED AND BRUTALIZED PERSONS ACT

Mr. James Bezan (Selkirk—Interlake, CPC) moved for leave to introduce Bill C-478, An Act to amend the Criminal Code (increasing parole ineligibility).

He said: Mr. Speaker, I am pleased to rise today and table the Respecting Families of Murdered and Brutalized Persons Act, which would amend section 745 of the Criminal Code.

I want to empower courts with the ability to increase parole ineligibility when sentencing individuals who have abducted, sexually assaulted and killed our innocent and most vulnerable from the current 25 years to a maximum of 40 years.

This bill is not about creating stiffer penalties for sadistic murderers. These depraved convicts do not qualify for parole. My bill is about saving families of the victims from having to go through the agony of attending unnecessary and traumatic parole hearings.

In all the research that our office has done, we have discovered that these murderers, these sadistic individuals, have never been granted parole. Thus, these hearings are unnecessary. What we want to do through the bill is give the judge the discretionary powers to make a recommendation to the jury, and also in the sentencing process, to award a period of parole ineligibility that is increased from 25 years to 40 years.

Routine Proceedings

When Justice Hughes was sentencing David Threinen in 1976, he said that Threinen should never again be on the streets and roadways of our country.

We know from the families who have to go through these parole hearings that convicts use these hearings to terrorize families. Gary Rosenfeldt, the stepfather of one of Clifford Olson's victims, said in 2006, "What's really horrendous about this is this is only the beginning. We're going to have to do this every two years as long as Olson lives. And this is a very, very painful experience for myself, my family".

When we pass my bill, it will help those families to not have to deal with those experiences over and over again when it is completely unnecessary.

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

* * *

AN ACT TO BRING FAIRNESS FOR THE VICTIMS OF VIOLENT OFFENDERS

Mr. David Sweet (Ancaster—Dundas—Flamborough—Westdale, CPC) moved for leave to introduce Bill C-479, An Act to amend the Corrections and Conditional Release Act (fairness for victims).

He said: Mr. Speaker, it is with mixed feelings that I table An Act to Bring Fairness for the Victims of Violent Offenders. I am happy because the bill will bring comfort to thousands of victims for many years to come. What is weighing on my heart are powerful observations and emotions from my experiences attending National Parole Board hearings at the request of a constituent whose sister, niece and nephew were brutally murdered by a violent offender.

From this first-hand experience and others come a number of solutions in this private member's bill to enshrine the voice of victims in law and modernize the Corrections and Conditional Release Act so that victims do not have to relive their pain each year.

I ask for the support of all hon. members to bring these changes about.

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

* * *

[*Translation*]

OLD AGE SECURITY ACT

Mr. François Pilon (Laval—Les Îles, NDP) moved for leave to introduce Bill C-480, An Act to amend the Old Age Security Act (funeral arrangements).

He said: Mr. Speaker, I am pleased to introduce my bill today in the House.

I want to begin by thanking my colleague from Pierrefonds—Dollard for seconding my bill.

This bill amends the Old Age Security Act to allow old age security and guaranteed income supplement recipients to withdraw a maximum of \$2,500 from an RRSP in order to pay for funeral arrangements in advance.

This sum will still be taxable, but it will be excluded from the calculation of income for the guaranteed income supplement for the following year.

This will enable our seniors who receive the guaranteed income supplement to remove a financial burden from their children while preventing their already modest income from being further diminished. In this way, they can maintain a certain quality of life.

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

* * *

● (1530)

AN ACT TO AMEND THE FEDERAL SUSTAINABLE DEVELOPMENT ACT (DUTY TO EXAMINE)

Mr. Pierre Jacob (Brome—Missisquoi, NDP) moved for leave to introduce Bill C-481, An Act to amend the Federal Sustainable Development Act (duty to examine).

He said: Mr. Speaker, I am pleased to table in the House, in both official languages, a bill entitled "An Act to amend the Federal Sustainable Development Act". The bill's summary reads as follows:

This enactment amends the Federal Sustainable Development Act to provide for an examination of bills and proposed regulations to ensure that their provisions are not inconsistent with the purposes and provisions of that Act.

This concept is very important to the people of Brome—Missisquoi and to all Canadians.

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

* * *

[*English*]

PETITIONS

IMPAIRED DRIVING

Mrs. Nina Grewal (Fleetwood—Port Kells, CPC): Mr. Speaker, I am pleased to rise today on behalf of the constituents of Fleetwood—Port Kells to present a petition signed by dozens of local residents who are outraged by the unnecessary death of a young woman killed by a drunk driver.

The petitioners call upon Parliament to enact tougher laws, including mandatory sentencing, for those persons convicted of impaired driving causing death. They also ask that the offence of impaired driving causing death be redefined as vehicular manslaughter.

EXPERIMENTAL LAKES AREA

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, I have two petitions to present to the House today.

The first petition is signed by thousands of Canadians calling upon the House of Commons and Parliament to take note that the Experimental Lakes Area is a unique, world-renowned research facility for freshwater research and education.

The petitioners call upon the Government of Canada to recognize its importance to Canada's mandate to study, preserve and protect aquatic ecosystems, and to reverse the decision to close the Experimental Lakes Research Station.

INTERNATIONAL AID

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, the second petition I would like to table is signed by the Canadian Catholic Organization for Development and Peace and many residents in my constituency.

The petitioners call upon the Government of Canada to restore our overseas development assistance to 0.7% of the GDP and to fully fund, in the spirit of global solidarity, the grant to the Canadian Catholic Organization for Development and Peace of \$49.2 million, as requested, over the next five years.

SEARCH AND RESCUE

Mr. Fin Donnelly (New Westminster—Coquitlam, NDP): Mr. Speaker, I rise to present three different petitions from thousands of Canadians.

The first petition calls upon the Government of Canada to rescind its decision and reinstate full funding to maintain the Kitsilano Coast Guard station.

• (1535)

SHARK FINNING

Mr. Fin Donnelly (New Westminster—Coquitlam, NDP): Mr. Speaker, the second petition calls upon the Government of Canada to immediately legislate a ban on the importation of shark fin to Canada.

EXPERIMENTAL LAKES AREA

Mr. Fin Donnelly (New Westminster—Coquitlam, NDP): Mr. Speaker, the third petition is signed by people calling for a reversal of the decision to close the ELA, Canada's leading freshwater research station.

[*Translation*]

CANADA POST

Mr. Jamie Nicholls (Vaudreuil—Soulanges, NDP): Mr. Speaker, I have four petitions to present to the House.

The first petition has to do with post offices in rural communities. The petition calls on the government to protect postal service in rural Canada.

THE ENVIRONMENT

Mr. Jamie Nicholls (Vaudreuil—Soulanges, NDP): Mr. Speaker, the second petition calls for legislation on climate change. We know that climate change is a very serious problem that must be addressed as soon as possible.

PENSIONS

Mr. Jamie Nicholls (Vaudreuil—Soulanges, NDP): Mr. Speaker, the third petition seeks to protect old age security and access to it.

Routine Proceedings

HOUSING

Mr. Jamie Nicholls (Vaudreuil—Soulanges, NDP): Mr. Speaker, the final petition has to do with a national affordable housing strategy.

[*English*]

FALUN GONG

Hon. Laurie Hawn (Edmonton Centre, CPC): Mr. Speaker, I rise to present a petition from about 200 residents of Edmonton.

Whereas Falun Gong practitioners have been the largest and most severely persecuted group in China since 1999 and Canadian investigators have concluded that a large but unknown number of Falun Gong prisoners of conscience have been put to death to harvest their organs, and whereas democratic nations have a responsibility to condemn such atrocities, the petitioners condemn the Chinese Communist Party's system of cruelly murdering Falun Gong practitioners for their organs and publicly call for an end to the persecution of Falun Gong in China.

[*Translation*]

HOUSING

Ms. Marie-Claude Morin (Saint-Hyacinthe—Bagot, NDP): Mr. Speaker, I have the honour to present a petition today from people who are fed up with seeing the government ignore the issue of poverty and deny its very existence.

I am presenting a petition calling on the government to support Bill C-400, which would provide safe, adequate, accessible and affordable housing to Canadians. I am starting to get used to saying that.

[*English*]

THE ENVIRONMENT

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, I rise today to present two petitions.

The first petition is from residents of Vancouver and Burnaby, who call upon this House to look favourably on a legislated tanker ban to protect the coast of British Columbia from supertankers loaded with bitumen and diluent.

FOREIGN INVESTMENT

Ms. Elizabeth May (Saanich—Gulf Islands, GP): Mr. Speaker, the second petition is from residents of my own constituency on Saturna Island and parts of Victoria as well as from outside my constituency, in Vancouver and Toronto.

The petitioners call upon the Prime Minister and his cabinet to refuse to ratify the Canada-China investment treaty. It is not yet ratified, and there is still time to stop it.

THE ENVIRONMENT

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Mr. Speaker, I have two petitions that I will briefly present.

The first petition is from residents of Ontario, who are calling upon the government to take a more expedited action to protect the Great Lakes, where there are serious safety and economic issues related to tourism and boating.

Routine Proceedings

EXPERIMENTAL LAKES AREA

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Mr. Speaker, the second petition comes from residents of Edmonton, Barrhead, Sherwood Park, Calgary, Cochrane, Stoney Plain, Spruce Grove, St. Albert, Busby, Rocky Mountain House, and Jasper, Alberta; Burnaby, B.C.; and Saskatoon, Saskatchewan.

The petitioners call upon the government to reverse its decision to close the Experimental Lakes region and to continue to support the critical internationally renowned decades of sound science.

SEX SELECTION

Mr. Mark Warawa (Langley, CPC): Mr. Speaker, it is an honour to present two petitions from my constituents in beautiful Langley, British Columbia.

The first petition highlights, on Anti-Bullying Day, that CBC revealed that ultrasounds were being used in Canada to tell the sex of an unborn child so that expectant parents can choose to terminate the pregnancy if it is a girl. Ninety-two percent of Canadians believe that sex-selection pregnancy should be illegal. All national political parties in Canada have condemned this practice.

The petitioners are calling upon all members of Parliament to support Motion No. 408 and condemn discrimination against females occurring through sex selection.

• (1540)

IMPAIRED DRIVING

Mr. Mark Warawa (Langley, CPC): Mr. Speaker, the second petition highlights the sad fact that last year 22-year-old Kassandra Kaulius was killed by a drunk driver. The group of people who have signed this petition want to see tougher laws and the implementation of a new mandatory minimum sentencing for persons convicted of impaired driving causing death. They would also like to see that offence be changed to vehicular manslaughter.

[Translation]

HOUSING

Mrs. Sadia Groguhé (Saint-Lambert, NDP): Mr. Speaker, I have the honour to present a petition in support of Bill C-400, introduced by my colleague from Saint-Hyacinthe—Bagot. The bill would create a strategy for adequate, accessible and affordable housing.

[English]

THE ENVIRONMENT

Ms. Rathika Sitsabaiesan (Scarborough—Rouge River, NDP): Mr. Speaker, today I am presenting petitions on behalf of residents across Ontario near the Great Lakes in Canada.

The petitioners call upon the federal ministers of natural resources, environment, fisheries and transport to increase their efforts significantly to halt and reverse the ongoing loss of water from the Great Lakes Basin.

Since 1999, the water level in Lake Huron has dropped almost a metre and a half, and over the last 13 years is showing no signs of rebounding. We know that will significantly affect the environment in that area, the wetlands and spawning areas. It will have an

immeasurable impact on the aquatic and marine life as well as on communities.

Mrs. Carol Hughes (Algoma—Manitoulin—Kapuskasing, NDP): Mr. Speaker, I too would like to table petitions with respect to restoring the Great Lakes water levels. The petitions are signed by constituents from across Manitoulin Island, as well as from other communities, such as Wahnapiatae, Garson, Paris, Sarnia, Toronto, Kanata, Highgate, Sudbury, Dowling, North Bay and London. People are quite concerned with respect to the levels of the Great Lakes and the fact that Lake Huron has actually dropped by four to five feet since 1999, with no signs of rebounding in over 13 years.

Petitioners are asking the government to take action on the levels of the Great Lakes because it is not only affecting people in those areas who use the lakes but their economy as well.

SEX SELECTION

Mr. Leon Benoit (Vegreville—Wainwright, CPC): Mr. Speaker, I am honoured to present a petition on behalf of constituents from Sedgewick, Killam and Viking, in my constituency. They ask that all parties in the House condemn sex selection abortion and note that 92% of Canadians believe that sex selection abortion should be illegal.

The petitioners call upon members of Parliament to support Motion No. 408 and condemn discrimination against females occurring through gender selection pregnancy termination.

THE ENVIRONMENT

Mr. Wayne Marston (Hamilton East—Stoney Creek, NDP): Mr. Speaker, I will not read the entire petition, but it is also about the levels of water in the Great Lakes. Petitioners are very concerned about the north channel of Manitoulin Island and Georgian Bay. Those lakes around the Great Lakes basin have lost significant water levels in the last number of years, and petitioners are frightened about what this will do to tourism, the cottage industry and boating in general.

* * *

QUESTIONS ON THE ORDER PAPER

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, I ask that all questions be allowed to stand.

The Speaker: Is that agreed?

Some hon. members: Agreed.

* * *

MOTIONS FOR PAPERS

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons, CPC): Mr. Speaker, I ask that all notices of motions for the production of papers be allowed to stand.

The Speaker: Is that agreed?

Some hon. members: Agreed.

*Government Orders***GOVERNMENT ORDERS***[Translation]***TECHNICAL TAX AMENDMENTS ACT, 2012**

The House resumed from February 15 consideration of the motion that Bill C-48, An Act to amend the Income Tax Act, the Excise Tax Act, the Federal-Provincial Fiscal Arrangements Act, the First Nations Goods and Services Tax Act and related legislation, be read the second time and referred to a committee.

The Acting Speaker (Mr. Bruce Stanton): The last time the House considered the motion, the hon. member for Portneuf—Jacques-Cartier had six minutes left for her speech and there were five minutes left for questions and comments.

The hon. member for Portneuf—Jacques-Cartier.

Ms. Éline Michaud (Portneuf—Jacques-Cartier, NDP): Mr. Speaker, I feel especially privileged to have the chance to speak twice on Bill C-48, which amends the Income Tax Act. Not everyone has an opportunity to address this highly charged issue.

As I mentioned the last time, this bill is nearly 1,000 pages long and makes a number of very technical changes to Canada's tax system, changes that have accumulated over more than a decade. It seeks to obtain official approval for the various technical measures that have been put forward by the Minister of Finance over the years, over more than 10 years now, in fact.

We in the NDP believe that the technical changes proposed in Bill C-48 will be good for the Canadian tax system and will generally reduce tax avoidance. This is why the NDP will be supporting the bill at second reading.

The NDP believes that, as parliamentarians, as the elected representatives of Canadians, we have a duty to do whatever we can to minimize tax evasion and get rid of loopholes in our legislation, to ensure that the government has all the resources it needs to provide Canadians with the government services and institutions that they depend on and, more importantly, that they deserve.

Because of the Conservative government's budgets, we are facing drastic service cuts that will affect the Canadians who need those services the most. Money that is in the system could be invested in our social programs and in the institutions Canadians depend on, such as the universal public health insurance system. Ultimately, we could even set up other programs. Instead of being used to benefit the most privileged among us, this revenue should benefit the whole of Canadian society. It is important to do everything we can to bring the money back into the system so that the government can use it.

It is all well and good to cut a little bit here, there and everywhere, but we must be able to generate the revenue we need so that we can maintain what we have achieved, improve and enhance existing programs, and then come up with new programs that meet the needs of Canadians. I think that if a government is not able to do this, it is not doing its job. Unfortunately, this is true of the current Conservative government. This is what the NDP will be changing in 2015, when it forms the government, of course.

Since the Conservatives would have us believe that they are good managers of public funds, I find it really surprising and very disappointing that they waited so long before doing what was needed to get the technical amendments in Bill C-48 through Parliament.

In fact, the most recent technical tax bill was passed in 2001. That is more than 10 years ago. By 2009, at least 400 technical amendments had still not been enacted.

Bill C-48 is huge, nearly 1,000 pages, and it clearly shows that this government must be more responsible in managing tax legislation.

It is absolutely unacceptable to penalize taxpayers and the business sector by perpetuating so much uncertainty and unpredictability in Canada's taxation amendment process.

Furthermore, because the Conservatives are so slow, we are once again dealing with a massive omnibus bill and we have very little time to really study it and to examine the implications of its legislative measures.

It really is a shame that the Conservatives persist in using this strategy, which, frankly, hinders the work that we in the House must do, that is, to study and consider bills and their impact on the Canadian public. The fact that we are prevented from conducting our parliamentary work properly has a direct impact on Canadian democracy and Canadians' trust in their elected officials.

At least things are a little better this time around because the Conservatives had the decency to combine a series of bills dealing with the same subject in Bill C-48. It is actually quite refreshing compared to Bill C-38 and Bill C-45, bills that sought to hide a raft of drastic and socially harmful changes in areas such as environmental protection, immigration, employment insurance, old age security and many more.

● (1545)

Despite all that, although tax measures are involved and it is all one subject, in general we are in favour of the bill's content. However, the fact remains that we are dealing with a document that is incredibly long. We do not have much time to study the amendments, which are technical and relatively complex and merit careful study. A number of them have already been implemented by tax professionals, accountants and businesses, but some things are still not clear and should perhaps be given further consideration. Once again, we do not have an opportunity to do so, because this is an omnibus bill.

Every week, my constituents come into my office in Portneuf—Jacques-Cartier to tell me that they are tired of seeing these kinds of bills in the House, tired of seeing these huge documents and tired of seeing that their elected officials, whom they elected to represent them, are incapable of doing their job.

Government Orders

Canadians are fed up with the way this government operates. Things have to change and quickly. The government needs to stop dragging its feet and establish a truly efficient process for quickly and regularly enacting the technical amendments in the comfort letters issued several times a year by the Department of Finance.

I think the message is clear. I will repeat what a number of my colleagues have already said: we will be supporting the bill. However, we must ensure that a situation like the one we are faced with today will not occur again, and we must ensure that the government will present us with technical amendments on a regular basis so that we can do our job properly.

• (1550)

Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP): Mr. Speaker, I want to thank my colleague for her very informative speech.

