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OFFICIAL REPORT
(HANSARD)

Wednesday, May 12, 2004

—
Speaker: The Honourable Peter Milliken

CONTENTS

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

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HOUSE OF COMMONS

Wednesday, May 12, 2004

The House met at 2 p.m.

Prayers

• (1400)

[English]

The Speaker: As is our practice on Wednesday we will now sing O Canada, and we will be led by the hon. member for Edmonton North.

[Editor's Note: Members sang the national anthem]

STATEMENTS BY MEMBERS

[English]

HYBRID FUELLED VEHICLES

Hon. Charles Caccia (Davenport, Lib.): Mr. Speaker, a few days ago in Edmonton a new diesel electric hybrid bus was tested to reduce fuel consumption and pollution. It is a hybrid engine driven bus which combines electric and diesel power with fuel savings of 35% compared to a traditional diesel powered bus. Emissions reduction includes a 50% drop in smog-creating nitrogen oxides and a 90% cut in particulates and carbon dioxide.

Hybrid buses require less brake maintenance, store energy in their batteries, are quiet, and accelerate faster than conventional diesel buses. With the rising cost of fuel, hybrid buses can help reduce pollution, improve air quality and cut the incidence of respiratory diseases.

Governments at all levels would be well advised to adopt hybrid fuelled vehicles.

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CATTLE INDUSTRY

Mr. Dale Johnston (Wetaskiwin, CPC): Mr. Speaker, May 20 will mark the first anniversary of the discovery of BSE in one Alberta cow.

From the outset the government failed to grasp the enormity of this problem and the poor political relations between Canada and the United States made a bad situation even worse.

When the new Prime Minister finally arrived, farmers hoped that mending fences with our most important trading partner would be a top priority. Some bone-in products under 30 months of age were

moving across the border, but now that the Prime Minister is back from his long awaited Washington photo op, that market is again closed.

For all his dithering, they have not opened up any new or old markets. All cattle producers have to show for a year of devastation is a flawed compensation program.

If the Prime Minister thinks that he can buy farmers' votes with a few pieces of silver, he is in for a rude awakening. If he really wants to address western alienation, get the border open to live cattle exports pronto.

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POLISH SECOND CORPS

Ms. Sarmite Bulte (Parkdale—High Park, Lib.): Mr. Speaker, on Sunday, May 9 I had the honour of attending the commemoration of the formation of the Polish Second Corps and the 60th anniversary of their successes on the battlefield in May 1944 at Monte Cassino, the turning point of the allied campaign in Italy.

This event was organized by the Polish Combatants' Association of Canada, the Canadian Polish Congress and the Kresy-Siberia Group, an organization whose members are children of the families deported to Siberia by the Soviets.

The history of the Polish Second Corps was documented by a display on loan from the Józef Pilsudski Institute. The display contains a wealth of unique photos documenting the experiences of prisoners of war in the Soviet Union as well as rare photos of the allied effort to form the Second Corps from those who survived the gulags.

I wish to thank and congratulate the organizing committee for this important commemoration.

S. O. 31

•(1405)

[*Translation*]

MARINE SECURITY

Mr. Christian Jobin (Lévis-et-Chutes-de-la-Chaudière, Lib.): Mr. Speaker, I would like to congratulate the Canadian government on its marine security initiative. On May 7, the government announced a contribution of \$115 million through the Marine Facility Security Contribution Program. These funds, which will be allocated over a three-year period, will assist Canadian ports and port facilities in their efforts to modernize and strengthen marine security programs and systems.

This partnership will greatly help Canadian ports to maintain their competitiveness in the coming years by helping them ensure that their port facilities comply with the new international requirements on marine security.

This new program will strengthen the security of communications for civil and naval fleets and will increase cooperation with the United States on marine security.

This is a sound investment on the part of the Government of Canada, which clearly illustrates a desire to promote the economic development of the marine industry and to improve the security of all Canadians.

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[*English*]

MEMBER FOR HALTON

Mr. Julian Reed (Halton, Lib.): Mr. Speaker, since this occasion may be the last time I rise in this place, it would be appropriate to point out that our tenure here is the result of the enduring support of many: our constituents, who vote; our loyal party workers, who keep the dream of democracy alive; our loyal staff, who have made it all work so well; and most of all, our families.

I would like to express my appreciation to my bride of 44 years, Deanna, and our three grown children, Christopher, Robert and Melanie.

To Deanna who regularly endured the loneliness of an absentee husband and who often filled in when I could not be in two places at once, to our three children who often endured political commentary, some of it unsavoury and uncalled for, I thank them all for giving me 10 productive and satisfying years of service to Canada.

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HEALTH CARE

Mr. Gary Lunn (Saanich—Gulf Islands, CPC): Mr. Speaker, despite the federal government's claim that it has pumped billions back into our ailing health care system, the fact is it is more dysfunctional than ever. Among the many problems, there are longer waiting lists, lack of access to important diagnostic tests, and many others.

The government spent the last month trying to demonize the Conservative Party on health care issues through negative messaging. Canadians will not be fooled by this tactic. They want and

deserve constructive ideas to address the future of medicare in this country.

The leader of the official opposition has announced a measured responsible approach to meeting this challenge and the future of medicare. Above all, it recognizes the Conservative commitment to universal public health care insurance regardless of the ability to pay. Unlike the governing party, we also recognize the need to work cooperatively with the provinces in their area of jurisdiction and not just dictate to them.

Now the government is discussing a new 10 year health plan, details of which have been sketchy at best. Frankly, I am not holding my breath. As the leader of the official opposition said, we have already seen the 10 year health plan and it—

The Speaker: The hon. member for Ottawa South.

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MEMBER FOR OTTAWA SOUTH

Hon. John Manley (Ottawa South, Lib.): Mr. Speaker, I rise today to say farewell.

Might I say that I have never lost the sense of awe and privilege that I felt the very first time that I entered this chamber.

[*Translation*]

I came here with the conviction that a good government can be a force and a constructive tool for Canadians, and that our country can provide a unique example to the world. My view has not changed.

[*English*]

I have served in this place as Minister of Industry, Minister of Foreign Affairs, Minister of Finance, and as Deputy Prime Minister, great privileges bestowed by a prime minister to whom I shall always be grateful. But the greatest privilege was bestowed by the voters of Ottawa South who on four occasions entrusted me to take my seat in this place.

There is a time for every purpose under the heaven and I have other purposes to fulfill. I thank my colleagues on both sides of the aisle for their sacrifice and commitment, and my family for their love, encouragement and tolerance.

May God continue to bless Canada.

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•(1410)

[*Translation*]

ST. LAWRENCE RIVER

Mr. Stéphane Bergeron (Verchères—Les-Patriotes, BQ): Mr. Speaker, despite repeated calls by myself and several of my fellow citizens to the ministers who have been responsible for the Department of Fisheries and Oceans since 1995, the problem caused by shoreline erosion is constantly getting worse.