This is so complicated because there are so many measures to be implemented at the same time; 200, in fact. Does my colleague think that the average Canadian will be able to understand all this? Even experts think that the legislation is difficult to interpret and that it is hard to understand all the ins and outs of it. Businesses think it is burdensome.

How is the average person—who is not necessarily familiar with every tax measure—supposed to make any sense of this and file accurate returns?

Ms. Éline Michaud: Mr. Speaker, I thank my colleague for her very important question. In fact, the answer is simple: average people simply cannot make any sense of this.

It is hard enough for us as MPs to understand exactly what is included in this bill. It is so long and complicated and goes back such a long way that it is hard to know where things stand and what still applies.

It is just as hard for tax experts, business people and our various merchants. All these people who actively contribute to our economy and our global productivity are a bit lost and do not necessarily have all the necessary resources to contribute fully to our economy.

I find it rather surprising that the government, which boasts about being there for businesses, creating jobs and enhancing Canada's economic growth, is in this situation. Frankly, this is standing in our way. The government is counting on these people to grow our economy, create jobs and ensure that people have enough income to live well in this country.

Mr. François Choquette (Drummond, NDP): Mr. Speaker, I thank my hon. colleague for her excellent speech. She highlighted all of the flaws of this bill. We will support this bill, since it is a step in the right direction, but there are some problems with it. For example, the government could have improved certain things, such as tax evasion. This bill is a step towards combatting tax evasion, but it is just a start.

The NDP recently held a meeting where it condemned the Conservative government's complacency towards combatting tax evasion. The Leader of the Opposition was there. He spoke and mentioned that the NDP wants more tax fairness, so that everyone pays their fair share.

I would like to hear what my hon. colleague thinks about more seriously targeting tax evasion so that Canadians get their money's worth from a services perspective.

Ms. Éline Michaud: Mr. Speaker, I would like to thank the member for his extremely important question.

I have a number of comments. First, I would like to say how important it is to address tax evasion. It is a question of justice and equality for each and every Canadian. These are honest people who are paying their taxes. We want to defend honest Canadians when it comes to employment insurance and the correct use of taxes. The NDP does not defend fraudsters; we defend those who are honest, no matter what the government says.

Allowing certain privileged Canadians to have benefits that none of us here could have is unacceptable, and the fact that they enjoy these benefits at others' expense is just as unacceptable. The government must act quickly.

Second, it is also extremely important that we bring that money back to Canada, to the government, so that we can provide the programs and resources that our people are calling for, that they deserve and that they need.

This government is making cuts in every department, except for the propaganda department, of course. We all have to listen to the half-truths that the government is spewing. It is spending millions of dollars on propaganda at taxpayers' expense.

It is making all these cuts, but it is never going to take in enough revenue to maintain what we have and improve existing programs. It is offering tax breaks to big business, letting people hide their money in tax havens, making cuts, lowering taxes and so on.

It has very little revenue, and it is not able to make the machinery of government work the way it should. And that is why it is so important to keep tax evasion in Canada to a minimum or eliminate it entirely.

• (1555)

Ms. Anne Minh-Thu Quach (Beauharnois—Salaberry, NDP): Mr. Speaker, since the passage of the last technical tax bill in 2001, the government has made a number of tax-related changes through the use of comfort letters.

However, these new measures have become common practice and have never been incorporated into a technical tax bill.

Bill C-48, An Act to amend the Income Tax Act and other tax legislation, will incorporate more than 200 changes made to the tax code since 2001, over 12 years ago.

We support this bill because it will implement a series of technical amendments to the tax system that have been developed over the last decade. These technical changes are in fact largely beneficial and necessary. In the NDP, we believe that these changes will ultimately have a positive impact on revenues and are a good way of reducing tax avoidance, as has been discussed at length in this debate.

Government Orders

Tax evasion costs Canadians a lot of money. It is estimated that Canada foregoes revenue amounting to nearly \$80 billion every year because of various forms of tax avoidance.

Numerous measures can be adopted to deal with tax avoidance, including the fair and uniform application of tax rules, as is done in this bill, and the automatic exchange of tax information and adoption of a protocol for publishing the taxes paid by corporations. It is in fact impossible to enact all these measures without leadership from the government.

I believe that this bill and the measures it includes are a step in the right direction, to help the government combat tax avoidance and deter these various practices.

Similarly, the bill talks about various measures to ensure that income received by residents of Canada from any source is taxed, and measures relating to the taxation of foreign affiliates of Canadian multinational corporations. The purpose of those measures is essentially to guarantee the integrity of the tax system and deter tax evasion.

The bill also contains provisions implementing various technical measures that have been developed since 2002. Among other things, that part contains anti-avoidance measures, which I will not list because this is very technical, measures limiting the use of foreign tax credit generators in order to avoid foreign tax, measures setting out the rules for taxable Canadian property of non-residents and immigrants, and the creation of a regime for information reporting of tax avoidance transactions so that people can be informed about how avoidance occurs and avoid falling into that trap or to make it easier to identify these forms of avoidance.

Any avoidance transaction that is for the purpose of obtaining a tax benefit will now have to be reported for greater transparency, even if it is not improper.

The bill also includes three new measures that we support and that had not been announced already.

First, a number of federal fiscal constraints will be rectified to solve transition problems.

Second, the formula for the attribution of taxable corporate income that applies to airline corporations is amended to ensure that the taxable income of one of these companies is entirely attributed to the provinces or territories where it has a permanent establishment. That is logical.

Third, a measure relating to the tax treatment of shares owned by short-term residents for departure tax purposes. Obviously, this is all very abstruse, but it is part of the 1,000 pages being added. This adds to the complexity, which we find unfortunate in view of the fact that there have already been 3,000 pages of tax measures in the last few decades.

All in all, by ensuring the integrity of the tax law in force and minimizing the potential loopholes, these measures will operate to increase government revenue. As my colleague said, when government revenue is increased, then we can invest in social programs, for example, and in programs for health care, the environment and greater fairness.

In its present form, however, the tax system is unendingly complex. That complexity affects individuals, for whom it is very difficult to plan their taxes with the vast menu of tax credits we now have.

The tax system also poses problems for Canadian businesses and undermines their competitiveness. If they have to dissect it all and invest in administrators or accountants who have to analyze each of the 200 amendments being made a decade later, for example, that is money that they cannot invest in local jobs or jobs in their small business. It therefore reduces their productivity and competitiveness.

● (1600)

The difficulty of planning their spending also limits investments in innovation and hiring. Clearer tax rules could improve the competitiveness of our businesses and create more jobs.

While we support the bill, the document is nearly 1,000 pages long and has all the makings of an omnibus bill, again. Obviously, the last technical tax bill, which was more than 12 years ago, incorporates certain legislative amendments, some of which go back to 1998. The enormous scope of this bill demonstrates that the government has to be a lot more responsible in its management of tax legislation and make sure that proposals relating to tax law are enacted more regularly.

Unlike the gigantic budget bills, Bill C-38 and Bill C-45, the changes made do not affect a huge spectrum of legislation, and rather affect certain specific statutes. But this bill still does much to complicate the work that parliamentarians do in assessing bills, given that a lot of time is needed to process a bill and get through a thousand-page block, time that we do not have today.

As well, prioritizing the elimination of tax loopholes has to be done in a timely manner. Most of these measures have been adopted in current practice. The fact that they are not being enacted until years later brings an element of uncertainty and unforeseeability to the business world. Experience seems to tell us that it might be time to rethink how we do this. Tax bills should be much more modest—shorter, that is—and there should be more of them, introduced on a regular basis, to ensure that their provisions are implemented in a more timely manner.

In addition to legitimizing the work done by parliamentarians, that would operate to reassure the business world. It would also show that we are much more democratic and would mean we could avoid having unenacted tax measures accumulate, since this impedes progress, and at the same time allow us to improve and strengthen the Canadian tax system. It would also operate to facilitate financial planning and management for businesses, taxpayers and tax experts, who themselves have trouble making their way through all this jumble of rules.

As well, enacting tax measures speedily after they are announced would also enable the government to collect large sums of money that could be reinvested in programs for health care, education, food inspection and environmental assessment, for example.

Government Orders

This position is shared by many experts, including the former Auditor General of Canada, Sheila Fraser, the Certified General Accountants Association of Canada, as well as Marlene Legare, former senior chief of the Sales Tax Division at the Department of Finance. They all agree that this will help improve the process and simplify our tax legislation, which is becoming increasingly complex.

We recently led a campaign against the excessive fees that credit card companies are charging small and medium-sized businesses and other merchants. Businesses are already overwhelmed by all the paperwork. With all that those companies contribute to Canada, the Conservatives—who claim to be the best advocates of local economies and small and medium-sized businesses—are blocking the growth of local economies and job creation. It is hard to believe the Conservatives when they introduce these kinds of bills.

In closing, in 2009, the former Auditor General of Canada, Sheila Fraser, was already concerned about the fact that at least 400 technical amendments still had not been enacted through legislation. Bill C-48 enacts more than 200 of these measures and changes. I wish to echo Ms. Fraser's concerns, given that another 200 changes still have not been applied and remain outstanding.

Can the government tell us when it plans to incorporate those measures into legislation and how? It would be a shame to have to wait another 10 years before those changes are adopted, especially since, much like this bill overall, they will have a positive impact on Canada's tax system. Just like the measures that will be added to the legislation thanks to Bill C-48, the purpose of these measures is to ensure the integrity of our existing tax legislation, close the loopholes to discourage tax avoidance, increase our revenues and therefore take part in positive economics.

• (1605)

[English]

Ms. Linda Duncan (Edmonton—Strathcona, NDP): Mr. Speaker, I thank the hon. member for her cogent presentation on this mammoth bill.

My hon. friend has mentioned the comments by former Auditor General Sheila Fraser, who said that there had not been an updating bill along these lines, to update the tax laws, since 1998. I also notice that Thomas McDonnell, who is a tax lawyer with Thorsteinssons, added what seem to be the comments of the general public about the omnibus budget bills by the government. He said, "My printed version of the changes and accompanying notes runs well in excess of 900 pages. The Bill will also be passed without much in the way of informed debate in the House".

The hon. member has raised very validly the delay in bringing forward these kinds of changes. Clearly, the changes are long needed and are supported. Could she speak to whether it is important for the government to start bringing forward, at least on a yearly basis, these kinds of changes? At least then we could be sure that we were increasing the revenue side of the stream, if not the payouts to those who are deserving of the support of the federal government.

[Translation]

Ms. Anne Minh-Thu Quach: Mr. Speaker, I would like to thank my colleague. In fact, she is right.

As we have said over and over, many tax experts are criticizing the fact that the bill is very complicated, given its scope. Too much time passes between the amendments and their application. Too many measures have to be adopted at the same time. Therefore, the government should introduce bills on a more regular basis, with much fewer changes, so that they are easier to understand.

When even tax experts find the bill difficult to understand, imagine what this can mean for mere mortals and businesses. This affects our economy, and also democracy, because we have to vote on it. However, it is difficult to get at the facts when even the tax experts cannot figure the bill out.

Mr. Mathieu Ravignat (Pontiac, NDP): Mr. Speaker, I thank my dear colleague for her very interesting speech.

I was shocked to see that there were about 200 measures that have not yet been considered. Businesses and Canadians who try to do their homework and pay their taxes are the ones who suffer. The legislation is incredibly complicated. There are contradictions, duplications and errors. I think the delay in getting this done has taken a toll on the economy.

Has my colleague heard her constituents complain about how complicated the legislation is or offer any solutions?

• (1610)

Ms. Anne Minh-Thu Quach: Mr. Speaker, I thank my colleague from Pontiac for his very relevant question.

As we have said many times, small and medium-sized businesses will suffer the most from all of these changes. This will prevent them from moving forward and investing because there are a lot of risks.

We are proposing that we have measures like these more regularly, to reassure people and make the restrictions clear. We are also proposing that we combat tax avoidance. Nearly \$80 billion a year is lost to tax havens, and the government is not doing anything about it. We are suggesting that the government provide information on tax avoidance in its many forms, and publish all corporate taxes. People would then be aware and could verify the tax sources.

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, I am very pleased to follow the member for Beauharnois—Salaberry, who gave a wonderful, detailed speech.

We have just begun to really delve into this bill that is more than 1,000 pages long. Bill C-48 is absolutely enormous.

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As my colleague just said, we are talking about measures that should have been taken 10 or more years ago. Some of them go back as far as 1998. We have to wonder why the government took so long to introduce this huge bill in the House. Why did it take so long to address the 200 various sectors affected by previous budgets? Why did the government drag its feet on introducing these technical amendments in the House?

[*English*]

When we look at the size and scope of this massive bill, we are talking about areas touched throughout the tax system: changing how labour-sponsored venture capital corporations are treated and the transitional issues that arise from that; amending corporate taxable income allocation formulas; looking at the tax treatment of shares dealing with offshore investment fund property and non-resident trusts; dealing with taxation of foreign affiliates of Canadian multinational corporations, affecting legislation that touches both common law and civil law; avoiding anti-avoidance measures for specific leasing properties; clarifying rules on taxable Canadian properties; looking at housekeeping changes to the Excise Tax Act; clarifying the minister's authority; allowing for tax administration agreements; and putting in place coordinating amendments.

Many of these measures date from more than a decade ago. As my colleagues from Beauharnois—Salaberry and Edmonton—Strathcona mentioned earlier, the former Auditor General of Canada called the government on its complete absence of bringing forward all of the 1,000 pages of technical amendments that should have been brought forward years ago.

Commitments were made at one point. I am not going to criticize just the Conservatives. I am going to criticize the Liberals, as well.

Indications were made in the past that these types of technical amendments should be brought in on an annual basis. What the Parliament of Canada would be called upon to look through would be, basically, one-twelfth of what we are looking at today. On an annual basis, technical treatment would then be updated. That is a necessary part of our tax system. That would mean, as well, that we would avoid the kinds of loopholes that exist when the House of Commons passes budgets or measures are put into place and the technical amendments are never brought forward.

That is not what happened under the Liberals. We know now that the Liberals were simply unable to put in place an effective administrative structure for technical amendments. It has not happened under the Conservatives, either. This is something New Democrats deplore. Of course, we support these technical amendments, but instead of dealing with a yearly review that would allow those technical amendments to be brought in in a systematic way and on a timely basis, we are dealing with another massive Conservative bill of 1,000 pages that Parliament is being asked to scrutinize, because for over a decade, the work was not done.

This is symptomatic of why many Canadians consider the idea of Conservative administrative competence to be an oxymoron. We have seen this time and time again, whether we are talking about technical amendments that have not been brought in or massive budget bills that are thrown on the floor of the House of Commons without the government having any understanding of what the impacts are.

●(1615)

We saw last spring massive changes to environmental assessments and the National Energy Board. Charitable people would say that the government was simply unaware of what it was trying to do when it gutted 99% of environmental assessments in this country. That is what a charitable person would say. The government was simply incompetent. Many others believe that it was mean-spirited and deliberate. Even though the government pretended that it had no idea that it was gutting 99% of environmental assessments in this country, the government actually did understand that it was doing that when it threw those amendments forward. Either way, what we are seeing is administrative incompetence and mean-spiritedness of the highest order.

I am privileged to come from the political party that over the last 20 years, when it has been in power, according to the federal Ministry of Finance, has been the most effective at managing the nation's finances and paying down debt in various provinces. For the last 20 years, the fiscal period returns, year after year, have indicated that NDP governments are much better at balancing budgets and paying down debt. They are much better than their Conservative counterparts and much better than their Liberal counterparts, who seem to be even worse than the Conservatives, if people can believe that, in terms of balancing budgets and paying down debt. Fiscal period returns show that. We certainly have no lessons to learn from anybody.

I would say to the Canadian public that we always have to endeavour to be better and more transparent. We had the Leader of the Opposition stand in the House today and put forward an NDP bill to put in place a Parliamentary Budget Officer. What we believe in is a system of checks and balances, in terms of finance, to ensure that the public is aware that the figures we are putting forward are tested by an impartial third party. We believe in supporting our Auditor General's department and in actually enhancing the ability of the Auditor General to look at the nation's finances as well.

What have the Conservatives done? It is quite the opposite. By death from a thousand cuts, they have cut back on the Auditor General's ability to actually look at the nation's finances. They are seriously, in the most vicious, underhanded way, attacking the Parliamentary Budget Officer. They are systematically removing, and this is the only government in the western world doing this, the checks and balances the Canadian public depends on.

On our side of the House, not only are we better financial administrators, we also believe in the impartiality of a third party to ensure and verify that the financial figures put forward by a government are tested and are subject to those rigorous tests of checks and balances the Canadian public expects.

In my riding of Burnaby—New Westminster, what I hear most often from people who voted Conservative last time, because I still had about a third of the public in Burnaby—New Westminster vote Conservative last time, is that they voted for administrative competence, and they have gotten incompetence. They say that they voted for some kind of honesty on fiscal matters and have gotten exactly the opposite.

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People who voted Conservative are now saying that what they got is the F-35 scandal, the continuous shame of Conservative senators trying to bilk the public and milk the public of every last dollar, pretending they live in provinces where they do not and trying to break the law in a couple of jurisdictions.

What former Conservative voters, because they are not going to vote that way in 2015, are telling us is that it is not what they voted for, but that is what they have gotten.

When we look back to Bill C-48, we can see that this is symptomatic of a much greater malaise. We have a Conservative government that is administratively incompetent, that is mean-spirited and that is unable to control the natural inclination of the Prime Minister to go after shiny baubles and pay whatever it takes, whether we are talking about the Muskoka spending of \$1 billion or the \$40 billion or more that would go into the F-35s or the ongoing scandal of Senate-gate, with 15 Conservative senators now trying to hide where they live to cover up their past indiscretions.

When we look at all of those things, what we see is symptomatic of why so many Canadians are saying that what they want to see, whether we are talking about a bill like this or any other government decision, is competence. They want to see a government that actually understands the impacts of what it is doing. They want to see a government that is not bringing forward 14 years of technical amendments, because it has been dropping the ball, systemically, for the last seven years.

In 2015, what Canadians will get is a government that is competent, an NDP government that will be submitting technical amendments on an annual basis, because that is what is right and proper for this House of Commons to consider.