The government tried to lull us with empty and falsely reassuring replies. We were told that the speed of the ships that travel through the most sensitive areas was monitored and that the industry had in fact implemented voluntary measures to reduce the speed of its ships.

However, thanks to the vigilance of a Contrecoeur resident, Dr. Jacques Desrosiers, who conducted a systematic check of the speed of the ships that went by Saint-Ours island between mid-March and April 2004, we know that this is not at all the case. Indeed, 25% of the 100 ships checked were travelling at a speed deemed acceptable under the standards set, while 75% were cruising at a high or very high speed.

What is the government waiting for to implement more strict and effective measures to monitor the speed of ships on the St. Lawrence River? The federal government has a responsibility regarding shoreline erosion, and it must assume that responsibility before the damage becomes irreversible, which is almost the case already.

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[English]

MEMBER FOR VANCOUVER KINGSWAY

Ms. Sophia Leung (Vancouver Kingsway, Lib.): Mr. Speaker, I have had the honour to serve two terms as the member of Parliament for Vancouver Kingsway. It has been a special privilege for me to work closely with many colleagues here.

For the past seven years I have travelled between Ottawa and Vancouver weekly. I have gained many Aeroplan points while gaining many pounds.

My life has been completely controlled by House duties, meetings, voting bells and junk food, but it has been a most rewarding and challenging experience for me. I would not have traded it for anything else.

Above all, I want to thank my son, Ken, and my many supporters and friends for their support. I also thank members for their friendship and support and salute them all for their commitment and dedication to this land, the nation and the people of Canada.

[Editor's Note: Member spoke in Chinese]

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PUBLIC SERVICE OF CANADA

Mr. Scott Reid (Lanark—Carleton, CPC): Mr. Speaker, Canadians who do not live near Ottawa are not even allowed to apply for half of the jobs posted on the government's employment website www.jobs.ca.

Under the heading "Who Can Apply", most postings list only those people who have a postal code beginning with K1 to K7 or K0A to K0J, et cetera can apply. This is unfair and it is also bizarre.

In my new riding of Lanark—Frontenac—Lennox—Addington for example, people who live in Napanee can apply for jobs because their postal codes begin with K0J. On the other hand, people from Roblin, Camden East, Yarker, Selby, Newburgh, Centreville, Tamworth and Marlbank are ineligible because their postal codes begin with K0K. The fact that Yarker, for example, is closer to Ottawa than

S. O. 31

Napanee, or that Selby is part of the town of Greater Napanee, is somehow treated as if it is not relevant.

In the name of fair play, I urge the government to abolish all geographic restrictions on public service hiring.

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MEMBER FOR DON VALLEY EAST

Mr. Alan Tonks (York South—Weston, Lib.): Mr. Speaker, I wish to express appreciation to the hon. member for Don Valley East and acknowledge his outstanding 25 year long contribution to public life as an MP.

We have all won or lost our share of elections. The member for Don Valley East contested seven federal elections, winning five of those. He was first elected to the House in 1974 in the Trudeau government and went on to serve under four different prime ministers. During his time in office, he distinguished himself as minister of national defence, minister of veterans affairs, minister of transport and minister of state for multiculturalism.

The House of Commons and this great country of ours will miss the member for Don Valley East as he leaves the political arena. Please join with me in applauding the hon. member, who in addition to his exemplary service, will be receiving his master of arts degree from York University this weekend.

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• (1415)

NEW DEMOCRATIC PARTY

Hon. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Speaker, it is the custom of the NDP caucus on Wednesdays to make a statement to the House on issues of concern to women. Today, on behalf of the NDP caucus, I pay tribute to two particular women who have contributed greatly to the life and work of the NDP on Parliament Hill and who will each soon be leaving here for new challenges.

The hon. member for Dartmouth has been a valued member of our caucus and the House, and we give thanks for the quiet depth, the courage and the playwright's eye that she has brought to her work on behalf of Canadian culture, the disabled and the cause of social justice in general.

Sharon McLaughlin, originally from Transcona, Manitoba and long time assistant to NDP House leaders, came to the Hill over 10 years ago and has been a devoted, competent and caring compatriot of the NDP caucus. We give thanks for her organizational talent and the political enthusiasm that she brought to her job in the opposition lobby and to caucus events.

We affectionately wish both Sharon and the hon. member for Dartmouth all the best in their future endeavours.

Oral Questions

[Translation]

INTERNATIONAL AID

Ms. Francine Lalonde (Mercier, BQ): Mr. Speaker, joined by rock star Bono, who had come to Ottawa to attend an international symposium on HIV and education, the Prime Minister took pride in stating that the decision to increase the international aid envelope by 8% a year was made when he was finance minister.

Bono was quick to react by saying that, "In fact, 8% a year is not enough. We would prefer 15% starting this year".

If Bono seemed disappointed when the Prime Minister bragged about his good deeds, then imagine how he would have reacted if he had known the whole story.

When the Liberals came to power in 1993, Canada devoted 0.44% of its wealth to development assistance. By the time the current Prime Minister left the Department of Finance, the figure was down to a mere 0.27%, which is a 40% decrease.

In fact, if the government continues to increase its budget for development aid by 8% a year, it will reach the UN objective only in 2033, 65 years after Lester B. Pearson's proposal.

Bono's reaction—

The Speaker: The hon. member for Edmonton Southeast.

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[English]

HUMAN RIGHTS

Hon. David Kilgour (Edmonton Southeast, Lib.): Mr. Speaker, following the Dalai Lama's visit to Parliament recently, the subcommittee on human rights decided to look at human rights abuses in China, with particular reference to Tibet.

Last week Iris Almeida of Rights and Democracy testified before the subcommittee. She had this to say:

—we are not talking here about anything other than respecting human dignity and autonomy. We are not talking about independence...we are talking about the dignity of people who are isolated, marginalized and who are struggling within the context of known violent strategies to be heard by both China and by the international community.

Canada needs to play a more proactive stance and as an honest broker, as a mediator, as a peace-builder—

One hundred and sixty-five members of Parliament and Senators have called for Canada to act as a peace mediator between China and Tibet. The subcommittee plans to continue its work this afternoon. Many colleagues believe the government must address this in its upcoming international policy review.

* * *

GOVERNMENT POLICIES

Mr. Gary Schellenberger (Perth—Middlesex, CPC): Mr. Speaker, one year ago today I became the member of Parliament for Perth—Middlesex.

One week later one mad cow was found on an Alberta farm. It has been a very trying year for the cattle industry and associated agribusiness.

The government has thrown money at agriculture without a plan to make sure the money actually gets to the farm gate. It forgot totally about agribusiness that was dependent on a healthy cattle industry. It had a cull cow program that did not even cull the cow.

I have watched for a year now as municipalities in my riding, which had previously requested federal funding for infrastructure, find themselves still waiting and wondering.

VIA Rail service in southwestern Ontario continues to be neglected while the gas prices go through the roof.

I have watched as the government was unable to improve health care for Canadians, was unwilling to address the culture of corruption and ignored rising tuition costs.

What a year.

ORAL QUESTION PERIOD

[English]

GASOLINE PRICES

Hon. Stephen Harper (Leader of the Opposition, CPC): Mr. Speaker, the Prime Minister will know that across the country Canadians are struggling with record gas prices. Canadian businesses are being hurt. Canadian consumers are burdened with the difficulties this is causing, but the government itself is rolling in record gas tax revenue.

Will the Prime Minister finally do the right thing and agree to lower gas taxes for Canadians?

● (1420)

[Translation]

Right Hon. Paul Martin (Prime Minister, Lib.): Mr. Speaker, before answering the Leader of the Opposition, allow me to say a few words about several interventions that have been made. I would like to thank the hon. members who will no longer be with us, should we have an election. On behalf of all Canadians, I would simply like to thank these members on both sides of the House.

[English]

Mr. Speaker, perhaps you will just allow me, given that a number of members have risen in the House to thank their colleagues on both sides of the House who have contributed so much, on behalf of all Canadians to thank those people who served with such distinction?

All members on this side of the House are obviously very concerned with the rising gas prices. It is for that reason that it has been referred to the Competition Bureau. The Competition Bureau is working with those agencies and the provinces which are concerned.

I can assure the House that the government will take every measure necessary to deal with this.

Hon. Stephen Harper (Leader of the Opposition, CPC): Mr. Speaker, something is seriously wrong when Canadians are hurting from high gas prices and their own government is benefiting from their pain.

Oral Questions

Not only is the government getting more revenue from the high gas prices, it even charges GST on top of its own gas excise taxes.

Will the Prime Minister agree to at least stop charging GST on top of other taxes? Will the Prime Minister agree to axe the tax on the tax?

Hon. Ralph Goodale (Minister of Finance, Lib.): Mr. Speaker, I am sure that the hon. gentleman would also agree with the government that, first, there has been no change recently in federal taxes. Second, the largest share of taxes is picked up by the provinces, not by the Government of Canada. Third, the important point is that our government has committed itself to work with municipalities across the country to deliver to them not just a full rebate of the GST, but indeed a portion of the fuel tax itself.

Hon. Stephen Harper (Leader of the Opposition, CPC): Mr. Speaker, when all is said and done, the government seems content with high gas prices. The reason is the government does not want to reduce gas taxes, so it actually wants high gas prices.

The Minister of the Environment, when he was first appointed in 1999, issued an internal discussion paper in which he said, "The tax increases required to achieve the Kyoto target would more than double gasoline prices to about \$1.40 per litre".

Will the government admit that the real reason it does not want to do anything is that \$1.40 is its actual target price for gasoline?

Hon. Ralph Goodale (Minister of Finance, Lib.): Mr. Speaker, it is truly remarkable how the Leader of the Opposition can stir and stir around in his own brew and come up with such remarkable inebriation.

The fact of the matter is, since 1995 every measure taken by the government has been to reduce taxes, not to increase them.

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, CPC): Mr. Speaker, talk about stirring, while the Prime Minister and his gang continue to deny their role in the ad scam whodunit, Canadians are getting hosed at the pumps. The Prime Minister has pumped up his own record of fiscal acumen and revised history with false claims.

In reality the Prime Minister has downloaded costs to Canadians by cutting transfer payments to the provinces and by jacking up prices on gasoline.

When will the Prime Minister tell Canadians when they will get a break at the pumps? When will he stop pumping Canadians?

Hon. Ralph Goodale (Minister of Finance, Lib.): Mr. Speaker, we are working on very tangible measures to deliver benefits to Canadians. That is the whole point of our negotiations with the municipalities.

We have already provided the municipalities with a full rebate on the GST. That will amount to \$7 billion over the next 10 years. We are now working on proposals to rebate to the municipalities a significant portion of the federal gasoline tax, along with, we hope, a portion of the provincial excise tax. That will materially help Canadians and local communities.

•(1425)

Mr. Peter MacKay (Pictou—Antigonish—Guysborough, CPC): Mr. Speaker, that is easy for the minister to say while his

limo is idling outside. Gas prices have skyrocketed in the country. The Competition Bureau has launched an investigation into price fixing. Even Liberals are worried about this. The member for Pickering—Ajax—Uxbridge has stated that the public is being fleeced to the tune of at least 7¢ a litre.

My question is for the Prime Minister. When will the Prime Minister take concrete action to bring down the price of gasoline and stop gouging Canadians?

Hon. Ralph Goodale (Minister of Finance, Lib.): Mr. Speaker, it is not a limo. It is a Dodge van and it runs on ethanol fuel. That is for our environmental protection. It is not something that is on the hon. gentleman's mind.

I would point out again that one of the great benefits that we are working on in our agenda for the future is to provide new revenues to municipalities so they can deliver a higher quality of life to Canadians across the country. Obviously the opposition is not interested in that.

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[Translation]

SPONSORSHIP PROGRAM

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, we have a visitor among us today, in the person of the Prime Minister. I greet him, and take advantage of his presence to ask for an explanation of the words he used, words heavy with portent, in connection with the sponsorship scandal. On February 12, the Prime Minister declared himself, and I quote, "absolutely prepared" to go before the Public Accounts Committee and stated that "there had to be political direction".

Since the Liberals have managed to arrange it so that he will not appear before the committee, can the Prime Minister tell us today who was behind that political direction in the sponsorship scandal?

Right Hon. Paul Martin (Prime Minister, Lib.): Mr. Speaker, the Public Accounts Committee was struck precisely to answer such questions, as was the Gomery Commission. This is also the reason Mr. Gauthier was asked to help, that is, to find the answer to these questions.

When the leader of the Bloc mentioned a visitor, I thought he was referring to Bono, who is here to celebrate an announcement with great significance for Canada concerning our lead role in connection with AIDS throughout the world.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, if Bono were more familiar with the record of the Prime Minister, he would surely say "I can't believe the news today".

Since the Prime Minister has stated very clearly that there had to be political direction and that he was prepared to go before the Standing Committee on Public Accounts, why is he running away now? If he knows something, why is he keeping it from the public? Why has he refused to go before the committee to tell it that he does know something and will disclose it?

What he is telling us today is that he knows something but is concealing it, that he does not want the public to know what this party has been up to, filling its pockets with the taxpayers' money.

Oral Questions

Right Hon. Paul Martin (Prime Minister, Lib.): Mr. Speaker, I have made it clear since mid-February that I was prepared to go before the Standing Committee on Public Accounts, the Gomery commission, or anywhere else, and I am saying it again now.

Ms. Caroline St-Hilaire (Longueuil, BQ): Mr. Speaker, the same day, February 12, the Prime Minister declared, and I quote, “that very few ministers, Quebec ministers, did” know. For the Prime Minister to make such a declaration means that someone knew. Still, he has never identified anyone.

I ask the Prime Minister, who claims to want to shed light on the sponsorship scandal, if he can tell us who, in the current cabinet, did know?

Hon. Jacques Saada (Leader of the Government in the House of Commons and Minister responsible for Democratic Reform, Lib.): Mr. Speaker, it is interesting to see that the people who say they want to know what happened are refusing to report to the public on what has been done so far. There is a stark contradiction.