• (1620)

Mr. Leon Benoit (Vegreville—Wainwright, CPC): Mr. Speaker, the NDP member opposite talked about the NDP record in government. That party has never been in government at the federal level. Let us hope that trend will continue so its record is not blemished. Those members have not had an opportunity to do that and let us hope they do not get that opportunity.

There is a trend here that I am really bothered by. The legislation would make technical amendments to the tax code. The member talked about how the bill is too big for his party to deal with properly. Those members complained about the two budget implementation bills that implemented our last budget, saying they were too big to deal with effectively. There is a trend. The opposition seems unwilling to do the work required to provide proper scrutiny for these bills. The opposition seems to be a bit lazy, quite frankly.

Why does the member not do his homework and deal with the bill and other bills like it?

Mr. Peter Julian: Mr. Speaker, a member of the Conservative Party has just called Sheila Fraser lazy. That is beyond the pale. Sheila Fraser said the following, “No income tax technical bill has been passed since 2001. Although the government has said that an annual technical bill of routine housekeeping amendments to the Act is desirable, this has not happened”.

The member criticizes the NDP for quoting Sheila Fraser, the former Auditor General of Canada. If the member went back to his own riding and asked whether his constituents believe him or whether they believe Sheila Fraser, I think nine times out of ten the residents of his own riding would say they trust Sheila Fraser over the Conservative talking points that come from the PMO. That would be pretty—

The Acting Speaker (Mr. Bruce Stanton): Questions and comments. The hon. member for Toronto—Danforth.

Mr. Craig Scott (Toronto—Danforth, NDP): Mr. Speaker, I understand that there are still 200 technical amendments that have not yet found their way into this very long piece of legislation. I am wondering if my colleague thinks it would be appropriate at committee stage to move an amendment saying that those 200 other amendments must come forward, at least, on an annual basis and/or that some kind of sunset provision for the outstanding technical amendments should be implemented. Is there any way that we can hurry up the process of the government getting to the remaining 200 technical amendments?

Mr. Peter Julian: Mr. Speaker, the member for Toronto—Danforth asked a very good question. There is no doubt that we want the government to get busy doing what it should be doing. We would welcome those kinds of amendments.

It has been said that if a Conservative managed a house there would be leaks in the roof, no shoes for the kids, the grandparents would not be able to buy their medication but there would be a nice shiny Ferrari out in the front yard. That is what we are seeing here. The government has been trying to systematically gut all of the protections that have been in place. We have seen a mess in EI. We have seen an elimination of environmental assessments for goodness' sake. We are seeing wide problems in terms of most Canadian families seeing their real income decline. Instead of tackling all of those things and tackling technical amendments, the government in a very mean-spirited way is proceeding with its own ideology.

Bringing forward amendments that would get the job done is what the NDP is all about. Of course we will be pushing those things forward because that is what New Democrats do in the House of Commons. That is why we have grown from 19 seats over there in the corner to 36 seats to now over 100 members of Parliament strong. In 2015 we will be 180 strong and we will be able to set right what the Conservatives have broken over the last few years.

• (1625)

[*Translation*]

Ms. Mylène Freeman (Argenteuil—Papineau—Mirabel, NDP): Mr. Speaker, I do not think that my speech will be as amusing as the one given by my colleague from Burnaby—New Westminster. It was an excellent speech. I will try to make my points as interesting as possible.

As legislators, we have a duty to take a serious look at bills such as Bill C-48, An Act to amend the Income Tax Act, the Excise Tax Act, the Federal-Provincial Fiscal Arrangements Act, the First Nations Goods and Services Tax Act and related legislation. It is obviously a very large bill. We are seeing that a lot in the House.

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The NDP and many key players and experts in the fields of finance and accounting agree on that point. The majority of the changes in Bill C-48 will protect the integrity of the tax law in force. But we have been waiting a long time for these technical amendments to be introduced as part of a tax bill in the House. The most recent review of technical amendments happened in 2001. That was a long time ago.

There are amendments that date back to 1998, so this should have been ready a long time ago under the Liberal governments or under the current Conservative government. There is some reluctance to ensure that our tax laws are up-to-date. All Canadians should be wondering why it takes so long to get these things sorted out.

For example, this fall, the Certified General Accountants Association of Canada stated in its pre-budget submission to the Standing Committee on Finance that:

[T]he key to sustained economic recovery and enhanced economic growth lies in the government's commitment to tax reform and red tape reduction. Therefore, CGA-Canada makes the following...recommendations: Modernize Canada's tax system—make it simple, transparent and more efficient; introduce and pass a technical tax bill to deal with unlegislated tax proposals; implement a "sunset provision" to prevent future legislative backlogs...

There are therefore three elements: modernize the system; introduce the bill that is before us today; and make sure that the major delay that has resulted in us having to examine a bill that is a few hundred pages long does not happen again. As CGA said: it is good for our economy.

The Conservatives are always saying that the economy is their priority, but one has to wonder if that is really true when it takes them so long to respond to a request from the Certified General Accountants Association of Canada, a basic request that is good for our economy. The Conservatives seem to agree on these elements but their measures do not live up to the rhetoric, such as what we heard today.

We can therefore truthfully say that the Conservatives are not meeting their responsibilities properly and that this bill is very late. This government took over seven years to remedy the chronic delay in passing technical tax amendments.

In 2009, former Auditor General Sheila Fraser pointed out that more than 400 amendments were outstanding, as they had not been enacted by legislation. She noted that:

If proposed technical changes are not tabled regularly, the volume of amendments becomes difficult for taxpayers, tax practitioners, and parliamentarians to absorb when they are grouped into a large package.

She added that it is advisable for such a bill to be presented every year in order to make routine changes to tax laws. That is what the Conservative government wanted to do, but it never happened.

Today, we have a huge bill that would enact more than 200 of these changes. There are still hundreds of changes that must be enacted by a technical tax bill and that await debate in Parliament.

● (1630)

Unfortunately, I am not surprised that it has taken so long to put these changes into a bill, which does not even cover all the changes. The Conservatives talk about good management and accountability, but they never take appropriate action. It is truly unfortunate,

because their talk could almost be taken for propaganda. They say that they are good managers of the economy, but we see that it is not true at all. It takes them a long time to do things that are very routine, that should be done every year. They are incapable of sound financial management. That is evident from the supplementary estimates. It is truly unfortunate that the Conservatives do not walk the talk.

The reality is that the Conservative government's inaction has resulted in a huge backlog. We now have a gigantic technical bill of almost 1,000 pages, and we have not even addressed half of the changes.

We must use tax measures to combat tax avoidance and tax evasion and protect the integrity of our tax system at the same time. We support the changes in this bill, especially those that would curb tax avoidance. This is something the NDP has been focused on for a long time. However, the massive size of this bill shows that there is a lot of work to be done to turn these technical changes into legislative measures as quickly as possible. Otherwise, we are penalizing the business sector and making things difficult for Parliament. It is very complicated for Canadians when these measures are not included in a bill.

That is why, although we support the bill at second reading, we urge the government to do its homework, since Canadians should not have to wait a decade for the government to be accountable to Parliament by making tax amendments. That is simply not acceptable.

The Minister of Finance even admitted himself in a press release that the government had failed to take action. I quote:

It has been over a decade since Parliament last passed a comprehensive package of technical income tax amendments. This has created a significant backlog of outstanding measures that need to be addressed to provide certainty for Canadian taxpayers...

Why did he not do something sooner?

It is rather refreshing to hear a Conservative admit that members of his party have caused economic uncertainty. However, I do not think this admission shows that they are aware of their negligence or that they are committed to change. It has been four years since the Auditor General told the government to fix this problem urgently.

That is all I have to say about this. As I indicated, I will support this bill. It is a long time coming. It is unfortunate that it has been introduced in this fashion and I hope that in the future we will see something simpler.

● (1635)

The Acting Speaker (Mr. Bruce Stanton): Before we move on to questions and comments, it is my duty, pursuant to Standing Order 38, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the hon. member for London—Fanshawe, Veterans.

The hon. member for Edmonton—Leduc for questions and comments.

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[English]

Mr. James Rajotte (Edmonton—Leduc, CPC): Mr. Speaker, I listened carefully to my colleague on the other side of the House. She mentioned in her speech how the Auditor General has called for these changes. She spoke about the Certified General Accountants of Canada who have called for the bill, have welcomed it, applauded it and in fact endorsed it. I am glad members on the other side are listening to that advice and will be supporting the legislation.

I just want to clarify this for the purpose of debate. The bill was tabled in November. The minister and the department offered in-depth briefings to any member of the House with respect to any section of the bill. In fact, the committee will be starting a pre-study on the bill tomorrow morning. We would love to have the bill passed by this chamber. Perhaps the member would comment as to why, when the NDP is supporting the bill, it is putting up so many speakers here rather than allowing the bill to be sent to committee.

Second, she says it does not contain all of the amendments that it should contain. Could she deposit with the House or with the committee what specific amendments the bill should be addressing? Perhaps she could address in her answer today what, specifically, should be in the bill that is not in the bill.

Ms. Mylène Freeman: Mr. Speaker, it is funny for that member to say that we are in a hurry to get this done when a lot of these changes are outstanding since 1998. That is a pretty long time. Just to give everyone a nice little image, I was nine years old.

Therefore, to say that this has been in the House since November and why are we speaking on it is just ridiculous. This is a massive bill and we should be debating it in the House, like we should debate any bill. It is too bad that we had to wait since 1998 to see any of the amendments. As I mentioned in my speech, there are hundreds of outstanding changes that need to be implemented, that have been announced and have come into effect, but are not currently in the legislation, and that needs to be done. Therefore, where is that?

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, it is interesting to note that in any of the tax guides we quite often find asterisks or colour coding. That means accountants look at it and anticipate the legislation will change at some point in time, so in order to be compliant with that potential legislation, this how they calculate or interpret a particular tax law because the need for the change is so great.

It is a fairly thick document. We are talking about numerous changes that have been requested for a good number of years. As a result, the Liberal Party would like to see the bill ultimately go to committee.

Would the member agree that we need to have the bill come on a more regular basis? I believe I heard that from the member and a lot depends on the number of requests and the amount of time in between the last time we make a change. On both occasions the government has failed.

Ms. Mylène Freeman: Mr. Speaker, Canadians are doing their taxes right now and it is nice to have some clarity as to what we are doing for businesses and for individuals. This is something that we should be doing every year, according to the CGA and the Auditor General. That is also how I feel about this. I think it would improve clarity for everyone.

The last bill of this sort was passed in 2001. That means there were five years of Liberal government where it did not manage to do that either, and some of these changes go back to 1998. Therefore, the Liberals are not a whole lot better than the Conservatives. They have fewer years of not having passed the bill. The NDP would ensure that bills of this sort would come through on a regular basis so there would be clarity for Canadians.

• (1640)

Ms. Niki Ashton (Churchill, NDP): Mr. Speaker, I am pleased to stand in the House, following some excellent speeches coming from my colleagues in support of Bill C-48 at second reading. They have indicated the fact that it is time for Canada to get on with it and bring forward changes to our taxation laws, many of which have been practised informally but should be enshrined in legislation. We are saying that it is a long time coming.

The New Democrats believe in cracking down on both tax avoidance and tax evasion, while ensuring the integrity of our tax system. We support the changes being made in the bill, especially those that aim to reduce tax avoidance.

We note that this is an extremely lengthy bill, known as an omnibus bill. However, unlike the omnibus bills that the government has chosen to bring forward, this actually looks at an area of legislation rather than bringing everything in, including the kitchen sink. Not only that, the bill is focused on making technical changes and not the deep structural changes that we have seen time and time again from the government. If we are bringing in a bill that covers a lot of ground, it ought to be done in a specific manner, looking closely at related legislation like Bill C-48 does.

The massive size of the bill demonstrates that there is still work to be done in getting such technical changes legislated in a timely fashion. We believe that failing to do so in a timely fashion hurts the business community and makes it difficult for proper evaluation by Parliament. Therefore, we are here to truly ask the government to move forward in a timely manner on legislation that has been in front of us and certainly necessary for some time.

In 2009 a very highly respected Canadian, Sheila Fraser, the former auditor general of Canada, said:

No income tax technical bill has been passed since 2001. Although the government has said that an annual technical bill of routine housekeeping amendments to the Act is desirable, this has not happened. As a result, the Department of Finance Canada has a backlog of at least 400 technical amendments that have not been enacted, including 250 "comfort letters" dating back to 1998, recommending changes that have not been legislated.

This message comes directly from a respected Canadian, someone whose role continues to be one of ensuring that we are accountable, efficient and effective in the work we are doing as parliamentarians and certainly the work the government is doing. However, not unlike in other areas, we see that when it comes to moving forward in responding to the reality that Canadians face today, the government has been too slow to act.

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While informal arrangements have been made all along the way, Canadians would like to see a strong framework of legislation when it comes to taxation so we deal with them fairly, ensuring that people are not falling through the cracks and that taxes are not being avoided or evaded. Therefore, this is a perfect case of needing to listen to people like the former auditor general of Canada and many others who have indicated that it is time to move on and implement the kind of legislation we have before us.

As well, this is more broadly about prioritizing the sense of fairness that Canadians ought to have when it comes to anything, even when we are talking about taxation. It is something that is at the core of our concept of citizenship and how we give back to society, how we give back to government, recognizing that Canadians do their part in working hard and returning back to the state part of their hard-earned money in order for us to have the kinds of programs, services and infrastructure that we all deserve.

• (1645)

Unfortunately, things are becoming more and more difficult for so many Canadians. This is in part because the social safety net that allows them to get out there and access gainful employment and make a dignified life for themselves is increasingly more challenging as the social safety net is weakened.

Just this week in the House, the NDP has raised a number of instances in which this is the case. Perhaps the best example is the weakening and the cuts to the employment insurance program. As we know, these changes will have a disproportionate negative impact on seasonal and cyclical workers. These are people who go out, do their jobs and support the economy in our regions all across the country. A good chunk of their money goes back into the coffers of the Canadian government to ensure we have the kinds of services on which we depend on.

Unfortunately, Canadians who are now being turned away from accessing employment insurance, who are being forced to move away, who are being forced to look at social assistance or welfare, will no longer be able to contribute to our system of taxation and return the kind of revenue that Canada depends on the way they used to.

Unfortunately, these changes will be felt first by the unemployed or by seasonal workers. Then those impacts will reverberate. They will reverberate once we start seeing communities suffer as a result of seasonal industries no longer being able to find people to work in them. Communities will suffer as we see the service and retail sectors not able to make a go of it because there is less income cycling through the community. We will also see communities and regions lose innovators and people who come to regions and benefit from the domino effect of many of these seasonal industries. That effect will snowball into an unfortunate situation where Canada will have less revenue coming back into its coffers from taxation to do the kind of work we need to do. Therefore, we will start seeing a weakening of essential services.

For the NDP, that is an unacceptable notion. After all, we as parliamentarians are here to guide Canada forward and to work with Canadians so we get better at who we are and so we can improve the standard of living that we all depend on. Unfortunately, the

government has made some real structural changes and some severe cuts that will turn us back from the direction that we ought to take.

Therefore, when we are talking about the issue of fairness, it goes back to a fundamental Canadian value, and that is we all work hard and we all want to be part of giving back to our society, our community and our family. However, we need to ensure there are structures in place, like proper and fair tax legislation, like social programs that allow our seasonal industries and our regions to continue to contribute to our economy and our wealth and to ensure Canadians have the kinds of things that have set us apart from the rest of the world, whether it is investment in health care, education, housing or infrastructure. These are the kinds of things we do not see from the government.

I would note, particularly, that the legislation also refers to the First Nations Goods and Services Tax Act, again recognizing the issue of tax fairness when it comes to first nations people and recognizing treaty rights and the key role that first nations people have played in building the wealth of Canada and the need for the Government of Canada to be partners going forward when it comes to aboriginal people in our country.

There is a lot of work to do and I am proud to be part of a party, the NDP, that stands in the House every day and calls for fairness. Today, when we are showing our support for Bill C-48 and debating in the House, this is no exception. We hope the government will show fairness when it comes to Canadians in every other way.

• (1650)

Mr. James Rajotte (Edmonton—Leduc, CPC): Mr. Speaker, I appreciate my colleague's comments and her support for this bill at second reading.

One of the changes that was made in part 5 of the bill deals with section 116. It was a change that was made in the 2010 budget, which I supported very strongly at the time, and still do, dealing with taxable Canadian property. The amendment at that time was a measure in that budget to exclude from its ambit shares of corporations and certain other interests that do not derive their value principally from "real or immovable property situated in Canada, a Canadian resource property or a timber resource property", subject to a 60-month look-back rule.

I know the member represents an area that deals with a lot of resources. I would ask her to comment on this change that was made in the 2010 budget and her impressions of whether it has had a positive impact thus far in Canada.

Ms. Niki Ashton: Mr. Speaker, I can definitely say that our region, which does depend upon natural resources, has suffered as a result of recent government budgets. Our dependence on natural resources also means a dependence upon seasonal work, whether it is the forestry industry or development, including exploration. Cuts to EI certainly do not help our region, at all. It puts us back.

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Another example where the government has failed our region is opening our region up to foreign investment without a clear indication of net benefit. The result is that the major mining company in our region has been bought by a Brazilian multinational, which has been slow to come to the table to find a solution for our community, after the Government of Canada sold us out.

Other examples are the continued failure for the government to invest in first nations infrastructure, meaning a massive portion of our region lives in third world conditions and is not able to access the kind of economic opportunities that exist in our region.

All in all, I am sad to say that the current Conservative federal government has certainly failed the people of northern Manitoba, and a lot of people across the north in general. We expect better.

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, I think it is worth saying that there are numerous pages, in the hundreds, within this piece of legislation, and within those pages there are numerous amendments being suggested to our tax laws.

Quite often when we are into the second reading, we want to talk about the broader principle of the legislation and then go into the committee where we have the opportunity to get into some of the line-by-line, clause-by-clause, analysis of what has been changed.

I wonder if my colleague from northern Manitoba would be able to provide some thoughts on the committee stage. How important is it that we reflect on the different clauses and the impact they might have on our tax laws, believing that for the most part they are necessary changes, and that there could even be the possibility of new amendments because it has been a bit of time since it was drafted and brought into the chamber? I wonder if she would reflect on the possibility for amendments.

Ms. Niki Ashton: Mr. Speaker, there is no question that committee work is essential, in every way, particularly when we are talking about having to go through, in this case, very lengthy legislation, to ensure it is fair, timely, and that it deals with the kinds of loopholes and gaps that exist today.

What Canadians expect from parliamentarians is that due diligence will be given, whether it is in committee or in the House during debate. Unfortunately, what we have seen from the current government is a tendency to shut down debate and shut down opportunities to look closely at legislation coming forward. A great example is that the current government has brought in closure to critical debates in this House, I think almost 30 times.

We in the NDP certainly hope that this bill will be dealt with in a timely manner, but respecting the role that we have as parliamentarians to do the due diligence and ensure this is the best legislation going forward.

• (1655)

Mr. Pat Martin (Winnipeg Centre, NDP): Mr. Speaker, I am pleased to have the opportunity to join this debate on Bill C-48.

I hope to use what little time I have to expand on the broader issue of how governments generate revenue, and the role of parliamentarians in being charged with the responsibility of the scrutiny, oversight and due diligence associated with generating revenue through taxation, and then, of course, the spending of that revenue. I do not suppose there is anything more important that MPs do than

that. It is certainly the primary function and why our constituents give us their confidence to supervise the public purse.

At the outset, I was pleased to see that Bill C-48 deals with tax avoidance and tax evasion as well as a number of intricacies in the tax system itself.

Chartered accountants and virtually all of the tax lawyers and tax accountants advertise on their websites something called the “tax-motivated expatriation”. They call it that because it has a nicer ring than “sleazy tax-cheating loopholes”, which is what it is when tax avoidance and tax evasion allows one to be a tax fugitive by harbouring one's resources and taking advantage of what taxes buy in terms of a stable, safe community, with public services, policing and health care. It is putting one's money offshore to hide it from the prying eyes of the public and the taxman, and not paying one's fair share but getting the best of both worlds. I am glad that finally this Parliament is seized of the issue.

I was here years ago when the Liberals were in power. Ironically, they tore up a number of tax treaties with different tax havens. However, they left 11 in place, one of which, of course, was where the leader of the Liberal Party at the time, who became Prime Minister, had his 13 shadow company in tax havens, stashing his business away from the tax system, the very tax system that allowed him to live in a such a decent country. That kind of thing makes my blood boil. The tax-cheating loopholes through tax havens has always bothered me.

Another thing that has bugged me is that we focus so much on generating tax revenue, yet we overlook other obvious sources of bankrolling the social services we need. One that comes to mind is another Liberal invention, the corporate welfare program called “technology partnership loans”. Some who have been around here for a while will remember the TPLs, technology partnership loan system.

I did some research when we had been dealing with the paying back of student loans. During the estimates, we learned that the government had to write off \$280 million, I think it was, in the supplementary estimates (C). However, 87% of all the money loaned in student loans is paid back, and 95% of all the individuals pay it back. The numbers are jugged because I guess some have larger loans, but 95% of all the people who borrow student loans pay back every penny they owe to that program. With the technology partnership loans under the Liberal government, it is entirely the opposite, with 5% being paid back and 95% outstanding.

When is a loan not a loan? Well, if one never pays it back, it is not a loan at all, but a gift, a handout. It is corporate welfare. It is dumping a wheelbarrow full of dough into somebody's business where one is obviously expecting some kind of a quid pro quo. Why we leave these outstanding technology partnership loans dangling there, I will never understand.

Government Orders

The Canadian Taxpayers Federation just did a big report on this in its latest monthly magazine. Members can look it up to see exactly how much which companies borrowed, and how much, if any, they have paid back. It goes on page after page with these hugely profitable companies.

● (1700)

One of my complaints about across-the-board general tax cuts to business is simply this. Any kind of a tax cut to business should be tied to some kind of quid pro quo, a performance, a job creation, some benefit to the taxpayer other than just helping to subsidize the activities of that company, with the exception possibly of SMEs.

When the NDP government was elected in Manitoba, the small business tax rate was 11%. The Conservatives of the day were gouging small businesses mercilessly, to the point where they were staggering under the load. They were crippled by over-taxation in the province of Manitoba. When the NDP was elected, it systematically and annually reduced the small business tax as much as it could afford, 1% at a time. Every year it went down by 1%.

Could you guess, Mr. Speaker, perhaps with hand signals, what you think the small business taxation rate in the socialist paradise of Manitoba is today? Are you willing to hazard a guess, sir? It is a great big goose egg: zero. The small business tax in Manitoba is zero because there is ample empirical evidence to show that when a tax break is given to small businesses, they hire people, expand their businesses, invest in their companies and generate wealth in the community. We know that every dollar spent in the community is spent at least four times before it finds its natural state of repose in some rich man's pocket, which he then invests offshore in a tax haven.

The economic game is not supposed to be like some shady ring toss on a carnival midway. However, that is the way people feel sometimes when it is stacked so heavily against ordinary working people who are simply trying to earn a living, pay their taxes and get decent services.

I used one example with regard to the Liberal regime. I am a little hostile toward the Liberals right now; I was just having a fight with my colleague from Manitoba. I have to remind people that a lot of the time that I spent here was under a Liberal regime. The Liberals chose to balance the books by three things that are still timely and topical today. They cut \$50 billion in social transfers to the provinces. That \$50 billion gave them a start, cutting and hacking and slashing through every social program by which we define ourselves as Canadians, in the most ruthless and irresponsible way one can imagine.

Where do members think the Liberals got the second part? People forget there was a \$40 billion surplus in the public pension plan and the final parting act by Marcel Masse, the Treasury Board president at the time, was to scoop every single penny out of the surplus of the public service pension plan and take it unto themselves. They were not allowed to, and they had to pass legislation to do it. That surplus should have at least been divided among the beneficiaries and contributors, but the Liberals scooped 100%.

Where did they get the third part for their budget balancing? They got it from the EI fund: \$57 billion that was not theirs. They did not

contribute a single penny to it. They scooped \$57 billion out of the EI fund. Let me talk about the impact of the cuts to EI. They created a program where nobody qualified anymore, but everybody had to pay into it. An analysis was done, and their changes to EI in 1997 caused \$20.8 million a year of federal money for my riding to be sucked right out of that riding, with all of the corresponding beneficial spending associated with that \$20 million. It was like night and day. That is how to not balance a budget. We are talking about revenue, how to generate revenue and how governments get the money they need to provide the services they are obliged to provide. That is not something we want replicated.

When we talk about taxation, we need to talk about the redistribution of wealth. It is one of the ways to redistribute the great wealth of a great nation so that we all enjoy the benefits of living in this society. We forget some of the big picture issues when we drill down and analyze these increasingly complex tax documents. If we are guided by the underlying motif that it is a way to fair taxes, leading to good public services, it is not something to be lamented, and tax avoidance by tax fugitives in sleazy tax-cheating loopholes is not to be tolerated.

● (1705)

Mr. Kevin Lamoureux (Winnipeg North, Lib.): Mr. Speaker, if nothing else I found that somewhat amusing. I find it interesting how the member for Winnipeg Centre makes reference to the NDP government in Manitoba and he talked about small business. I was inside the chamber when the New Democrats were reducing small business tax but at that time I was actually in favour of the reduction of small business tax. What the member did not crow about was that it was the provincial NDP that continuously reduced corporate taxes. This was at the same time that the New Democrats in Ottawa were criticizing the corporate tax cuts that were being made in Canada, so the member is very selective of what he chooses to say.

At the national level, the Liberals were against the corporate tax cuts that were being made in 2010 and the provincial Liberals were against the NDP corporate tax cuts that were made in 2009-10. Therefore we can both be selective in terms of what we want to—

The Acting Speaker (Mr. Bruce Stanton): Order, please. I am just wondering if the Winnipeg caucus might want to take it outside and discuss this and get it sorted out.

The hon. member for Winnipeg Centre.

Mr. Pat Martin: Mr. Speaker, it is important to correct the record because this is some of the great revisionist history of the Liberal Party. The Liberals still cannot believe they were thrown out of power. They are still mourning from the traumatic event here. They would have us believe that if we had just elected them one more time it would have been nirvana. It would have been Camelot. We would have a national daycare system and we would have a Kelowna accord.

Government Orders

However, in actual fact, every time the Liberals had a balanced budget and every time they did get a surplus, and there were seven or eight surpluses in a row, they gave it to their buddies on Bay Street in increasingly large corporate tax cuts. They were in a race with the Conservatives, a race to the bottom. They will not be happy until there are zero corporate taxes on the macro scale. Every single time they had an opportunity, instead of spending it on social programs and turning the tap back on that they had turned off to balance the budget, they chose to give it to their Bay Street buddies. Hypocrites.

Mr. Peter Julian (Burnaby—New Westminster, NDP): Mr. Speaker, I appreciate the member for Winnipeg Centre providing his wisdom to the House. He talked about a race to the bottom between the Conservatives and Liberals to see who could be most incompetent and most ineffective in terms of administration. That was the race.

What we have with the bill here is the opposite. We actually have the Liberals and Conservatives competing to see who can be the slowest to bring in the necessary changes to the tax system. Between the two of them, they waited 14 years. The incompetence of both governments is incredible.

Could the member for Winnipeg Centre just tell us which government is more incompetent: the Conservative government or a Liberal government? Which one is most incompetent, according to him?

Mr. Pat Martin: Mr. Speaker, that is a really tough question. I do not know if I can answer that.

After four majority governments in Manitoba of competent, capable public administration, we keep getting rewarded for the balanced budgets and for the fine work we do in the socialist party in Manitoba. It has been a long time since we have had a Liberal government in Manitoba. They were tossed on the trash heap of history.

It is overdue. If we were doing regular maintenance with some underlying principles of what we want our tax system to look like, it would not be getting increasingly complex and we would not have to wait for an omnibus bill that is going to bury tax accountants and tax lawyers in 1,000 pages once every decade. We could be doing this on an annual basis, guided by some fundamental principles of equality and the goal of fair taxation.

• (1710)

[*Translation*]

Mr. Jean Rousseau (Compton—Stanstead, NDP): Mr. Speaker, I always find it amusing to listen to my two colleagues from Winnipeg. They have a very particular sense of humour. Unfortunately, I do not share that same sense of humour.

I will take 10 minutes to try and talk about a bill that I thought was a bookend when I first saw it. When I saw how big it was, I was taken aback. If you wait a decade to make changes to a system that so obviously needs them, it is clear that special attention needs to be paid once you do make them. This 942-page document is more like a pillow than bedtime reading.

As I said, there are nearly 1,000 very technical pages to be studied in Bill C-48, An Act to amend the Income Tax Act, the Excise Tax

Act, the Federal-Provincial Fiscal Arrangements Act, the First Nations Goods and Services Tax Act and related legislation.

For many people, myself included, it will likely take another decade to analyze and understand what this mammoth bill, this huge document, is all about.

In all, Bill C-48 will amend close to 20 acts and regulations. That is a huge number and it shows that the Minister of Finance, the Prime Minister and others have clearly failed to take action in this regard over the past few years.

Basically, part 1 will implement amendments to the provisions of the Income Tax Act governing the taxation of non-resident trusts and their beneficiaries and of Canadian taxpayers who hold interests in offshore investment fund property. Parts 2 and 3 will implement various technical amendments, once again, relating to the taxation of Canadian multinational corporations with foreign affiliates.

As a result, many Canadian businesses will have to meet new tax obligations in order to abide by the new rules set out in Bill C-48.

Since other changes will be made to this tax framework, businesses will also have to deal with the International Financial Reporting Standards, the infamous IFRS, which require businesses to identify the impact of the changes to the tax legislation and to the tax rate for the period in which the legislation is in the process of being adopted. However, for the purposes of the United States' generally accepted accounting principles or GAAP, the proposals must be adopted.

Do Canadian companies that prepare their financial statements using the accounting standards for private enterprises in accordance with the tax method that has yet to be implemented also have to identify the impact of the changes to the tax legislation and to the tax rate for the period in which the legislation is in the process of being adopted?

If so, companies that present their financial information using the IFRS will have to take into account the changes set out in Bill C-48 when preparing their financial statements for the fiscal years ending after November 20, 2012. On the other hand, businesses that present their financial information using the United States' GAAP will not have to take into account the changes set out in Bill C-48 until the bill is passed or, more specifically, until it receives royal assent.

Needless to say, the CGAs and accounting firms of this world will be fairly busy in the coming weeks and months. What is more, the NDP sincerely believes that we must fight tax avoidance and tax evasion, while preserving the integrity of our tax system. I am sure that this is very important to all members of the House. We therefore support the changes set out in Bill C-48, particularly those that seek to reduce tax avoidance.

In my riding, when people come to see me about the Income Tax Act—which happens more often than one might think, especially middle income earners who are having a hard time making ends meet—they often talk to me about tax evasion. They are really worried about their future.

Government Orders

It is certainly not by weakening regional economies with repressive employment insurance measures, with measures that are no good for a social climate that is already deeply troubled by the Conservative government's inaction when it comes to economic development for the regions of Quebec, that the population will be delighted by or care about a document that is nearly 1,000 pages, like Bill C-48.

• (1715)

The main concern of the people in my region, which was once so prosperous in the manufacturing, farming and forestry sectors, is jobs, jobs, jobs. The Conservatives claim they have created 900,000 jobs. I am not seeing these 900,000 virtual jobs. People are beginning to recognize this sham, and they are disappointed.

This document is a perfect example of an omnibus bill, and that is the only thing my constituents will remember. This bill's massive size is proof that there is still work to be done in transforming such technical amendments into legislation, and in a timely manner, otherwise it will penalize the business community and complicate Parliament's work.

The most recent technical tax bill was passed in 2001. Since then, any changes made between the passing of the two technical tax bills have been made by the Department of Finance through comfort letters. Most of these changes become common practice afterwards, even if they are not enacted in any tax legislation. This was even confirmed by the Auditor General.

In 2009, the Auditor General expressed concern that more than 400 of these comfort letters had not yet been passed into law. As some of my colleagues pointed out, more than 200 of these letters are in the bill to amend various tax laws.

Most tax practitioners are pleased with the comfort letter process. However, the Auditor General's report indicated that they had expressed a need for the legislative changes that the comfort letters identified.

The vast majority of the amendments contained in this bill have already been announced in press releases, the finance department's comfort letters and the budgets for the 11 years that have elapsed since the last technical bill was passed.

The government says that it is worried about the economy. I would like to point out that it has shown a certain neglect and skepticism.

We believe that these amendments will result in increased revenues, which is a good thing, and that they are a good way to reduce tax avoidance. As I pointed out, the vast majority of these measures were put into practice several years ago, and tax measures usually go into effect as soon as they are announced.

The sweeping nature of this bill shows that the government must be more responsible in managing tax laws, and it must ensure that proposed changes to these laws are adopted on a more regular basis.

In closing, we nevertheless support this effort because, as I mentioned, most of these measures have been in effect for a number of years and they should increase government revenues.

What my colleagues and my constituents want is for tax dollars collected as a result of these measures to be invested in our communities that really need them.

Mr. Mathieu Ravignat (Pontiac, NDP): Mr. Speaker, the fact that the Liberal and Conservative governments took so long to rework the tax laws has cost our small and medium-sized businesses.

The complex nature of these laws is a constant source of frustration, at least for the small and medium-sized businesses in my riding.

There is one element that cannot be overlooked. Who benefits from not paying taxes? What allows companies to not pay taxes? That question needs to be asked.

When companies or individuals are honest, they pay their taxes. I believe that the responsibility should be shared by all businesses. They should pay their taxes because it helps improve society.

I would like to know if my colleague could tell us who benefits from tax havens, for example.

• (1720)

Mr. Jean Rousseau: Mr. Speaker, the bigger companies benefit, of course. The more complex laws are, the more small businesses will suffer.

Small business entrepreneurs must develop their products and their markets. If they have to take one day a week, four days a month, to deal with their taxes, meet with their accountant and put things in the hands of someone they trust, that takes time. However, they do not have that kind of time because they are small business owners. They need all of their time to develop their products.

It is not difficult for large businesses. They deal with numerous accountants, finance experts and lawyers, all of whom are highly qualified. They work with people who are capable of helping them. Small businesses do not have the same means, and that hurts them.

Mr. François Choquette (Drummond, NDP): Mr. Speaker, I congratulate my hon. colleague on his excellent speech. All of the points he raised were very pertinent.

One thing I would like to say about this omnibus bill is that it is too long to examine as thoroughly as we should. At least this bill is a step forward in the fight against tax evasion. But it is not enough.

The NDP believes that fighting tax evasion should be given greater priority. The NDP has even organized information sessions on this. The Leader of the Opposition gave a speech to demonstrate that we support this fight, which should be a priority.

Unfortunately, the Conservative government did not work hard enough on the fight against tax evasion and I would like to hear what my hon. colleague would recommend in that regard.

Mr. Jean Rousseau: Mr. Speaker, tax evasion is costing our economy hundreds of thousands of jobs. That money could be invested in our country and in our regions, which desperately need it, whether for small businesses or for environmental projects, in the manufacturing sector or in research and development.

Business of Supply

Hundreds of millions of dollars lost to tax evasion could help Canadians, reduce unemployment in remote areas and help first nations populations. Loads of projects are awaiting funding. This bill is a first step towards fighting tax evasion, but it is extremely complicated. What can we do with all this?

Large corporations just have to hire an army of accountants who know tax evasion inside and out. We need to get tougher on those corporations and be relentless, because this is costing the Canadian economy hundreds of thousands of jobs and billions of dollars.

The Acting Speaker (Mr. Bruce Stanton): Before I recognize the hon. member for Saint-Hyacinthe—Bagot, I want to inform her that I will have to interrupt her at 5:30 p.m. because the time for government orders will have expired.

There is approximately six minutes left. The hon. member for Saint-Hyacinthe—Bagot.

Ms. Marie-Claude Morin (Saint-Hyacinthe—Bagot, NDP): Mr. Speaker, first, I want to say that we support Bill C-48 because it will have some positive effects on revenues, and the changes it makes will help deter tax avoidance, which is good.

I find it interesting that the bill talks a lot about tax avoidance. Members know that the middle class, which pays taxes, can rarely use tax avoidance tactics to pay less and have a little breathing room. The people who have the means to pay taxes also have the means to find ways to avoid them, while the middle class is suffocating under the weight of all of the government's cuts. I think it is good that this bill addresses the issue of tax avoidance. I wanted to share that with my colleagues. Our tax system must be managed much more responsibly, and we must ensure its integrity.