Commissions have been set up precisely to shed light on all this. But they prefer to make assumptions, for political reasons I leave to your imagination, while what we find much more interesting is the truth of the matter. That is why, exactly, there will be a partial report—a preliminary report.

• (1430)

Ms. Caroline St-Hilaire (Longueuil, BQ): Mr. Speaker, the same day, February 12, the Prime Minister also said, and once again I quote, “anybody who knew about that and did nothing should resign immediately.” Despite the Prime Minister's invitation, no one resigned from the current cabinet.

Therefore, if the Prime Minister today refuses to say what he knows, is it not because certain members of his cabinet could be forced to resign?

Hon. Jacques Saada (Leader of the Government in the House of Commons and Minister responsible for Democratic Reform, Lib.): Mr. Speaker, that question comes from a political party whose whip declared in committee that he intended to take—and I quote —“5 hours and 45 minutes—I will do everything to try and go on longer than that” with the aim of preventing the committee from reporting to the people on what has been done.

That is pure and simple hypocrisy.

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[*English*]

HEALTH

Hon. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Speaker, it is curious to see the official opposition concerned about high gas prices; this is the first time in 25 years. I remember a Tory government that fell because it jacked the price of gas up so high. My question for the Prime Minister—

Some hon. members: Oh, oh.

An hon. member: It would have been higher if it was up to you.

The Speaker: Order, please. The hon. member for Winnipeg—Transcona has the floor.

Hon. Bill Blaikie: Mr. Speaker, I have a very simple question for the Prime Minister. The Conservatives have made their position on for profit delivery of health care very clear. They are for it. They are wrong, but at least they are honest. We have made our position clear. We are against it.

I want to ask the Prime Minister, does he think that for profit delivery of health care has a place in our system, yes or no?

Right Hon. Paul Martin (Prime Minister, Lib.): Mr. Speaker, I have said in this House and I will repeat, the reason we want to have a meeting with the premiers this summer, the reason we want to essentially deal with the health care situation is so that more money will flow, that reform will take place, so that in fact the publicly funded, universally accessible health care system that was put in place by a Liberal government will continue and will strengthen.

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INFRASTRUCTURE

Hon. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Speaker, note the absence of any comment whatsoever on non-profit delivery of health care versus for profit private delivery. That was a complete evasion of the question.

I want to ask the Prime Minister, are we to be treated to the same mystery when it comes to the Prime Minister's policies on cities? We are told now that there is a great privatization scheme in the works for cities and how to deal with infrastructure in cities, which we are not supposed to know about until the election.

The people at Earncliffe must be salivating knowing that they are going to have more say than the mayor of Toronto when it comes to spending money on infrastructure. Would the Prime Minister—

The Speaker: The right hon. Prime Minister.

Right Hon. Paul Martin (Prime Minister, Lib.): Mr. Speaker, I would be delighted to tell the parliamentary leader of the NDP about it. The fact is that Canada's major cities are suffering from urban gridlock. They are suffering from air that is not clean and water that is not clean. We intend to deal with it.

At the same time, we intend to deal with the problems of economic development and homelessness that are found in our smaller communities right across the country.

I am delighted to answer the hon. member's question, as I will many times over the course of the next period, and say we are here to defend Canada's cities and its smallest communities. That is part of our policy and we are going to bring it into being.

Oral Questions

[Translation]

GASOLINE PRICES

Mr. James Moore (Port Moody—Coquitlam—Port Coquitlam, CPC): Mr. Speaker, Canadians are wondering who to blame for the price of gas, which is up to almost a dollar a litre. The answer is obvious: the Liberal government.

A study by the Minister of the Environment says that the tax increase required to achieve the Kyoto protocol objectives would double the price of gas from roughly 54¢ a litre to \$1.40 a litre.

Is that not the true Liberal agenda: to have Canadians pay \$1.40 for a litre of gas? Is that not the true Liberal agenda?

[English]

Hon. Ralph Goodale (Minister of Finance, Lib.): Mr. Speaker, the trouble with this opposition is that the question starts with the search for blame. That is typical of what the Conservative Party stands for. It is always on the negative, always angry, always looking to tear down, always looking to criticize. In fact, that party's whole reputation is a witch hunt from beginning to end.

● (1435)

Mr. James Moore (Port Moody—Coquitlam—Port Coquitlam, CPC): Mr. Speaker, this Liberal government has no grounds, as this is the same Liberal Party and this finance—

Some hon. members: Oh, oh.

The Speaker: Order, please. I cannot hear a word. We must have a little order. The hon. member for Port Moody—Coquitlam—Port Coquitlam has the floor now. I am sure he appreciates the help with the question, but we do have to be able to hear him.

Mr. James Moore: Mr. Speaker, we will not take lessons from this Liberal government, which runs ads saying that Canadians should not vote for people because of their faith. We will not take any lectures from this government on that.

The Liberals like to posture as environmentalists, but the fact is that the Liberal agenda on environmentalism is full of hogwash. The Liberals are ripping off Canadians, ripping off travellers, ripping off cities and ripping off provinces. Why will this government not admit that its real agenda on gasoline is to raise prices so fewer people can drive, so it can meet its Kyoto targets? It should just admit the facts—

Right Hon. Paul Martin (Prime Minister, Lib.): Mr. Speaker, the preamble of the hon. member's question is as vile as it possibly could be. Let me say very plainly that faith or religion has no room in politics; the fact is that this government would never allow that. For the hon. member to raise that kind of an issue in this room is the ultimate in prejudice and bigotry and he ought to be ashamed of himself—

Some hon. members: Oh, oh.

The Speaker: Order. If hon. members could carry on some of their arguments on various points in the lobby, we might get on with question period in here. Members are going to be cheated out of their questions if we do not move forward more quickly. Then they will be deprived of the answers and we cannot have that. The hon. member for Medicine Hat, I know, will want to settle things down with his next question.

Mr. Monte Solberg (Medicine Hat, CPC): Mr. Speaker, the environment minister must really be in his happy place these days. A 20¢ a litre jump in gas prices will bring in at least \$600 million in new GST revenues every year. Besides that, low income Canadians in many cases will be forced right off the roads.

It is a Liberal dream come true, especially for the environment minister, but really it is a nightmare for Canadians. When will the Liberals admit that \$1 a litre gas is really exactly what they want as part of their environmental vision for Canada?

Hon. David Anderson (Minister of the Environment, Lib.): Mr. Speaker, we have heard a number of assertions, most of which are false, with respect to the connection between gasoline prices and the environment. May I point out to the hon. members opposite that the break-even price is about 40¢ per litre? Everything after that is profit for the oil companies headquartered in Calgary, and they are the people who are paying off the bills of the two leadership candidates sitting facing us. That is where the money goes. It has nothing to do with the environment.

Mr. Monte Solberg (Medicine Hat, CPC): Mr. Speaker, of course the environment minister is quick to point out how much money oil companies make, but he does not point out how heavily this government taxes them, and the government takes all that money, does it not?