I have a question for the government. Why did it wait so long to legislate measures that have been around for 10 years? Some of these came into effect in 1998. I was 13 years old in 1998. That was a long time ago. The government opposite is not the only one to blame, because it has not been in power since 1998. Thank goodness, since who knows what the House would look like. I get the impression that they suddenly woke up and decided they needed to legislate some tax measures. I find that a little odd.

I do not claim to be a financial expert. I probably never will be. It is not a topic that interests me as much as housing, which I talk about all the time. I am no financial expert, but it seems to me that a competent government should have woken up a little sooner.

When I look at how long this document is, I pity the poor Standing Committee on Finance, which has to examine it. The word "omnibus" also comes to mind. I will certainly never approve of this way of doing things and neither will my party, obviously. The government has a tendency to put everything in one bill, and I do not agree with that practice. For example, Bill C-48 amends the Income Tax Act, the Excise Tax Act, the Federal-Provincial Fiscal Arrangements Act and the First Nations Goods and Services Tax Act.

Given the importance of these four laws, the length of the bill and the need for the measures set out in this bill, I am afraid that the committee will do a poor job of examining the bill, which would be too bad considering how important it is.

Honestly, I find that this bill, which is coming from a government that claims to be so concerned about the health of our economy, is really late, and I think that it should be examined in a different manner. The Minister of Finance himself admitted that the government failed to take action. I would not like to be part of the Conservative cabinet right now.

That being said, given the government's inaction on so many matters of vital importance to our country, I am not really surprised to see that it has been so negligent with regard to tax avoidance and the integrity of our tax system.

I am talking about inaction. I am talking about a government that does not understand the importance of homelessness and affordable housing programs, for example. I am talking about a botched EI reform at a time when workers need EI the most. I am talking about a government that barely makes any investments in the environment, thereby endangering the quality of life of future generations. I am talking about a government that neglects infrastructure to the point where I am now afraid to drive on the Champlain Bridge, and I believe that is a legitimate fear.

When this bill is passed and tax avoidance is being discouraged, can we hope to see revenue increase?

In my riding, there is a lack of affordable housing. Homelessness is on the rise and agricultural businesses are losing skilled employees because of the EI reform. What is more, many environmental organizations are fighting to give our children a habitable earth. Clearly, we also need health infrastructure, a commuter train and a tunnel in order to promote the economic development of our region. Once this measure is implemented, will others follow?

I will stop there.

● (1725)

The Deputy Speaker: The member for Saint-Hyacinthe—Bagot will have five minutes to finish her speech another time.

* * *

● (1730)

BUSINESS OF SUPPLY

OPPOSITION MOTION—FEDERAL INFRASTRUCTURE PLAN

The House resumed from February 26 consideration of the motion.

The Deputy Speaker: It being 5:30 p.m., the House will now proceed to the taking of the deferred recorded division on the motion relating to the business of supply.

Call in the members.

● (1810)

[English]

(The House divided on the motion, which was negated on the following division)

(Division No. 618)

YEAS

Members

Allen (Welland)	Andrews
Angus	Ashton
Atamanenko	Aubin
Ayala	Bélangier
Bellavance	Bennett
Benskin	Bevington
Blanchette	Blanchette-Lamothe
Boivin	Borg
Boutin-Sweet	Brahmi
Brison	Brosseau
Byrne	Caron
Casey	Cash
Charlton	Chicoine
Chisholm	Choquette
Chow	Christopherson
Cleary	Comartin
Côté	Cotler
Crowder	Cullen
Cuzner	Davies (Vancouver Kingsway)
Davies (Vancouver East)	Day
Dion	Dionne Labelle
Donnelly	Doré Lefebvre
Dubé	Duncan (Edmonton—Strathcona)
Dusseauit	Eyking
Foote	Fortin
Freeman	Fry
Garrison	Genest
Genest-Jourdain	Giguère
Godin	Goodale
Gravelle	Groguhé
Harris (Scarborough Southwest)	Harris (St. John's East)
Hsu	Hughes
Hyer	Jacob
Julian	Kellway
Lamoureux	Lapointe
Larose	Latendresse
Laverdière	LeBlanc (LaSalle—Émard)
Leslie	Liu
Mai	Marston
Martin	Mathysen
May	McCallum
McGuinty	McKay (Scarborough—Guildwood)
Michaud	Moore (Abitibi—Témiscamingue)
Morin (Chicoutimi—Le Fjord)	Morin (Notre-Dame-de-Grâce—Lachine)
Morin (Laurentides—Labelle)	Morin (Saint-Hyacinthe—Bagot)
Mulcair	Nantel
Nash	Nicholls
Nunez-Melo	Pacetti
Papillon	Patry
Péclet	Perreault
Pilon	Plamondon
Quach	Rae
Rafferty	Rankin
Ravignat	Raynault
Regan	Rousseau
Saganash	Sandhu
Scarpaleggia	Scott
Sellah	Sgro
Simms (Bonavista—Gander—Grand Falls—Windsor)	
Sitsabaiesan	
St-Denis	Stewart
Stoffer	Sullivan
Thibeault	Toone
Tremblay	Turmel
Valerioté — 127	

NAYS

Members

Abloncy	Adams
Adler	Aglukkaq
Albas	Albrecht
Alexander	Allen (Tobique—Mactaquac)
Allison	Ambler
Ambrose	Anders
Anderson	Armstrong
Ashfield	Aspin

Business of Supply

Baird	Bateman
Benoit	Bergen
Bezan	Blaney
Block	Boughen
Braid	Brown (Newmarket—Aurora)
Brown (Barrie)	Bruinooge
Butt	Calandra
Calkins	Cannan
Carmichael	Carrie
Chisu	Chong
Clarke	Clement
Crockatt	Daniel
Davidson	Dechert
Del Mastro	Devolin
Dreeshen	Duncan (Vancouver Island North)
Dykstra	Fantino
Fast	Findlay (Delta—Richmond East)
Finley (Haldimand—Norfolk)	Flaherty
Fletcher	Galipeau
Gill	Glover
Goguen	Goldring
Goodyear	Gosal
Gourde	Grewal
Harper	Harris (Cariboo—Prince George)
Hawn	Hayes
Hiebert	Hillyer
Hoback	Holder
James	Jean
Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)
Kenney (Calgary Southeast)	Kent
Komarnicki	Kramp (Prince Edward—Hastings)
Lake	Lauzon
Lebel	Leaf
Leitch	Lemieux
Leung	Lizon
Lobb	Lukiwski
Lunney	MacKay (Central Nova)
MacKenzie	Mayes
McColeman	McLeod
Menegakis	Merrifield
Miller	Moore (Port Moody—Westwood—Port Coquitlam)
Moore (Fundy Royal)	Nicholson
Norlock	O'Connor
Oliver	O'Neill Gordon
Opitz	O'Toole
Payne	Penashue
Poilievre	Preston
Raitt	Rajotte
Reid	Rempel
Richards	Rickford
Ritz	Saxton
Schellenberger	Seeback
Shea	Shipley
Shory	Smith
Sopuck	Sorenson
Stanton	Strahl
Sweet	Tilson
Toet	Toews
Trottier	Truppe
Tweed	Uppal
Valcourt	Van Kesteren
Van Loan	Vellacott
Wallace	Warawa
Warkentin	Watson
Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)	
Weston (Saint John)	
Wilks	Williamson
Wong	Woodworth
Yelich	Young (Oakville)
Young (Vancouver South)	Zimmer — 154

PAIRED

Nil

The Speaker: I declare the motion defeated.

*Private Members' Business***PRIVATE MEMBERS' BUSINESS**

[English]

SECURE, ADEQUATE, ACCESSIBLE AND AFFORDABLE HOUSING ACT

The House resumed from February 13 consideration of the motion that Bill C-400, An Act to ensure secure, adequate, accessible and affordable housing for Canadians, be read the second time and referred to a committee.

The Speaker: The House will now proceed to the taking of the deferred recorded division on the motion at second reading stage of Bill C-400 under private members' business.

● (1815)

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

*(Division No. 619)***YEAS**

Members

Allen (Welland)	Andrews
Angus	Ashton
Atamanenko	Aubin
Ayala	Bélangier
Bellavance	Bennett
Benskin	Bevington
Blanchette	Blanchette-Lamothe
Boivin	Borg
Boutin-Sweet	Brahmi
Brisson	Brosseau
Byrne	Caron
Casey	Cash
Charlton	Chicoine
Chisholm	Choquette
Chow	Christopherson
Cleary	Comartin
Côté	Cotler
Crowder	Cullen
Cuzner	Davies (Vancouver Kingsway)
Davies (Vancouver East)	Day
Dion	Dionne Labelle
Donnelly	Doré Lefebvre
Dubé	Duncan (Edmonton—Strathcona)
Dusseauit	Eyking
Footé	Fortin
Freeman	Fry
Garrison	Genest
Genest-Jourdain	Giguère
Godin	Goldring
Goodale	Gravelle
Grogulé	Harris (Scarborough Southwest)
Harris (St. John's East)	Hsu
Hughes	Hyer
Jacob	Julian
Kellway	Lamoureux
Lapointe	Larose
Latendresse	Laverdière
LeBlanc (LaSalle—Émard)	Leslie
Liu	MacAulay
Mai	Marston
Martin	Mathysen
May	McCallum
McGuinity	McKay (Scarborough—Guildwood)
Michaud	Moore (Abitibi—Témiscamingue)
Morin (Chicoutimi—Le Fjord)	Morin (Notre-Dame-de-Grâce—Lachine)
Morin (Laurentides—Labelle)	Morin (Saint-Hyacinthe—Bagot)
Mulcair	Nantel
Nash	Nicholls

Nunez-Melo	Pacetti
Papillon	Patry
Péclét	Perreault
Pilon	Plamondon
Quach	Rae
Rafferty	Rankin
Ravignat	Raynault
Regan	Rousseau
Saganash	Sandhu
Scarpaleggia	Scott
Sellah	Sgro
Simms (Bonavista—Gander—Grand Falls—Windsor)	Stewart
Sitsabaiesan	Sullivan
St-Denis	Toone
Stoffler	Turnel
Thibeault	
Tremblay	
Valeriote— 129	

NAYS

Members

Ablonczy	Adams
Adler	Aglukkaq
Albas	Albrecht
Alexander	Allen (Tobique—Mactaquac)
Allison	Ambler
Ambrose	Anders
Anderson	Armstrong
Ashfield	Aspin
Baird	Bateman
Benoit	Bergen
Bezan	Blaney
Block	Boughen
Braid	Brown (Newmarket—Aurora)
Brown (Barrie)	Bruinooge
Butt	Calandra
Calkins	Cannan
Carmichael	Carrie
Chisu	Chong
Clarke	Clement
Crockatt	Daniel
Davidson	Dechert
Del Mastro	Devolin
Dreeshen	Duncan (Vancouver Island North)
Dykstra	Fantino
Fast	Findlay (Delta—Richmond East)
Finley (Haldimand—Norfolk)	Flaherty
Fletcher	Galpeau
Gill	Glover
Goguen	Goodyear
Gosal	Gourde
Grewal	Harper
Harris (Cariboo—Prince George)	Hawn
Hayes	Hiebert
Hillyer	Hoback
Holder	James
Jean	Kamp (Pitt Meadows—Maple Ridge—Mission)
Keddy (South Shore—St. Margaret's)	Kenney (Calgary Southeast)
Kent	Komarnicki
Kramp (Prince Edward—Hastings)	Lake
Lauzon	Lebel
Leaf	Leitch
Lemieux	Leung
Lizon	Lobb
Lukowski	Lunney
MacKay (Central Nova)	MacKenzie
Mayes	McColeman
McLeod	Menegakis
Merrifield	Miller
Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	
Nicholson	Norlock
O'Connor	Oliver
O'Neill Gordon	Opitz
O'Toole	Payne
Penashue	Poillievre
Preston	Raitt
Rajotte	Reid
Rempel	Richards
Rickford	Ritz
Saxton	Schellenberger
Seeback	Shea

Shipley
Smith
Sorenson
Strahl
Tilson
Toews
Truppe
Uppal
Van Kesteren
Vellacott
Warawa
Watson
Sky Country)
Weston (Saint John)
Williamson
Woodworth
Young (Oakville)
Zimmer— 153

Shory
Sopuck
Stanton
Sweet
Toet
Trottier
Tweed
Valcourt
Van Loan
Wallace
Warkentin
Weston (West Vancouver—Sunshine Coast—Sea to
Wilks
Wong
Yelich
Young (Vancouver South)

PAIRED

Nil

The Speaker: I declare the motion defeated.

* * *

• (1820)

CITIZENSHIP ACT

The House resumed from February 15 consideration of the motion that Bill C-425, An Act to amend the Citizenship Act (honouring the Canadian Armed Forces), be read the second time and referred to a committee.

The Speaker: The House will now proceed to the taking of the deferred recorded division on the motion at second reading stage of Bill C-425.

• (1825)

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

(Division No. 620)

YEAS

Members

Ablonczy
Adler
Albas
Alexander
Allen (Tobique—Mactaquac)
Ambler
Anders
Andrews
Armstrong
Ashton
Atamanenko
Ayala
Bateman
Bennett
Benskin
Bevington
Blanchette
Blaney
Boivin
Boughen
Brahmi
Brisson
Brown (Newmarket—Aurora)
Bruinooge
Byrne
Calkins
Carmichael
Carrie
Cash
Chicoine
Chisu
Choquette

Adams
Aglukkaq
Albrecht
Allen (Welland)
Allison
Ambrose
Anderson
Angus
Ashfield
Aspin
Aubin
Baird
Bélanger
Benoit
Bergen
Bezan
Blanchette-Lamothe
Block
Borg
Boutin-Sweet
Braid
Brosseau
Brown (Barrie)
Butt
Calandra
Cannan
Caron
Casey
Charlton
Chisholm
Chong
Chow

Christopherson
Cleary
Comartin
Cotler
Crowder
Cuzner
Davidson
Davies (Vancouver East)
Dechert
Devolin
Dionne Labelle
Doré Lefebvre
Dubé
Duncan (Edmonton—Strathcona)
Dykstra
Fantino
Findlay (Delta—Richmond East)
Flaherty
Foote
Fry
Garrison
Genest-Jourdain
Gill
Godin
Goldring
Goodyear
Gourde
Grewal
Harper
Harris (St. John's East)
Hawn
Hiebert
Hoback
Hsu
Jacob
Jean
Kamp (Pitt Meadows—Maple Ridge—Mission)
Kellway
Kent
Kramp (Prince Edward—Hastings)
Lamoureux
Larose
Lauzon
Lebel
Leaf
Lemieux
Leung
Lizon
Lukiwski
MacAulay
MacKenzie
Marston
Mathysen
McCallum
McGuinty
Menegakis
Michaud
Moore (Abitibi—Témiscamingue)
Moore (Fundy Royal)
Morin (Notre-Dame-de-Grâce—Lachine)
Morin (Saint-Hyacinthe—Bagot)
Nantel
Nicholls
Norlock
O'Connor
O'Neill Gordon
O'Toole
Papillon
Payne
Penashue
Pilon
Preston
Rae
Raïtt
Rankin
Raynault
Reid
Richards
Ritz
Saganash
Saxton
Schellenberger
Seeback
Sgro

Clarke
Clement
Côté
Crockatt
Cullen
Daniel
Davies (Vancouver Kingsway)
Day
Del Mastro
Dion
Donnelly
Dreeshen
Duncan (Vancouver Island North)
Dusseau
Eyking
Fast
Finley (Haldimand—Norfolk)
Fletcher
Freeman
Galipeau
Genest
Giguère
Glover
Goguen
Goodale
Gosal
Gravelle
Groguhé
Harris (Scarborough Southwest)
Harris (Cariboo—Prince George)
Hayes
Hillyer
Holder
Hughes
James
Julian
Keddy (South Shore—St. Margaret's)
Kenney (Calgary Southeast)
Komarnicki
Lake
Lapointe
Latendresse
Laverdière
LeBlanc (LaSalle—Énard)
Leitch
Leslie
Liu
Lobb
Lunney
MacKay (Central Nova)
Mai
Martin
Mayes
McColeman
McLeod
Merrifield
Miller
Moore (Port Moody—Westwood—Port Coquitlam)
Morin (Chicoutimi—Le Fjord)
Morin (Laurentides—Labelle)
Mulcair
Nash
Nicholson
Nunez-Melo
Oliver
Opitz
Pacetti
Patry
Péclet
Perreault
Poilievre
Quach
Rafferty
Rajotte
Ravignat
Regan
Rempford
Rickford
Rousseau
Sandhu
Scarpaleggia
Scott
Sella
Shea

Private Members' Business

Private Members' Business

Shipley	Shory
Simms (Bonavista—Gander—Grand Falls—Windsor)	
Sitsabaiesan	
Smith	Sopuck
Sorenson	Stanton
St-Denis	Stewart
Stoffer	Strahl
Sullivan	Sweet
Thibeault	Tilson
Toet	Toews
Toone	Tremblay
Trottier	Truppe
Turmel	Tweed
Uppal	Valcourt
Valerioté	Van Kesteren
Van Loan	Vellacott
Wallace	Warawa
Warkentin	Watson
Weston (West Vancouver—Sunshine Coast—Sea to Sky Country)	
Weston (Saint John)	
Wilks	Williamson
Wong	Woodworth
Yelich	Young (Oakville)
Young (Vancouver South)	Zimmer— 276

NAYS

Members

Bellavance
Plamondon— 3

May

PAIRED

Nil

The Speaker: I declare the motion carried. Accordingly the bill stands referred to the Standing Committee on Citizenship and Immigration.

(Bill read the second time and referred to a committee)

* * *

[Translation]

LANGUAGE SKILLS ACT

The House resumed from February 26 consideration of the motion that Bill C-419, An Act respecting language skills, be read the second time and referred to a committee.

The Speaker: The House will now proceed to the taking of the deferred recorded division on the motion at second reading stage of Bill C-419 under private members' business.

● (1830)

[English]

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

(Division No. 621)

YEAS

Members

Ablonczy	Adams
Adler	Aglukkaq
Albas	Albrecht
Alexander	Allen (Welland)
Allen (Tobique—Mactaquac)	Allison
Ambler	Ambrose
Andrews	Angus
Armstrong	Ashfield
Ashton	Aspin
Atamanenko	Aubin
Ayala	Baird
Bateman	Bélanger
Bellavance	Bennett

Benoit	Benskin
Bergen	Bevington
Bezan	Blanchette
Blanchette-Lamothe	Blaney
Block	Boivin
Borg	Boughen
Boutin-Sweet	Brahmi
Braid	Brison
Brosseau	Brown (Newmarket—Aurora)
Brown (Barrie)	Butt
Byrne	Calandra
Cannan	Carmichael
Caron	Carrie
Casey	Cash
Charlton	Chicoine
Chisholm	Chisu
Chong	Choquette
Chow	Christopherson
Clarke	Cleary
Clement	Comartin
Côté	Cotler
Crockatt	Crowder
Cullen	Cuzner
Daniel	Davidson
Davies (Vancouver Kingsway)	Davies (Vancouver East)
Day	Dechert
Del Mastro	Devolin
Dion	Dionne Labelle
Donnelly	Doré Lefebvre
Dreeshen	Dubé
Duncan (Vancouver Island North)	Duncan (Edmonton—Strathcona)
Dusseau	Dykstra
Eyking	Fantino
Fast	Findlay (Delta—Richmond East)
Finley (Haldimand—Norfolk)	Flaherty
Fletcher	Foote
Freeman	Fry
Galipeau	Garrison
Genest	Genest-Jourdain
Giguère	Gill
Glover	Godin
Goguen	Goodale
Goodyear	Gosal
Gourde	Gravelle
Grewal	Grogulé
Harper	Harris (Scarborough Southwest)
Harris (St. John's East)	Harris (Cariboo—Prince George)
Hawn	Hayes
Hiebert	Hillyer
Hoback	Holder
Hsu	Hughes
Hyer	Jacob
Jean	Julian
Kamp (Pitt Meadows—Maple Ridge—Mission)	Keddy (South Shore—St. Margaret's)
Kellway	Kenney (Calgary Southeast)
Kent	Komarnicki
Kramp (Prince Edward—Hastings)	Lake
Lamoureux	Lapointe
Larose	Latendresse
Lauzon	Laverdière
Lebel	LeBlanc (LaSalle—Émard)
Leef	Leitch
Lemieux	Leslie
Leung	Liu
Lizon	Lukiwski
Lunney	MacAulay
MacKay (Central Nova)	MacKenzie
Mai	Marston
Martin	Mathysen
May	Mayes
McCallum	McColeman
McGuinty	McKay (Scarborough—Guildwood)
McLeod	Menegakis
Merrifield	Michaud
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)
Morin (Saint-Hyacinthe—Bagot)	Mulcair
Nantel	Nash
Nicholls	Nicholson
Norlock	Nunez-Melo
O'Connor	Oliver
O'Neill Gordon	Opitz
O'Toole	Pacetti

Private Members' Business

Papillon	Patry
Pécelet	Penashue
Perreault	Pilon
Plamondon	Poilievre
Preston	Quach
Rae	Rafferty
Raitt	Rajotte
Rankin	Ravignat
Raynault	Regan
Reid	Rempel
Richards	Rickford
Ritz	Rousseau
Saganash	Sandhu
Saxton	Scarpaleggia
Schellenberger	Scott
Seeback	Sellah
Sgro	Shea
Shiple	Shory
Simms (Bonavista—Gander—Grand Falls—Windsor)	
Sitsabaiesan	
Smith	Sopuck
Stanton	St-Denis
Stewart	Stoffer
Strahl	Sullivan
Sweet	Thibeault
Tilson	Toet
Toews	Toone
Tremblay	Trottier
Truppe	Turmel
Tweed	Uppal
Valcourt	Valeriote
Van Kesteren	Van Loan
Vellacott	Wallace
Warkentin	Watson
Weston (Saint John)	Wilks
Williamson	Wong
Woodworth	Yelich
Young (Oakville)	Young (Vancouver South)
Zimmer— 269	

NAYS

Nil

PAIRED

Nil

The Speaker: I declare the motion carried. Accordingly, the bill stands referred to the Standing Committee on Official Languages.

(Bill read the second time and referred to a committee)

The Speaker: It being 6:35 p.m., the House will now proceed to the consideration of private members' business as listed on today's order paper.

* * *

● (1835)

CANADIAN HUMAN RIGHTS ACT

The House proceeded to the consideration of Bill C-279, an act to amend the Canadian Human Rights Act and the Criminal Code (gender identity and gender expression), as reported (without amendment) from the committee.

The Speaker: There are nine motions standing on the notice paper for the report stage of the member for Esquimalt—Juan de Fuca's Bill C-279, an act to amend the Canadian Human Rights Act and the Criminal Code (gender identity and gender expression).

While it is not usual for the Chair to provide reasons for the selection of report stage motions, in this case, I have decided to do so, as I have received a written submission from the hon. member for Esquimalt—Juan de Fuca outlining what he feels are exceptional circumstances surrounding the clause-by-clause consideration of the bill in committee.

[Translation]

As members know, consistent with the note to Standing Order 76.1(5), the Chair would not normally select motions that could have been presented in committee.

[English]

The hon. member who has submitted motions at report stage was also an active participant in the meeting scheduled for the clause-by-clause consideration of the bill by the Standing Committee on Justice and Human Rights. As such, it would appear that the amendments submitted by the member could have been proposed during the committee consideration of the bill. In the present case, however, there appear to be extenuating circumstances.

[Translation]

In his remarks, the member for Esquimalt—Juan de Fuca explained that during clause-by-clause consideration of the bill on December 6, 2012, the committee passed two amendments to the first clause of the text as well as the clause itself, as amended. He stated that the committee did not continue studying the bill.

[English]

Even the member for Esquimalt—Juan de Fuca's attempt to seek a 30-day extension for the consideration of Bill C-279 in committee was unsuccessful. As a result, clause-by-clause consideration of the bill did not proceed beyond the first clause, and pursuant to Standing Order 97.1, on December 10, 2012, the bill was deemed reported back to the House without amendment.

[Translation]

The Chair has had to rule on similar cases in the past, including one that came up on December 7, 2012—at page 13030 of *House of Commons Debates*—regarding Bill C-377, An Act to amend the Income Tax Act (requirements for labour organizations). In that case, due to circumstances beyond its control, the committee was unable to complete its examination before the bill was deemed to have been reported without amendment pursuant to Standing Order 97.1. Accordingly, any amendments that had originally been submitted for the clause-by-clause examination of the bill in committee were submitted again at report stage. The Chair therefore selected those motions at report stage for debate, because it was clear that the members in question had attempted to propose their amendments in committee during the clause-by-clause examination of the bill.

[English]

In reviewing the sequence of events related to the bill now before the House, as well as the written submission from the member for Esquimalt—Juan de Fuca, I am satisfied that despite the efforts of the member to have his amendments considered by the committee, he was unable to do so before the bill was deemed reported back to the House.

Accordingly, Motions Nos. 1 to 9 have been selected for debate at report stage, and they will be grouped for debate and voted upon, according to the voting patterns available at the table.

[Translation]

I shall now propose Motions Nos. 1 to 9 to the House.

Private Members' Business

● (1840)

[English]

MOTIONS IN AMENDMENT

Mr. Randall Garrison (Esquimalt—Juan de Fuca, NDP) moved:

Motion No. 1

That Bill C-279 be amended by replacing the long title on page 1 with the following:

“An Act to amend the Canadian Human Rights Act and the Criminal Code (gender identity)”

Motion No. 2

That Bill C-279, in Clause 1, be amended by replacing line 19 on page 1 with the following:

“identity, marital status, family status, disability or conviction for an offence for which a pardon has been granted or in respect of which a record suspension has been ordered”

Motion No. 3

That Bill C-279, in Clause 1, be amended by adding after line 21 on page 1 the following:

“(2) In this section, “gender identity” means, in respect of an individual, the individual’s deeply felt internal and individual experience of gender, which may or may not correspond with the sex that the individual was assigned at birth.”

Motion No. 4

That Bill C-279, in Clause 2, be amended by replacing line 27 on page 1 to line 3 on page 2 with the following:

“sex, sexual orientation, gender identity, marital status, family status, disability and conviction for an offence for which a pardon has been granted or in respect of which a record suspension has been ordered.”

Motion No. 5

That Bill C-279, in Clause 2, be amended by adding after line 3 on page 2 the following:

“(2) Section 3 of the Act is amended by adding the following after subsection (2):
(3) In this section, “gender identity” has the same meaning as in subsection 2(2).”

Motion No. 6

That Bill C-279, in Clause 3, be amended by replacing line 6 on page 2 with the following:

“(4) The following definitions apply in this section.
“gender identity” means, in respect of a person, the person’s deeply felt internal and individual experience of gender, which may or may not correspond with the sex that the person was assigned at birth.
“identifiable group””

Motion No. 7

That Bill C-279, in Clause 3, be amended by replacing line 9 on page 2 with the following:

“identity or sexual orienta-”

Motion No. 8

That Bill C-279, in Clause 4, be amended by replacing lines 17 and 18 on page 2 with the following:

“physical disability, gender identity, sexual orientation, or any other”

Motion No. 9

That Bill C-279, in Clause 4, be amended by adding after line 19 on page 2 the following:

“(2) Section 718.2 of the Act is renumbered as subsection 718.2(1) and is amended by adding the following:
(2) In this section, “gender identity” has the same meaning as in subsection 318 (4).”

He said: Mr. Speaker, I am very pleased with the ruling that we just heard that allows these amendments to be considered by the full House.

There was a minority in the committee, some of whom we will hear from later on in this debate, who chose to try to shut down the full consideration of the compromise that was reached through intensive discussion among members of all parties in this House.

When this bill was approved at second reading, it was done so with the support of members from all parties, but some had concerns about the bill. Therefore, the promise that I made at second reading was to have talks in good faith among all parties to try to find a bill that could achieve the support of this full House. If these amendments are approved, I believe we will now have that bill in front of us.

As we have just heard, the package of amendments is quite complex, but it really only does two things. Nine amendments are required because of the complexity of legal drafting, but again, only two things are happening here.

The first is that the bill adds the definition of “gender identity”, which we just heard the Speaker read out in the House. The second is that the term “gender expression” is removed from the bill.

I hope this reassures those members who wanted a somewhat narrower bill, a bill that was somewhat easier to explain in public, and a bill that might rule out some of the more extreme concerns or fears that some people had. I believe that if we approve these amendments, we will have that bill in front of us.

There were some concerns about “gender expression” being less well defined in law and that this would somehow open the gates to abusive practices on the basis of the gender identity bill. I will be very frank and talk about the main one of those, which was the concern that somehow people could use this bill to gain illegitimate access to public bathrooms and change rooms in order to commit what would always be criminal acts of assault.

I contacted the jurisdictions in the United States that have had these provisions in place for a very long time. Four of those did reply, those being California, Iowa, Colorado and the state of Washington. All of them reported the same thing: there have been no instances in any of those states of attempts to use the protections for transgendered people for illegal or illegitimate purposes—no incidents, zero, none.

There have been concerns on the other side from members of the transgendered community or those who have gender variant expressions that they wish to carry out. To them I would say that this is a somewhat narrower bill, but we believe that it preserves the essence of the protections we are seeking here, which is that transgendered and gender variant persons should have the same rights as all other Canadians.

If these amendments are adopted, it would be a somewhat narrower bill than that passed by the previous Parliament.

I have to take a moment to pay tribute to former MP Bill Siksay, who brought that bill forward through the minority Parliament. However, the bill died on the order paper of the Senate as a result of an election call.

Private Members' Business

If we approve these amendments and we go on to adopt this bill, what is it that we would actually be doing here? I am arguing that we are simply completing the Canadian human rights agenda. This bill would create no special rights, no additional rights and no unusual rights, but would simply provide the same rights, no more and no less, to transgendered and gender variant Canadians.

Another argument against the bill has been that it is not necessary to have it, that somehow people are already protected in Canada. I have a legal answer to that, and then I have a practical answer to it.

The legal answer is that we heard from the Canadian Human Rights Commission in committee that it would be very useful to clarify the law by having this explicit mention of transgendered rights in the Canadian Human Rights Act and in the hate crime section of the Criminal Code. It is true that in the past the Human Rights Commission and the tribunal have decided cases involving transgendered Canadians on the basis of sex discrimination; however, as they have pointed out, that is no guarantee that all future cases would meet the test of sex discrimination. Therefore, in order to make sure that all the possible issues that might arise are covered, it would be better to have an explicit statement in both the Canadian Human Rights Act and in the hate crime section of the Criminal Code.

● (1845)

On a practical basis, I find it hard to question the necessity of this bill. Transgendered Canadians are the most discriminated against. There was a study in Ontario which found discrimination in employment to be a severe problem and the rate of unemployment for transgendered Ontarians was 2.5 times higher the rate for all other Ontarians. As well, transgendered Ontarians found themselves concentrated in the very lowest paying jobs, with over 70% of them earning less than \$30,000 a year.

In Canada the rate of hate crimes against transgendered Canadians is very high, but even more shocking is the fact that transgendered Canadians are the group most likely to suffer hate crimes involving violence. Therefore, if I am asked on a practical basis if the bill is necessary, I believe it is necessary to end this discrimination and to ensure that transgendered Canadians enjoy the same protections that the rest of us expect in Canada.

If we adopt the amendments and pass the bill, it will make a statement about Canadian values. We all like to believe we are a country where everyone is equal, treated fairly and where no one is left behind. However, we clearly have a case with transgendered and gender varied Canadians for whom that is not true. A public declaration by the House and eventually, I hope, by the Senate, will be a very strong statement to all of Canadian society that this kind of discrimination has to end and that transgendered Canadians have to take their place in Canadian society on the same basis as all other Canadians.

It would mean we could draw on the talents of all of our citizens. We cannot do that when people are economically disadvantaged. We cannot do that when they are afraid to appear in public because of discrimination or violence. We cannot draw on all the many talents they have. Certainly, we would be a stronger, more vibrant nation when we draw on the talents, imagination and abilities of all of our citizens without discrimination against any group.

We know that legislation alone will not be a panacea. We know much work will have to be done if this legislation is approved. However, we have seen the provinces of Ontario and Manitoba adopt similar legislation. It has been in place in the Northwest Territories for a very long time. It is under active consideration now in the province of Nova Scotia and I know that there are talks going on in other provinces about introducing the same kind of legislation into provincial human rights codes.

By approving these amendments and this bill at the national level, we will place ourselves in the wave of change that is sweeping across the country to eliminate one of the last vestiges of legal discrimination and violence against members in our community. I look forward to a Canada where all can participate fully in public life, a Canada where we draw on the best of all of our citizens.

I hope this compromise we reach through negotiation will stand through this debate and hold when we come to vote and that we can join hands with some from the other side and with the Liberals, Greens, the Bloc and those who supported second reading and send this bill to the Senate.

I am hopeful, with some discussions I have had with senators, that it will receive fair consideration there because this will be the second time this kind of bill has passed through the House of Commons. That is a very strong statement. I remain very optimistic that we can demonstrate we can reach across the aisle, work together, reach a compromise and do something for the good of all of Canada.

I know many members of the transgendered community, some who are present here this evening and some who are listening to this debate as it takes place in the House. I am very proud of the work they have done to help move the bill forward.

It is not just from those of us who have the privilege of standing in Parliament, but there has been a lobbying effort across the country. Many transgendered Canadians, many for the first time, contacted their MPs, sat down with them and said that they were part of the community they represented. They asked their MPs to support them when the bill came forward in the House of Commons. I salute the many transgendered Canadians, both individuals and organizations, who participated in the lobbying efforts to get the bill through the House of Commons.

I want to reiterate what a pleasure it has been working with members in all parties to try to come to an agreement which will help advance the human rights agenda in our country to help ensure that transgendered and gender varied Canadians enjoy the same rights that the rest of us do in Canada.

● (1850)

Mr. Robert Goguen (Parliamentary Secretary to the Minister of Justice, CPC): Mr. Speaker, I am pleased to have this opportunity to comment on and contribute to the debate on Bill C-279, an act to amend the Canadian Human Rights Act and the Criminal Code (gender identity and gender expression).

Private Members' Business

Bill C-279 has been studied by the Standing Committee on Justice and Human Rights. While at committee, the sponsor of Bill C-279, the member for Esquimalt—Juan de Fuca, proposed several amendments. He proposed to add only the term “gender identity” and not “gender expression” as a prohibited ground in the Canadian Human Rights Act and to the hate propaganda and aggravated sentencing provisions of the Criminal Code. He also proposed to add a definition of the term “gender identity” to the bill’s preamble.

I would like to begin with a discussion of the proposed amendment to the Canadian Human Rights Act. In interpreting and applying this act, the Canadian Human Rights Tribunal has already accepted and considered several complaints brought by transsexuals on the ground of sex. In fact, the ground of sex in any discrimination law is interpreted broadly and has evolved over the years. It is usually understood to cover discrimination complaints based not just on sex, but also gender-related attributes, such as pregnancy, childbirth, and more recently, transsexualism. For those complaints brought by transsexuals, the tribunal has used the existing grounds already contained in the act.

I would like to give a few examples to illustrate my point. The Canadian Human Rights Tribunal decided one case involving a male-to-female transsexual who was incarcerated in a federal men’s prison. This inmate brought a complaint before the Canadian Human Rights Tribunal alleging discrimination because the prison refused to continue her sex reassignment treatments and did not want to transfer her to a women’s prison.

The tribunal dealt with this complaint under the ground of sex. In its decision, the tribunal stated, and I am quoting directly from the 2001 judgment of *Kavanagh v. Correctional Services of Canada*, which says there is no dispute “that discrimination on the basis of Transsexualism constitutes sex discrimination as well as discrimination on the basis of a disability”.

In another decision of the Canadian Human Rights Tribunal, from 2004, *Montreuil v. National Bank of Canada*, a male-to-female transsexual, who was in the process of transitioning and was dressing in women’s clothing, was refused employment at a bank. Here again, the tribunal dealt with this complaint using the ground of sex, as the parties agreed. The tribunal member commented that “as a pre-operative transgendered person, the Complainant belonged to the group of persons who cannot be discriminated against on the basis of sex, under the Act”.