A dollar a litre is just a step on the way to \$1.40 a litre. We have the paper right here, if the environment minister wants to look at it, on his plan to raise the prices to \$1.40 a litre. The environment minister has argued that if we do not raise gas taxes, we will have to raise income taxes. He has argued that we will have to cut hospitals. When he is going to stop the charade that—

The Speaker: The hon. Minister of Natural Resources.

Hon. R. John Efford (Minister of Natural Resources, Lib.): Mr. Speaker, it is time to set the record straight about the members opposite on gasoline prices. Let us look at when Bill C-23 and Bill C-249 came before the committee. Those members opposed the bills to amend the Competition Act and to look into the increase of gas prices each and every time they came before the committee, every time. Why? Because they know that the federal taxes have not increased on gasoline prices. The prices were put up by the oil companies and by the international world price of oil, their friends in Calgary.

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● (1440)

[Translation]

EMPLOYMENT INSURANCE

Mr. Paul Crête (Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, BQ): Mr. Speaker, yesterday, the member for Bonaventure—Gaspé—Îles-de-la-Madeleine—Pabok said he had not had everything. This member who signed the 17 unanimous recommendations of the Standing Committee on Human Resources Development and sits on the Liberal committee that looked at the perverse effects of the employment insurance program admitted that there was some quarrelling over the issue within cabinet.

Oral Questions

Are we to understand from the member's remarks that the Liberals are quarrelling on the backs of the unemployed? Is that what we are to understand?

Hon. Joseph Volpe (Minister of Human Resources and Skills Development, Lib.): What we should understand, Mr. Speaker, is that measures have been implemented that should remedy the problems identified by the Liberal task force, which has indicated that a number of measures were necessary to provide Canadians who find themselves without work with opportunities for brighter futures. We have taken action, and we have done so quickly. Is the hon. member opposite suggesting I not implement these measures?

Mr. Paul Crête (Kamouraska—Rivière-du-Loup—Témiscouata—Les Basques, BQ): Mr. Speaker, to settle their quarrelling, the Liberals took last minute measures, which have been widely criticized. This is the same kind of smoke and mirrors trick as in 2000. The government introduces transitional measures, saying that it will see later. With this government, later means never.

Does the minister understand that his first duty is to help people and that he can settle the quarrelling later?

Hon. Joseph Volpe (Minister of Human Resources and Skills Development, Lib.): Mr. Speaker, our duty is to implement measures dealing with the problems we are seeing in the employment insurance system and to resolve these problems. We have done so. We are giving hope to our fellow citizens who find themselves without work. Through these measures, we are trying to give them the future we would like for all other Canadians. What I see are measures providing \$280 million to the regions. That is good news.

Mr. Sébastien Gagnon (Lac-Saint-Jean—Saguenay, BQ): Mr. Speaker, the Prime Minister has made commitments to the Sans-Chemise to solve the problem of seasonal work. But, far from being the answer to their hopes, the measures announced today are causing anger. They have been described variously as “insulting and clearly inadequate” and “thumbing their noses at workers”. The Sans-Chemise commented “They are just making fun of us”.

Can the Prime Minister tell us frankly whether these are the kind of reactions he expected to this empty shell? Is it not a negative move?

Hon. Joseph Volpe (Minister of Human Resources and Skills Development, Lib.): Mr. Speaker, what is negative is the criticism just delivered by the member opposite. It does not, of course, take into account the \$280 million to resolve the problems noted in employment insurance and to give people some hope. This is a duty—something unfamiliar to the Bloc, of course.

Mr. Sébastien Gagnon (Lac-Saint-Jean—Saguenay, BQ): Mr. Speaker, let us be perfectly clear. People do not live in the regions on a temporary basis. That is where they want to live permanently. At the present time, the regions are being depopulated, and this phenomenon is certainly not going to be remedied with these half measures. It is not a privilege to live in the regions, it is a right.

Does the Minister of Human Resources and Skills Development understand that the people in the regions are calling for more than transitional or temporary solutions? They are calling for a complete, and permanent, reform of the employment insurance system.

Hon. Joseph Volpe (Minister of Human Resources and Skills Development, Lib.): Mr. Speaker, as I have stated on several

occasions, I am waiting for the final report by the Liberal task force. I must emphasize that again. It has made some very positive recommendations, and I have acted immediately. I have also said that we are aware of the situation with the seasonal industries. A concrete solution must involve provincial authorities, the industries and the regional agencies.

* * *

[English]

SPONSORSHIP PROGRAM

Mrs. Diane Ablonczy (Calgary—Nose Hill, CPC): Mr. Speaker, the Liberal horror movie “Ad Scam” cost taxpayers a quarter of a billion dollars. The Prime Minister admits this over budget turkey had to have a political director, but Liberal censorship left the witness list on the cutting room floor.

The Prime Minister as former finance minister kept writing cheques to cover out of control production costs. Is his leading role not the real reason the committee inquiry was cut?

● (1445)

Hon. Stephen Owen (Minister of Public Works and Government Services, Lib.): Mr. Speaker, the Auditor General recently said to the public accounts committee that she had never said that \$100 million, let alone \$250 million, had been stolen or misplaced. She said that there were inadequate contracts and paperwork for the transactions, and that all of the various processes that are in train will look into these matters.

For three months, for 40 witnesses, the public accounts committee, sometimes being stalled by the opposition, has been hearing witnesses. The time has come for an interim report.

Mrs. Diane Ablonczy (Calgary—Nose Hill, CPC): Mr. Speaker, the Auditor General said that \$250 million was mismanaged and that was not a compliment. There was waste, mismanagement and corruption. That pretty much sums up the sponsorship program.

Canadians want to know, who gave the orders and where did the money really end up? Why did the Liberals shut down the committee before the truth could come out?

Hon. Stephen Owen (Minister of Public Works and Government Services, Lib.): Mr. Speaker, nobody has shut down the committee. I am sure that the research staff on the public accounts committee could provide a definition for the word interim to the hon. member.

After hearing from former ministers of public works, from deputy ministers, and from political staff, the time has come to give some reporting to the Canadian public of what the committee has heard and what it makes of it to date.

Oral Questions

Mr. Jason Kenney (Calgary Southeast, CPC): Mr. Speaker, that reporting has been in the media every day, but yesterday's motion to shut down hearing other witnesses and to move into secret hearings, combined with the Prime Minister's apparent intention to shut down Parliament next week means that Canadians will lose their only window into the truth on the Liberal sponsorship scandal.

The Prime Minister promised that he would get to the bottom of this before going to the polls. I want to know, why is he breaking that promise? Why is he breaking his word?

Hon. Stephen Owen (Minister of Public Works and Government Services, Lib.): Mr. Speaker, the hon. member and other members of the public accounts committee have had every opportunity to report to the Canadian public on what they have heard and how they have considered the evidence so far.

In the meantime, we have criminal investigations and we have had criminal charges. Those criminal proceedings are going forward. A special counsel has been appointed for the recovery of finances. That person is working hard and there should be lawsuits soon. We have every process in mind, including the public inquiry beginning in the fall. The Canadian public will have a full view of what has happened here.

Mr. Jason Kenney (Calgary Southeast, CPC): Mr. Speaker, there is no chance the Canadian public will even have a partial view before this Prime Minister tries to call an election because he does not want Canadians to know the truth.

The issue is, why did the Prime Minister make a promise in February that he would leave no stone unturned to get to the bottom of the Liberal sponsorship corruption before going to the polls? Why are his Liberal hacks now shutting down the committee, moving it into secret, and allowing no more witnesses with 90 more to be heard, with the public inquiry not to start for months? Why did he break his word? Why did he break his promise? Why did he not tell the truth to Canadians?

Hon. Stephen Owen (Minister of Public Works and Government Services, Lib.): Mr. Speaker, I note that the chair of the public accounts committee has just entered the chamber. He said a couple of months ago that he would like to have a preliminary report soon based on the committee's work. That was in February.

Here we are three months later, 40 witnesses later, including former ministers and deputy ministers, and including political staff. Let us have a report for the public to find out what the public accounts committee has found.

* * *

[*Translation*]

EMPLOYMENT INSURANCE

Mr. Gilbert Barrette (Témiscamingue, Lib.): Mr. Speaker, yesterday, following the recommendations of the Liberal task force, the Minister of Human Resources and Skills Development announced new measures for seasonal workers.

Can the minister confirm to this House that the five-week extension of employment insurance will take place under existing conditions?

Hon. Joseph Volpe (Minister of Human Resources and Skills Development, Lib.): Mr. Speaker, it is quite simple and straightforward; the answer is yes, provided people are in an economic zone with an unemployment rate of 10% or greater.

* * *

• (1450)

ELECTORAL BOUNDARIES

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, yesterday the Federal Court made a ruling in which it reversed the decision of the Electoral Boundaries Commission for New Brunswick to transfer certain municipalities from the riding of Acadie—Bathurst to that of Miramichi. The Minister of Justice now has 12 months to recognize the decision of the court.

Can the minister make a commitment today to introduce a bill immediately—before the imminent election call—to implement the Federal Court ruling and ensure justice is done to the people of Acadie—Bathurst, who were overlooked by the commission?

Hon. Jacques Saada (Leader of the Government in the House of Commons and Minister responsible for Democratic Reform, Lib.): Mr. Speaker, I understand my colleague's question. The decision on the Raïche case was indeed made public yesterday. It is a good 40 pages long and merits close study.

Nevertheless, this decision raises questions that go far beyond simply establishing the electoral map for two electoral districts. It questions the very independence of the commission, which was established under the laws of our Parliament specifically to be separate from political interference. The hon. member's request for a bill would compromise the commission's independence. We must consider all this before we decide what to do.

* * *

[*English*]

ELECTORAL REFORM

Hon. Lorne Nystrom (Regina—Qu'Appelle, NDP): Mr. Speaker, my question is for the right hon. Prime Minister.

The Prime Minister often speaks about a democratic deficit in this country. Yet, he has bypassed nominating conventions and appointed several of his own Liberal candidates.

I want to ask the Prime Minister, would he agree to amend the Canada Elections Act to make it mandatory that where there is a riding association, to be a candidate in a federal campaign a man or a woman must be nominated by his or her riding association? Would the Prime Minister agree to that? It is democratic. It is a step in the right direction. Most of us do it. Would he do it as well?

Right Hon. Paul Martin (Prime Minister, Lib.): Mr. Speaker, in terms of those who will be running for the Liberal Party in the next election, overwhelmingly the vast majority have won in nomination battles and nomination fights.

Oral Questions

It is true that the leader of the Liberal Party does have the right to nominate certain candidates and in a very small minority of cases he has done so.

I would like to point out to the hon. member the presence in Liberal ranks of Chris Axworthy, Ujjal Dosanjh, Dave Haggard, and a number of NDPers who have seen the light, who understand that in fact—

The Speaker: The hon. member for Fraser Valley.

* * *

AGRICULTURE

Mr. Chuck Strahl (Fraser Valley, CPC): Mr. Speaker, yesterday in the Fraser Valley the Canadian Food Inspection Agency rolled its equipment on to a local duck farm and killed 40,000 birds.

It killed them even though the flocks appeared healthy as all tests to date indicated they did not have the type of virus that is harmful to other poultry or to humans. It killed them in spite of the fact that if it had waited for 24 hours it would have had conclusive blood tests either way.

After three months of avian flu concerns in the valley, why does the CFIA not have a scientific, rules based protocol in place to deal with the specialty bird growers in the Fraser Valley?

Hon. Bob Speller (Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, in fact, the Canadian Food Inspection Agency does exactly that.

First, how we have worked in this situation is how we have worked in agriculture. We bring in the producers, the processors, and the provincial government. We work very closely with them to ensure that the actions we take are first and foremost in conformity with the best science that we know.

Second, we want to respect the farmers and their farming practices.

Mr. Chuck Strahl (Fraser Valley, CPC): Mr. Speaker, I wish that were true. The minister will remember the last time the agency dealt with specialty birds. It killed thousands of pigeons and squab in the valley. Then a week later it came back and told the farmers that it was a mistake, that it should not have killed them, and that it was not a problem in the Fraser Valley at all.

The other problem is on the compensation front. The minister sent out cheques to many of the farmers in the valley. That is appreciated even though it does not cover all the costs. The problem now is that farmers have letters saying that the agency wants that money clawed back.

Will the minister assure us that the money will not be clawed back and that farmers will receive full compensation for the full costs of the value of their flocks in the Fraser Valley?

Hon. Bob Speller (Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, as I said, the Government of Canada is working very closely with the municipalities, the province, the producers and the processors to ensure that the approach we take is an approach that respects the right to farm and, in fact, respects the best science that we know.

The Canadian Food Inspection Agency is working very hard. The CFIA has Canadians from all across Canada working for it who have come to the member's part of the country to help eradicate this disease. Our goal is to first and foremost eradicate this disease.

* * *

● (1455)

FISHERIES

Mr. Loyola Hearn (St. John's West, CPC): Mr. Speaker, fishermen in Atlantic Canada did not get “mucho bono” from previous fisheries ministers. Now they are looking at the present minister and saying, “not you too”, as they see fuel prices rise. They see insurance going sky high and they know they will be prosecuted for catching a single codfish even though foreigners can take home boatloads and nobody cares.

Will the minister finally admit that the NAFO is just not working and that it is time for Canada to manage its own destiny?

Hon. Geoff Regan (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, perhaps my hon. colleague would like to hear what his own leader said about this very issue not long ago in Moncton, New Brunswick. He said:

I will endeavour to substantially reform the North Atlantic Fisheries Organization so that Canada's fish stocks would be better protected, and I would reserve the right to take unilateral action to protect them if these international arrangements fail

Clearly, his emphasis is on the NAFO.

Mr. Loyola Hearn (St. John's West, CPC): Absolutely, Mr. Speaker. That is the process we thought might work for years. We have seen recently that it will not work.