In a 2009 decision from the tribunal involving the same complainant, the Canadian Forces had refused the complainant’s application for enrolment in the forces after determining that she had gender identity disorder. While the complaint was eventually dismissed by the tribunal, the tribunal member stated quite plainly that “discrimination on the basis of transsexualism is discrimination on the basis of sex or gender, as well as discrimination on the basis of disability”.

In deciding that transsexuals are already protected by our federal human rights law, the tribunal’s approach is consistent with that taken by the provincial human rights tribunals that have found discrimination against transsexuals to be covered by the existing ground of sex.

I will mention one more decision to make my point that discrimination against transsexuals can and already has been addressed by the current law. This example comes from a discrimination complaint that made its way to the British Columbia Court of Appeal. In this case, a male-to-female transsexual was refused a volunteer position at a women’s shelter and rape crisis centre. Once again, the tribunal dealt with the complaint using the ground of sex, and the Court of Appeal accepted this. This is the *Vancouver Rape Relief Society v. Nixon* case, which was decided in 2005.

As I have just described, all of these cases were dealt with using the ground of sex. This makes sense, as the existing prohibited grounds of discrimination are subject to interpretation by the tribunals and the courts. The ground of sex has been interpreted broadly, as I mentioned earlier, which is in keeping with how human rights protections are generally interpreted by courts and tribunals.

Using all of these examples, I wish to make the point that transsexuals facing discrimination in federally regulated workplaces and in accessing federally regulated services are in fact already protected by the current law.

● (1855)

For similar reasons, we may wish to ask ourselves whether it is necessary to add these grounds to the sentencing provisions of the Criminal Code. The section in question lists a number of deemed aggravating circumstances on sentencing, including evidence that the offence was motivated by bias, prejudice or hate based on race, national or ethnic origin, language, colour, religion, sex, age, mental or physical disability or any other similar factor. Again, the list includes sex, and it also refers to any other similar factor. Consequently, judges may already be able to impose longer sentences for hate crimes against transsexual persons in appropriate circumstances.

If transsexuals are already protected from discrimination and are covered by the open-ended language of the sentencing provisions, we must ask ourselves this. What is the purpose of adding these terms?

It may be a largely symbolic or declarative purpose. In that case, on what basis do we decide to symbolically add one group and not others? Grounds of discrimination are not typically stated generally, like sex, race and religion. There are many different groups covered by these grounds. The Canadian Human Rights Act and the Criminal Code do not break these grounds into specific groups, which would involve selecting some groups over others for specific mention. If it turns out that, for example, people are being discriminated against on the basis of certain religious observance, then the general ground of religion is there to cover the situation. It would be inappropriate for Parliament to extend the list of grounds by adding particular religious observance.

If people with a particular disability are facing discrimination, then the ground of disability is in the act and can be used to protect these individuals. If we began to add specific groups, there might be no end to this kind of law reform and it could go on and on.

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As I have said, the ground of sex is already in the act and has been used to address instances of discrimination against this group. The addition of gender identity is therefore unnecessary.

However, if its addition is not purely symbolic, as the sponsor tells us it is not, then we would ask ourselves this. If this ground were to be added to the Canadian Human Rights Act, what sorts of new complaints of discrimination will be brought before the Canadian Human Rights Commission and Tribunal? How will employers know what kinds of workplace behaviour and expression would be prohibited? The answers to these questions are not clear to me and they are questions that we should carefully consider.

As I have explained, I believe the amendments proposed by Bill C-279 are unnecessary. For these reasons, I will be opposing Bill C-279.

● (1900)

Hon. Irwin Cotler (Mount Royal, Lib.): Mr. Speaker, I rise today to address amendments to Bill C-279, An Act to amend the Canadian Human Rights Act and the Criminal Code (gender identity and gender expression) to protect transgender Canadians. In its original form, it did this by adding “gender identity” and “gender expression” to both statutes. As I stated the last time the bill was in the House, I support this important effort, which will have not only symbolic but substantive and practical effects, to provide human rights protections to groups that, for example, the Ontario Human Rights Commission has characterized as being as “disadvantaged and disenfranchised” as any in our society today.

We are presented now with the unusual yet welcome opportunity to reconsider amendments to Bill C-279 that were raised at committee. These amendments, which remove “gender expression” and add an agreed upon definition of “gender identity”, were the product of a compromise solution, agreed to to maintain the support of the 15 Conservatives who joined with the opposition and voted for the bill at second reading. While I had hoped that both “gender identity” and “gender expression” would remain included in the bill, I appreciate the need for compromise in order to make progress on this critical issue. On that note, I would like to commend the sponsor of this legislation, the hon. member for Esquimalt—Juan de Fuca, for the spirit of co-operation he has maintained throughout this process.

With respect to the amendments that add a definition of gender identity, I welcome the fact that the chosen definition makes explicit reference to the internationally recognized Yogyakarta Principles. While these principles are not themselves binding international law, they were developed by some of the world's foremost experts on international human rights law and are intended to serve as an interpretive aid to human rights treaties. As an international law scholar myself, I am always pleased to see us referencing elements of internationally recognized principles in our own domestic legislation.

As I mentioned with respect to the exclusion of “gender expression”, it was initially my preference that both terms remain in the bill. Again, I am cognizant of the possibility that even in the absence of “gender expression”, the term “gender identity” might, through case law and through an appreciation of travaux

préparatoires, eventually come to encompass part or all that would have been protected by the former.

All things considered, the amendments in question today are reasonable given that Parliament would still be taking a significant step forward with respect to protecting the rights of transgendered Canadians. As of now, these individuals can only exercise their rights under the Canadian Human Rights Act by advancing a claim under the prohibited grounds of sex and/or disability, as the parliamentary secretary himself acknowledged. To be clear, tribunals do hear the cases of transgendered Canadians, but such claims are complex and costly and rely on grounds, such as in the case of disability, that may themselves be highly offensive to the claimants themselves.

Some might ask why this is necessary legislation if transgendered individuals already benefit from such protections, which is basically the query and complaint put forward by the parliamentary secretary. Besides the symbolic value of recognizing this group in statute, Bill C-279 produces three substantive and practical effects of note. First, the Canadian Human Rights Commission would begin keeping statistics on incidents of discrimination targeting transgendered individuals. Second, the commission would begin raising awareness of transgender issues in its communications. Third, public officials would begin receiving briefings and training on the matter. This is, of course, in addition to the most important change offered by the bill, the offer of a clear and explicit human rights recourse to transgendered Canadians, not only in that it provides an expressed protection for transgendered people but in that it provides an effective remedy. This is something that cannot be marginalized or ignored.

There is precedent for the use of the term “gender identity” in Canadian, provincial as well as international contexts, notably the United Nations declaration on sexual orientation and gender identity, which Canada signed in 2008 and what I mentioned earlier, the internationally recognized Yogyakarta Principles.

In a word, I believe that this legislation would better ensure that transgendered Canadians enjoy the same equality of opportunity and freedom from discrimination as all other Canadians, as the member for Esquimalt—Juan de Fuca has so aptly affirmed and demonstrated in his remarks and in his work throughout this process.

● (1905)

However, it bears pointing out that we are in this rare situation today of reconsidering amendments because Conservatives on the justice committee engaged in a concerted and regrettable effort to thwart debate at the clause-by-clause stage. Indeed, the intention was clearly either to obfuscate the subject and spirit of the bill or, if nothing else, to torpedo the compromise arranged by the mover.

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To start, they came with their own amendments, including a handful that only reinforced the status quo formula of “sex” and “disability”. Then there was a frivolous amendment exempting official Canadian sports authorities from the provisions of the bill, as if to contain some fictional mass of men trying to compete in women's sports, and vice versa. Finally, there was an out-of-context amendment that sought to ensure that no part of the Canadian Human Rights Act could infringe upon the rights of aboriginal peoples. While I firmly believe that we should only enact legislation that is mindful of the rights of Canada's aboriginal peoples, I found there was no reason to codify this specific protection into the act, as the charter supersedes any statutory act, which is clearly set forth in section 52 of the Constitution Act. It appeared that this, too, was a diversionary item.

Despite the tactics of diversion and delay, the compromise could still have been implemented at committee. With the support of one of the 15 Conservatives who voted for the bill at second reading, whom we should credit for open-mindedness, the committee accepted the amendment we are reconsidering today to remove “gender expression”, rendering several other Conservative alternatives inadmissible. Unfortunately, this procedural oversight by the Conservatives who were opposed to the bill spurred them to engage in a filibuster, behaviour which the Speaker has obviously himself acknowledged, given his decision today. Hopefully, we can now conclude the amendment process with an honest debate on the merits.

I would like to once again remind members of what is at stake with regard to this bill. To quote Mr. Justice La Forest of the Supreme Court of Canada at the time, “gender identity” must be included as a protected ground in the Canadian Human Rights Act because, “To leave the law as it stands would fail to acknowledge the situation of transgendered individuals and allow the issues to remain invisible”. We should also not disregard the history associated with this legislation, which has been introduced seven times since 2005. It was most notably passed by the House in early 2011, only to die on the Senate floor following the dissolution of Parliament that same year.

Today I urge my colleagues to not let this be another failed attempt at establishing equality and fairness for transgendered Canadians. The time to act is now.

Mr. Kennedy Stewart (Burnaby—Douglas, NDP): Mr. Speaker, it is a great pleasure tonight to rise and show my very strong support for Bill C-279, An Act to amend the Canadian Human Rights Act and the Criminal Code (gender identity and gender expression). I will speak to the amendments as well as the general bill in my speech tonight and the shorter form as it is often called, “the gender identity bill”.

It seems very apt to be speaking to the bill this evening, on the very day that tens of thousands of people across Canada are joining together to reduce bullying. We have had the famous Pink Shirt Day today, when people from all communities across Canada are joining hands and saying that this is something we must reduce, that it is something that is taking a terrible toll on our neighbourhoods and in our communities where we live and we have to do something to stop that.

With this bill, we are talking about making the world a better place by taking steps to protect those whom others abuse. The bill has been a long time coming but it is well worth supporting, especially with the amendments have proposed.

I am disappointed that some members on the other side are opposing the bill, as stated tonight, and I think we will hear it in other speeches. Their statements somewhat misrepresent the views of a number of members within the Conservative caucus, including the Minister of Finance who voted to support the bill at second reading. Where their arguments are often being masked in technical details, I think there are deeper and more disturbing reasons for not supporting the bill that underlie their objections. Again, I do not think this represents a good number of the Conservative caucus who have supported it at second reading and in the past as well.

The bill has been introduced and championed by the member for Esquimalt—Juan de Fuca, whom I have the great pleasure of sitting beside in the House of Commons. Even though the member is newly elected, like me a rookie, the bill has shown that he is one of the smartest and most ethical MPs in this place. I have enormous respect for his work on it and also as our very able public safety critic. I am very honoured to support his heroic efforts to support the trans community and those within the LGBTQ community.

Besides sitting beside the champion of the bill, I have another strong connection with the bill other than my absolute belief that it is relevant and just in that earlier versions were championed by my predecessor in Burnaby—Douglas, Mr. Bill Siksay. It is really an honour to follow in the footsteps of Mr. Siksay. Through his efforts on this issue and many others, he is seen as a champion in Burnaby and the national and international LGBTQ community.

Bill Siksay first introduced the ideas contained in the bill in 2005, then again in 2006 and again in 2008. Members in the House may remember that predecessors to the bill passed through the last minority Parliament on February 11, 2011. Again, the bill has a long history. For eight years it has been winding through the House in various forms, having passed once and I hope pass again as it has passed second reading.

In 2011 the bill had the full support of the NDP as well as some level of support from all other parties. Unfortunately, the bill in the last Parliament died in the Senate without being considered once the election was called.

This hopefully amended Bill C-279 contains some simple and very just measures. As my colleagues have mentioned, it would add the term “gender identity” to the Canadian Human Rights Act, section 2 as prohibited grounds for discrimination. It would also amend the Criminal Code to include gender identity as a distinguishing characteristic protected under section 318 and as an aggravating circumstance to be taken into consideration under section 718.2 at the time of sentencing. This would mean that it would count as a hate crime, or consideration when prosecuting hate crimes.

Members again should remember that the bill passed second reading on June 6, 2012, with the unanimous consent of the NDP and support from Liberal, Bloc, Green and 15 Conservative MPs. I remind members who make speeches tonight that there is sizable support for it from a good portion of the Conservative caucus, including many frontbenchers.

• (1910)

I would like to thank those who supported the bill at second reading. It sends the right message to Canadians that the House of Commons takes care to ensure that justice extends to all Canadians. It is a good symbol and shows that we in the House of Commons care about this community and all communities in Canada and will make sure they are treated fairly.

These, of course, are in no way special rights. They are equal rights and they are ensuring that rights are being extended to all Canadians by enshrining the idea of gender identity in the Criminal Code and the Canadian Human Rights Act.

Bill C-279 provides remedy to transsexual and transgender Canadians who do not currently enjoy specific protections in federal law or specific protection against hate crimes.

Passing the bill into law would be an important step forward for Canadians expressing themselves as transgendered. Trans people have regularly been shown that they are denied things that we all take for granted, such as adequate access to health care and housing, the ability to obtain or change identification documents, access to washrooms and other gender stations, as well as very fundamental rights such as the ability to exercise the right to vote and to acquire and maintain meaningful employment.

I would also remind members that Canada is a signatory to the UN declaration on sexual orientation and gender identity, and to meet our obligations it is necessary to add gender identity to our own Canadian Human Rights Act. Not only has this bill been winding its way through the House of Commons for a long time, but we also have an obligation not only to our citizens but to an international obligation to make sure we go forward with this measure.

The bill has had broad support from many across Canada. We have had emails, texts and twitters. I know people are following on CPAC and here in the House tonight, as well as many of our brothers and sisters in labour unions such as the CLC, CUPE, CUPW, CAW, CAUT and the British Columbia Teachers' Federation. It also has broad support from student groups across the country, including UVic Pride, UBC, York University, SFU and universities right across Canada.

We need to do this in the spirit of the anti-bullying pink shirt day that we are seeing here in Canada. Wearing a pink shirt is a good thing. It shows that Canadians care. However, this is an opportunity to actually do something concrete, to change the laws of our country to make sure that people who are facing discrimination are no longer discriminated against, or if they are, that they have remedy within our legal system, whether it is the Canadian Human Rights Act or the Criminal Code, in order to make sure that they obtain justice and are able to pursue their lives as they see fit.

What we need to take into account also is how the trans community is suffering under the current circumstances. Worldwide

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since 1970, 717 trans people have been reported as murdered. However, this of course is a severe undercount, because many countries do not collect adequate statistics in this area, nor do they correctly record violence against the trans community.

Finally, as we are here on pink shirt anti-bullying day, we should follow what Egale Canada says: that 90% of trans-identified students reported being bullied on a daily or weekly basis.

I am proud to stand up here today to support the amendments and the bill and to make sure this bullying and this injustice stop and the trans community is given proper remedies to fight back against this discrimination.

• (1915)

[*Translation*]

Mr. Dan Albas (Okanagan—Coquihalla, CPC): Mr. Speaker, I am pleased to have the opportunity to participate in the debate on Bill C-279, which is sponsored by the hon. member for Esquimalt—Juan de Fuca, an opposition member from my province of British Columbia for whom I have great respect.

After examining and considering Bill C-279, I think it is clear that the amendments proposed in this bill are not necessary. That is why I am going to vote against Bill C-279.

[*English*]

I would like to take this opportunity to contribute to the discussion on Bill C-279, An Act to amend the Canadian Human Rights Act and the Criminal Code (gender identity and gender expression), which proposes to add the terms “gender identity” and “gender expression” to those laws.

Bill C-279 has been studied by the Standing Committee on Justice and Human Rights. While the bill was in clause-by-clause review before the committee, the member for Esquimalt—Juan de Fuca proposed several amendments to the bill, namely that only the term “gender identity” but not “gender expression” be added as a prohibited ground in the Canadian Human Rights Act and to the hate propaganda and aggravated sentencing provisions of the Criminal Code.

The member also proposed to add a definition of the term “gender identity” to the preamble of Bill C-279. This definition reads:

[Whereas] 'gender identity' to refer to each person's deeply felt internal and individual experience of gender, which may or may not correspond with the sex assigned at birth...

We do know that in practice the definition of “gender identity” in this discussion can extend beyond that. However, I also accept that clarifying the definition from a legal perspective is a challenging one. In some respects, that is one of the cruxes in this debate.

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As I mentioned, the sponsor proposed to add this definition to the preamble of Bill C-279 although not to the Canadian Human Rights Act or the Criminal Code directly. Looking at this definition as it stands, we can conclude that gender identity is something that all people must have. All Canadians must have some sense of their gender, of whether they are male or female. Indeed, the sponsor of Bill C-279 made this very point when he spoke before the Standing Committee on Justice and Human Rights.

I raise this point because gender discrimination is already covered by existing law. In fact, there have been a number of decisions of the federal Canadian Human Rights Tribunal in which discrimination against transsexuals has already been considered using the ground of sex as defined and already included in the Canadian Human Rights Act. Some decisions have also used the ground of disability.

For example, a transsexual who was incarcerated in a men's prison brought a complaint forward to the Canadian Human Rights Tribunal, alleging discrimination because the prison refused to continue her sex reassignment treatments and did not transfer her to a women's prison. The tribunal dealt with this complaint under the ground of sex.

In another case, a male to female transsexual who was in the process of transitioning and was dressed in women's clothing was refused employment at a bank. Here again the tribunal dealt with this complaint using the ground of sex.

Finally, in a complaint from my home province that made its way up to the British Columbia Court of Appeal, a male to female transsexual was refused a volunteer position at a women's shelter and rape crisis centre. Again, the court dealt with the complaint using the ground of sex.

● (1920)

All of these discrimination complaints have already been addressed under the current law. As a result, I question the legal need for the adoption of Bill C-279.

I also have some concerns on the proposed amendments to the Criminal Code. What kinds of speech based on someone's subjective or personal sense of being male or female would be considered hate propaganda? What does it mean to have a bias based on a person's subjective sense of being male or female? How do we single out one gender from the other?

By adding the proposed definition for the term "gender identity" in Bill C-279's preamble, it remains unclear what situations it would cover and how the Canadian Human Rights Tribunal, or the criminal courts and the sentencing judges, would interpret these terms. This gives rise to the potential for subjective interpretations. These interpretations do not provide clarity nor certainty. In the absence of having greater certainty and a clear definition, it is important to recognize that existing laws already do apply to discrimination against transsexuals.

I respect what the member for Esquimalt—Juan de Fuca is attempting to do in the bill. However, we must not lose sight of the fact that the Canadian Human Rights Tribunal, and our criminal courts and sentencing judges do not have that same luxury. They are bound to follow the language that is passed into law. If that language is too vague, then it becomes open to selective and arbitrary

interpretation. This is contrary to the clarity that we seek to create in our laws.

While I do respect the member for Esquimalt—Juan de Fuca's efforts and that the language as proposed in the bill is well intended, I submit it would not provide the clarity that is needed, and as such I regret that I cannot support Bill C-279.

● (1925)

[*Translation*]

In closing, I explained that the amendments proposed in this bill were largely unnecessary given the existing case law. The Canadian Human Rights Tribunal has already dealt with a number of discrimination complaints lodged by transsexual individuals. It is not necessary to add vague new terms to the Canadian Human Rights Act or the Criminal Code. That is why I urge my colleagues from all parties to vote against this bill.

Ms. Mylène Freeman (Argenteuil—Papineau—Mirabel, NDP): Mr. Speaker, I am honoured to rise in the House to support Bill C-279. I congratulate my colleague from Esquimalt—Juan de Fuca for reintroducing this bill, which will add an important right to our legislation and protect people who are subject to a serious form of discrimination.

Including gender identity in our laws—in the Canadian Human Rights Act—would represent significant and necessary progress. In addition to protecting transgendered people who experience discrimination, this bill recognizes the fact that transgendered Canadians have an identity and a community, and that they are worthy of being officially recognized and protected by our laws.

This bill changes the wording in our laws to be truly inclusive, so that the law ensures that no one experiences discrimination based on their identity. We must recognize that these identities deserve equality.

This recognition for transgendered and transsexual people is not just symbolic; it is urgently needed. My NDP colleagues have provided many reasons for this urgency over the course of the debates in the House, since Bill Siksay introduced the first version of the bill in 2005.

It is urgent because transgender people are victims of violence and discrimination, and live in greater poverty. It is urgent because it is vital that transgender people be recognized as individuals in their own right with all the rights to which they are entitled.

In this House, we should not be afraid to recognize transsexuals, transgender people and intersex people as Canadians in their own right who deserve to have their identity included in Canadian law. We must recognize the fact that gender and sexuality are distinct. They are not a simple dichotomy. The lack of binary simplicity is uncomfortable for people who accept their gender identity as a biological imperative. But that in no way reflects reality.

The medical community is beginning to understand transgender identity and, step by step, is moving towards validating and supporting these facts.

Private Members' Business

[English]

Dr. Shuvo Ghosh, who is a trailblazer in this field is a pediatrician, a developmental-behavioural pediatrician to be specific, and an assistant professor at McGill University and at the Montreal Children's Hospital, noticed that he was seeing more and more transgendered children and decided that he would open a clinic to specifically support their needs. It is the first one of its kind, in fact. I am very happy and proud that it is in my province of Quebec and so close to my home in Montreal.

Dr. Ghosh wrote me this letter to share with the House:

To the Honourable Members of the 41st Parliament of Canada:

Last year when Bill C-389 passed its third reading in the House of Commons, many questioned the wisdom of enshrining "gender identity" or "gender expression" in the Canadian Human Rights Act and whether this was redundant given that "sex" is already protected. With the NDP's Private Member Bill on Gender Identity now up for debate, these questions are once again being raised. As a paediatrician who cares for gender non-conforming children, adolescents and their families who are part of the roughly 1-2% of all Canadians with differences in their gender expression, I would like to highlight the main reasons why this issue is crucial for Canadian society.

While "gender identity" and "sex" are related terms, they are not synonymous. The most obvious example of this dichotomy is in children born with medical intersex conditions who identify more with one gender or another, or rarely, neither or both; but their physical sexual characteristics frequently do not correspond with their identity. Are we to conclude, then, that they fall outside the protection of the Human Rights Act because their "sex" is indeterminate or incongruent with their behaviour? Youth with any variation in their gender identity...have been shown, in numerous studies and in various clinical databases, to be the group most vulnerable to extreme and violent bullying, depression, anxiety, and suicidal thoughts.

- (1930)

Adolescents with gender variance are 14 times more likely to attempt suicide than any other sub-group of teens, including other recognized and protected vulnerable populations. They are also the most likely to be rejected by peers and family members, and often lacking even any legal recourse to simply "be" who they are, frequently enter a spiral of self-harm that can lead to substance abuse and alcoholism. This heartbreaking distress is seen and reported even in children as young as 4 years old who simply recognize that their gender identity does not correspond with their anatomic sex, and have asked their parents to help them die. So many families of gender variant kids experience severe discrimination, societal rejection, and serious psycho-social difficulty. This translates to higher levels of divorce, greater school and emotional problems in siblings, and severe marginalization. These families need their children to be recognized, included and protected, just as any family does.

Isn't it fair for Canada to stand up and to stand together, to say that our most vulnerable children and teens deserve to be specifically protected for the very characteristic that makes them vulnerable? Do we as a nation not have the responsibility to enshrine gender identity in the Canadian Human Rights Act? It is imperative. The medical evidence supports it, and these young Canadians, slipping through the cracks of our society, deserve to have their tears of loneliness and rejection wiped away so that instead of living and dying in fear, they may grow up to share and contribute to this wonderful country in which we are so privileged to live.

Sincerely,

Dr. Shuvo Ghosh

It is an incredible letter, and that is why I felt I needed to read it to the House.

Dr. Ghosh sees firsthand every day how children suffer from the pressure to normalize and how space must open in our culture and in our minds to account for gender non-conforming children. Some children have biological gender variance, but nowhere do they see powerful reflections of themselves in mainstream society. However, a person must be recognized and must see themselves reflected in the world around them to feel healthy and accepted, and we as

legislators have to make laws that recognize their inherent human rights.

Not only do we have the power to better protect trans folk from the disproportionate harm they face, but I believe we can be even more proactive about this problem. This bill is a very good first step, and I want to thank my colleague for all the work he has done for it to have the possibility of becoming law. It is my hope, though, that we can do even more to break down the inherent discrimination in our society. There are so many spaces that define and treat us by gender, spaces where trans folk face non-inclusion, discrimination and harm.

We must proactively train police, airport officials, teachers, legal personnel and medical personnel, and raise awareness among all Canadians that gender non-conforming people are equal members of our communities who deserve to be respected, treated with dignity and cannot be discriminated against, just the same as those of us who conform to our birth sex as our identity. This is about people whose rights are being ignored due to who they are.

In closing, I want to thank those who work on ensuring the rights and dignities of transgender and transsexual people, like Dr. Ghosh and others I have heard from. Gwen Haworth, a trans woman, filmmaker and activist took the time to meet with me in Vancouver and to advocate for the rights of the trans youth she works with in the downtown eastside. I want to thank those who bravely face discrimination, hate, violence and marginalization every day because of who they are.

- (1935)

[Translation]

I would like to sincerely thank Bill Siksay, the first author of this bill, and the member for Esquimalt—Juan de Fuca, who has worked very hard to bring us to the point of adopting this very important measure today. Finally, I would like to thank in advance all members who will be supporting this bill. I thank them from the bottom of my heart.

[English]

Mr. David Anderson (Parliamentary Secretary to the Minister of Natural Resources and for the Canadian Wheat Board, CPC): Mr. Speaker, I am glad to be able to join the debate today on Bill C-279, an act to amend the Canadian Human Rights Act and the Criminal Code (gender identity and gender expression).

As my colleagues are aware, Bill C-279 would amend both the Criminal Code and the Canadian Human Rights Act by adding gender identity and gender expression. I understand that the member opposite now wants to change that with his amendments.

I am cognizant of the need to protect all Canadians from discrimination and hate crimes. I am proud of the fact that Canada is recognized internationally as a country that is deeply committed to the principles of respect for diversity and equality, but I would argue that the bill accomplishes neither of those goals.

Adjournment Proceedings

The desperate attempt, I would say, by member for Esquimalt—Juan de Fuca to amend the bill shows that the bill itself is not adequate. The bill is just not up to the level it needs to be in order for anyone to support it in this House. The amendments to the act as proposed by Bill C-279 are largely symbolic and vague, and I would say that they risk introducing confusion to the law. I would suggest as well that the amendments he is making do not add anything to it.

The bill is not properly designed to remedy the supposed social problem that it is aimed at addressing, and I would argue that it is largely unnecessary as well. For those reasons and a couple of others, I will be opposing Bill C-279.

I first want to speak about the fact the bill is unnecessary.

The courts and human rights tribunals in this country have already developed jurisprudence to protect transsexual and transgendered people. The Canadian Human Rights Tribunal has already decided several complaints brought to it, and we heard about those earlier from my two colleagues. These complaints have been dealt with using the grounds of sex orientation or disability.

In fact, the grounds of sex in all anti-discrimination laws are interpreted broadly. They have evolved over the years and are usually understood to cover discrimination complaints based on not just sex but on all gender-related attributes, such as pregnancy, childbirth and, recently, transsexualism.

For those few complaints that have been brought by transsexuals—and I think one of my colleagues read four of them—the tribunal has used the existing grounds already contained in the Canadian Human Rights Act, and in fact there is no gap in protection. The Canadian Human Rights Tribunal has dealt with the four cases that were mentioned around gender identity and gender expression issues.

Furthermore, in deciding that transsexuals are already protected by federal human rights laws, the tribunal's approach has been consistent with that taken by provincial human rights tribunals as well. They have found that these grounds of discrimination are already covered by their existing codes.

All of these cases were adjudicated within the framework of the Canadian Human Rights Act, which designates sex and sexual orientation as prohibited grounds of discrimination. Both Susheel Gupta, as the acting chairperson and chief executive officer of the Canadian Human Rights Tribunal, and Ian Fine, who is the secretary general of the CHRC, spoke at committee about that and the fact that it does not need to be extended further than it is now in order to deal with those complaints.

My second problem with the bill is that it is undefined.

I understand that the member is now starting to try to put definition into some of these things because he is afraid he is going to lose the bill, and I think that he should lose it. Expanding the definition of sexual orientation to gender expression and to gender identity in the Canadian Human Rights Act and the Criminal Code makes who and what is being protected even less clear than it is. If the member's purpose was to clarify the existing grounds, which I would maintain is unnecessary, he could have proposed adding an appropriate definition to the Canadian Human Rights Act. He did not

do that. He has come back lately with an attempt to do that, but it was not his intention at the beginning.

In fact, the member's intention at the beginning was that the courts and the human rights commissions themselves would determine the definitions of these things. He was quoted in *Xtra* magazine as saying:

Once gender identity is in the human rights code, the courts and human rights commissions will interpret what that means.

I would suggest that even with the definition he is trying to add today, he probably is still thinking that hopefully the courts and the human rights commissions will define it. However, I would argue that it is inadequate for a legislator to proceed in this way.

If our role is to bring laws forward, they should be brought forward with enough content that the courts and commissions are not the ones who are defining what those bills are and what they say. I believe that is inappropriate. It is an abdication of our parliamentary responsibility to pass laws that would leave us in a situation like that. For parliamentarians to leave new and undefined terms to the courts and human rights tribunals, I would argue, is risky and irresponsible.

I also want to point out—and I think this is probably something that the member hopes will happen—that when the courts rule on these grounds, they usually assume that the old language was inadequate and that they should make new and broader interpretations and that such broader interpretations must be sought.

● (1940)

Therefore, I would argue that in this case it is not defined properly and that those interpretations are inappropriate for good legislation. The definitions are undefined and inadequate and because of that alone, this legislation needs to be rejected.

There are a number of other things I would like to talk about, and I understand I have some time in the next hour. However, I want to mention that the member said earlier at committee that the United Nations had supported proposals such as his. The reality is that while the Commissioner for Human Rights has called for some of these changes, the United Nations has not supported them. In fact, several of its commissions have turned away from supporting these notions that he has brought forward today.

I look forward to finishing my speech when we meet again.

The Deputy Speaker: The hon. parliamentary secretary will have approximately four minutes to complete his speech at the next turn.

[*Translation*]

It being 7:42 p.m., the time provided for 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.

ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

Adjournment Proceedings

[English]

VETERANS

Ms. Irene Mathysen (London—Fanshawe, NDP): Mr. Speaker, in October of last year I asked the Minister of Veterans Affairs who cared for our soldiers after they came home from deployment. The government likes to tout that it supports our troops. However, the minute those troops become veterans, they are all but forgotten.

A case in point is the government's lump sum payment plan for injured veterans. For the most part, the lump sum payment plan has proven to be a failure. In some cases, injured vets get only 10% of what they have received through the courts or worker's compensation. Imagine having to fight the government in court to get a fair pension after risking everything for one's country.

I asked the minister back in the fall when the Conservatives planned to change the lump sum formula to ensure that veterans received the pensions they deserve. His answer did not address the issue. He did not seem to appreciate that some veterans received less than they would on worker's compensation.

Another glaring example of how veterans are abandoned is the government phasing out access to long-term care beds for modern veterans. These veterans are people with special care needs and requirements.

The New Democrats are advocating that the federal government continue the veterans' long-term care program. Currently, World War II and Korean veterans are eligible for dedicated departmental contract beds or priority beds in veterans' hospital wings such as Parkwood Hospital in London, Sunnybrook in Toronto, Camp Hill in Halifax or approved provincial community care facilities if they meet certain criteria. This program will cease when the last World War II or Korean war vet passes away and the Conservative government has no intention to open access up to CF and RCMP veterans. This means that veterans will no longer have priority access to departmental contract beds and will compete with the civilian population for access to long-term care in provincial community care facilities.

Unlike the minister, the New Democrats continue to advocate for veterans because the federal government does have a responsibility for their long-term care in recognition of those who accept the unlimited liability of service in the armed forces.

The NDP proposes that veterans have access to veterans' hospital wards throughout Canada staffed with health care professionals experienced in the dedicated and exclusive treatment of injured veterans.

The minister is not getting the message and people are suffering, people such as retired air force Colonel Neil Russell, who is confined to a wheelchair. He cannot return home and he was callously denied a long-term care bed at Parkwood Hospital in London. It was ludicrous because Neil would have been on the street because there was a one to two year waiting list for a nursing home bed. After many letters to the minister and media pressure, Colonel Russell was told he had a bed. Sadly, within a few days, he was then told he did not have a bed and was informed that he had misunderstood and was given a provincial contract bed, for which he has to pay.

I would like to remind the minister that veterans are a federal responsibility not a provincial responsibility. They have served our country and deserve to be treated with respect and dignity. Ensuring that they have access to the long-term care they require is the least we can do.

Will the minister do the right thing and support long-term care for all of our veterans?

• (1945)

Mr. David Anderson (Parliamentary Secretary to the Minister of Natural Resources and for the Canadian Wheat Board, CPC): Mr. Speaker, I can understand why my colleague wants to change the focus of her question, because the reality is that we have answered the question she asked last fall.

When Parliament passed the new veterans charter in 2005, it was with unanimous support. The new veterans charter is a suite of programs and services that can be modified and adapted as time passes. The perfect example of this evolution is when our government implemented new payment options for the disability award, which is what the member opposite wanted to address. We heard loud and clear that the veterans wanted options, and we listened. Now they have the choice of receiving the lump sum payment, an annual installment over a number of years of their choosing, or a combination of the two payment plans.

When we introduced enhancements to the new veterans charter just last year, we took steps to ensure that the most seriously injured veterans would receive the support, financial or otherwise, that they truly needed.

Veterans can now receive comprehensive care that goes well beyond the immediate and long-term financial support available to them. This model also includes full physical and psychological rehabilitation as well as vocational assistance, health care benefits and one-on-one case management. This includes things like home visits or visits by a registered nurse so that a service injured veteran does not have to leave his or her home to visit an office.

We have done this because offering a comprehensive care and support system such as that found in the new veterans charter will lead to rehabilitation and will further enable a smooth transition by veterans back to civilian life.

Why, since the new veterans charter came in, have the member and her party voted against so many initiatives that have been brought in. The member voted against Agent Orange funding, against veterans benefits services and even against long-term care. It is all very puzzling. Most sadly, the NDP has voted against increased funding for our most seriously injured veterans.

Adjournment Proceedings

We on this side of the House are focused on delivering concrete results for Canadian veterans. We have introduced direct deposit so that veterans no longer have to travel to the bank to receive their benefits. We have eliminated over 2.5 million phone calls, mailings or other steps veterans once needed to complete to gain access to the information and benefits they needed. Veterans no longer have to send in receipts, for example, for a \$15 snow clearing expense, only to be reimbursed weeks later—no more under our government. Instead, we provide that funding up front.

In all, our government is focused on improving the lives of Canadian veterans by introducing measures to empower them in their quest to transition back to civilian life.

The real question I think we should ask this evening is whether the NDP and Liberal leaders in the future will let my colleague across the way actually vote for veterans benefits this year.

Ms. Irene Mathysen: Mr. Speaker, it absolutely astounds me that Conservatives can sit there and perpetuate this nonsense.

We voted against environmental destruction. We voted against seniors being robbed of their pensions. We voted against all of the incredible and undermining things the government has done and plans to do to people all across the country, undermining employment insurance and undermining the poor. How dare they come here and say that somehow or other these insidious things are going to benefit anyone at all.

Conservatives want to abandon veterans. They have made it very clear. They will not support modern-day veterans, and most modern-

day veterans have no idea that they are not covered under long-term care. The government has made a very clear decision that it is going to dump the problems, costs and responsibility onto the provinces. They do it every day.

Veterans are a federal responsibility. They are not a provincial responsibility.

● (1950)

Mr. David Anderson: Mr. Speaker, it is unfortunate to see my colleague against everything. As she said, they voted against, they voted against, they voted against, and it is true. New Democrats have voted against veterans regularly as well.

However, the reality is that we have done a number of great things for veterans, including changing the payment options for them to receive their payments, which is what the member wanted back when she asked the question. I mentioned that we have done things such as full physical and psychological rehabilitation opportunities, vocational assistance, health care benefits and one-on-one case management.

We are there for veterans. We will be there for them in the future, and we ask the NDP to join with us in that as well.

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 7:51 p.m.)

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