I challenge the member to answer whether or not he will put in his red book that we will take custodial management over the nose and tail of the Grand Banks, because we will.

Hon. Geoff Regan (Minister of Fisheries and Oceans, Lib.): Mr. Speaker, because of our actions over the past 10 days, the foreign vessels on the Grand Banks have moved to deeper waters where they are not directing their efforts toward fishing species like cod that are under moratorium, or they have been called back to their home ports. That is being effective.

* * *

[Translation]

GASOLINE PRICES

Mr. Serge Cardin (Sherbrooke, BQ): Mr. Speaker, the Prime Minister wants members of Parliament to play a larger role, but he has brushed aside the proposal by the Standing Committee on Industry to create a petroleum monitoring agency, saying that it would be pointless. He prefers to have the Competition Bureau do another study. And that, even though the oil companies say they are in favour of the creation of the monitoring agency.

Oral Questions

Will the Prime Minister recognize that giving an active role to MPs and listening to what they recommend in committee are also ways to reduce the democratic deficit?

[*English*]

Hon. R. John Efford (Minister of Natural Resources, Lib.): Mr. Speaker, I said to all hon. members in this House last Friday that I will talk to the pricing commissioners in Newfoundland and Labrador, in P.E.I. and in Quebec. I will also talk to the industry stakeholders out in western Canada. The Competition Bureau is doing an investigation because of complaints from consumers, based on no facts, just based on complaints from consumers.

When all of that is done, I will report back to the House on my discussions with each one of those organizations.

[*Translation*]

Mr. Serge Cardin (Sherbrooke, BQ): Mr. Speaker, at the moment, the government is standing idly by, watching the dizzying rise in the price of gasoline. The Competition Bureau, we know, is completely ineffective. Neither Parliament nor the government have the necessary tools to bring order to this sector.

While the members of the Standing Committee on Industry propose a mechanism for understanding what is going on in the petroleum sector, how can the Prime Minister claim that a petroleum monitoring agency is a useless concept?

[*English*]

Hon. R. John Efford (Minister of Natural Resources, Lib.): Mr. Speaker, what is it the hon. member does not understand about economics? It is supply and demand. When there is a greater demand, up goes the price. If he needs a course on it, I will give him a full explanation after question period.

* * *

PUBLIC SERVICE

Mrs. Lynne Yelich (Blackstrap, CPC): Mr. Speaker, two Saskatchewan law students responded to our Monday question about government jobs for students being restricted to residents with certain postal codes around Ottawa.

These students both applied to work in Ottawa under the federal student work experience program which claims fair and equal access. They were told in writing that “we try to place students from the capital region first”.

Why are students in Saskatchewan denied the same job opportunities as those in the national capital region?

Hon. Reg Alcock (President of the Treasury Board and Minister responsible for the Canadian Wheat Board, Lib.): Mr. Speaker, this issue was raised with me by the Minister of Finance some months ago. The president of the Public Service Commission has been informed. She is quite concerned about it. She has spoken to the staff person who responded to these students and is undertaking to contact them herself directly.

• (1500)

Mrs. Lynne Yelich (Blackstrap, CPC): Mr. Speaker, we also spoke to the president of the Public Service Commission who could not fix this discrimination by postal code because the President of

the Treasury Board refuses to release the funds to implement the plan.

The president of the Public Service Commission has a strategy and a plan; however, the Liberals seem determined to keep Canadians from working in their own capital.

Will the President of the Treasury Board now support the Public Service Commission's request and release funds to fix this inequality or will the Liberals continue to perpetuate this?

Hon. Reg Alcock (President of the Treasury Board and Minister responsible for the Canadian Wheat Board, Lib.): Mr. Speaker, as is not uncommon, the hon. member is mixing two completely different issues. In fact, the president of the Public Service Commission came before the committee and indicated that it had indeed been given money to develop the prototype, that Treasury Board required certain conditions be met, and that it was working toward that.

She said that it was an estimate but at this point she had to add a big caveat because she thought that more detailed work was necessary in terms of how the prototype was going to be moved forward before returning and asking for more money.

* * *

AGRICULTURE

Hon. Susan Whelan (Essex, Lib.): Mr. Speaker, since 2000, Canada has been affected by the introduction of three devastating imported forest pests, the emerald ash borer in southwestern Ontario, the Asian longhorned beetle in Ontario and the brown spruce longhorn beetle in Halifax.

As part of its aggressive control and eradication campaign, the Canadian Food Inspection Agency has ordered many trees destroyed.

Will the Minister of Agriculture and Agri-Food compensate tree owners for their losses?

Hon. Bob Speller (Minister of Agriculture and Agri-Food, Lib.): Mr. Speaker, I thank the hon. member for Essex, and the hon. members for Vaughan—King—Aurora, Etobicoke North, Chatham—Kent Essex and Lambton—Kent—Middlesex for all the support they have given me on this issue.

I would like to inform them and the House that the Government of Canada will be announcing today a \$6.5 million compensation package to compensate farmers and families across Canada who have been impacted by the fact that the Canadian Food Inspection Agency has had to cut down trees within their communities.

* * *

HEALTH

Mr. Rob Merrifield (Yellowhead, CPC): Mr. Speaker, the government continues to mistreat victims of hepatitis C.

Business of the House

One of my constituents, Phylis Dixon, received a lump sum and \$1,000 a year from the compensation fund. However she has just recently been cut off because she could not prove that she contracted hepatitis C in 1988.

Mrs. Dixon is a World War II veteran. She recently had a liver transplant and gets around with a walker. Is this the government's idea of compassion?

Hon. Pierre Pettigrew (Minister of Health, Minister of Intergovernmental Affairs and Minister responsible for Official Languages, Lib.): Mr. Speaker, the Government of Canada is quite sensitive to the people living with hepatitis C. I will gladly look into the specific case that the member has raised in the House at this time.

Mr. Rob Merrifield (Yellowhead, CPC): Mr. Speaker, out of the \$1.2 billion, just \$366 million has now been paid to the victims. There is far more in the fund, enough to cover all of the victims. We know the government was liable back as far as 1981. What is the government doing with the \$800 million left in the fund if it is not looking after people like Mrs. Dixon?

Hon. Pierre Pettigrew (Minister of Health, Minister of Intergovernmental Affairs and Minister responsible for Official Languages, Lib.): Mr. Speaker, there has been money invested to help the victims of hepatitis C. We are monitoring the fund with care. We do care for these people with hepatitis C and we will continue to do that job in the next few years.

* * *

[Translation]

FOREIGN AFFAIRS

Ms. Christiane Gagnon (Québec, BQ): Mr. Speaker, the prosecutor for the U.S. government recently said that Mohammed Cherfi posed a threat to public safety in Canada because he had participated in a demonstration at a government building.

Could the Minister of Public Safety confirm whether the Canadian government told the U.S. government that Mohammed Cherfi posed a threat to public safety in Canada? If not, will she rectify these conclusions with the American government?

[English]

Hon. Anne McLellan (Deputy Prime Minister and Minister of Public Safety and Emergency Preparedness, Lib.): Mr. Speaker, as the hon. member knows, I am not allowed to speak to any individual case but I want to reassure the hon. member that due process is in place and due process is respected in relation to anyone who is removed from this country.

* * *

● (1505)

PUBLIC WORKS AND GOVERNMENT SERVICES

Mr. Rodger Cuzner (Bras d'Or—Cape Breton, Lib.): Mr. Speaker, today in Sydney, Nova Scotia, the Government of Canada in partnership with the province of Nova Scotia, announced a project to clean up the Sydney tar ponds.

Years of study and consultation culminated today in announcing a plan that is supported by all sectors of the community.

My question is for the Minister of Public Works and Government Services. Now that the cleanup technologies have been identified and the necessary money peeled out, when can the people of Sydney expect to see the clean up begin?

Hon. Stephen Owen (Minister of Public Works and Government Services, Lib.): Mr. Speaker, I am most grateful to the member from Bras d'Or—Cape Breton for a substantive policy issue of great importance to the Canadian people, and particularly the people of Sydney and Cape Breton.

Today the Government of Canada, together with the Government of Nova Scotia, committed \$400 million to the clean up of the Sydney tar ponds, as was reported on and pledged in the February Speech from the Throne.

The work will begin soon. I thank the member for Sydney—Victoria and the member for Bras d'Or—Cape Breton who both worked hard on behalf of their constituents leading to a 10 year clean up—

The Speaker: The right hon. member for Calgary Centre.

* * *

HEALTH

Right Hon. Joe Clark (Calgary Centre, PC): Mr. Speaker, my question for the Prime Minister is about HIV-AIDS funding within Canada.

I commend his international initiatives, but he knows that HIV-AIDS is a major issue at home too. He knows that last year the Deputy Prime Minister said "it's important to at least double" domestic funding "on an annual basis".

Will the Prime Minister honour the word of the Deputy Prime Minister and "at least double" domestic funding on HIV-AIDS?

Hon. Pierre Pettigrew (Minister of Health, Minister of Intergovernmental Affairs and Minister responsible for Official Languages, Lib.): Mr. Speaker, I am very pleased that the right hon. member is asking this very pertinent question. For many years the HIV-AIDS strategy that the Government of Canada set up has been very useful to Canadians. I am pleased to say that I will be making an announcement shortly that we will double the funding for the HIV-AIDS strategy over the next five years to \$84 million.

* * *

[Translation]

BUSINESS OF THE HOUSE

The Speaker: Pursuant to Standing Order 81(14), it is my duty to inform the House of the motion to be considered tomorrow during the consideration of the business of supply.

[English]

That, in the interest of transparency, the government should ensure that the work that has been done by the Standing Committee on Public Accounts into the sponsorship scandal be continued after the Prime Minister calls a general election and until the Standing Committee on Public Accounts is reconstituted in a new parliament by establishing a commission under the Inquiries Act.

The motion, standing in the name of the hon. member for Pictou—Antigonish—Guysborough, is votable.

[Translation]

Copies of the motion are available at the table.

* * *

[English]

POINTS OF ORDER

ORAL QUESTION PERIOD

Hon. David Anderson (Minister of the Environment, Lib.): Mr. Speaker, earlier in question period the member for Medicine Hat made reference to a document which he claims gives my views on a subject on which a large number of alliance Conservative members have given erroneous information over the last two days.

Given the fact that he stated such a document exists, I wonder whether he would be kind enough to table it.

Mr. Monte Solberg (Medicine Hat, CPC): Mr. Speaker, I would be happy to table a document called “Transportation and Climate Change: Options for Action”, a document that comes from the minister’s department dated November 1999. In fact, it does state that tax increases required to achieve the targets would have to go from 54¢ a litre to \$1.40. We are happy to table the document.

The Speaker: Does the hon. member for Medicine Hat have the unanimous consent of the House to table the document?

Some hon. members: Agreed.

WITHDRAWAL OF COMMENTS

Mr. John Williams (St. Albert, CPC): Mr. Speaker, last night on national television I said that Mr. Pierre Tremblay worked for the member for Glengarry—Prescott—Russell when he was the minister of public works and government services. I now know that was factually incorrect and that Mr. Pierre Tremblay worked for Mr. Alfonso Gagliano when he was the minister but not for the member for Glengarry—Prescott—Russell.

I fully and completely withdraw the allegation that Mr. Tremblay worked for the member for Glengarry—Prescott—Russell when he was the minister of public works and government services and, unreservedly, apologize to the member for any hurt or embarrassment which I may have caused to him.

• (1510)

Hon. Don Boudria (Glengarry—Prescott—Russell, Lib.): Mr. Speaker, I only want but a moment of the House’s time to thank the committee chair, the hon. member for St. Albert, for the very courteous gesture that he has just demonstrated. I thank him very much for this act of generosity.

Routine Proceedings

ROUTINE PROCEEDINGS

[English]

GOVERNMENT RESPONSE TO PETITIONS

Hon. Roger Gallaway (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, pursuant to Standing Order 36(8) I am pleased to table, in both official languages, the government’s response to 29 petitions.

* * *

QUARANTINE ACT

Hon. Joseph Volpe (for the Minister of Health) moved for leave to introduce Bill C-36, an act to prevent the introduction and spread of communicable diseases.

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

* * *

[Translation]

COMMITTEES OF THE HOUSE

CANADIAN HERITAGE

Ms. Sarmite Bulte (Parkdale—High Park, Lib.): Mr. Speaker, I have the honour to table, in both official languages, the first report of the Standing Committee on Canadian Heritage, entitled “Interim Report on Copyright Reform”.

* * *

TEXTILE LABELLING ACT

Mrs. Marlene Jennings (Notre-Dame-de-Grâce—Lachine, Lib.) asked for leave to introduce Bill C-527, an act to amend the Textile Labelling Act.

She said: Mr. Speaker, it is a true honour for me to introduce Bill C-527, an act to amend the Textile Labelling Act.

[English]

This is a long awaited initiative among those in Canada who decry the use of sweatshop labour in developing and least developed countries to produce the clothes that we wear in Canada.

The bill would make it possible for Canadian consumers to identify the name and address of the factory that produced an item of clothing. Labels would include a reference number that Canadians could use to check on the Internet where their clothes were being made.

[Translation]

More than 10,000 young Canadians have already signed the petition, circulated in Quebec by Amnesty International, calling for this type of labelling.

[English]

With the bill, Canadians will have access to greater information. It will be at their disposal and they will know when they buy the clothes.

Routine Proceedings

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

* * *

CONTROLLED DRUGS AND SUBSTANCES ACT

Mr. Rob Merrifield (Yellowhead, CPC) moved for leave to introduce Bill C-528, an act to amend the Controlled Drugs and Substances Act (substances used in the production of methamphetamine).

He said: Mr. Speaker, I am pleased to introduce this very important bill. It would give the RCMP the tools to crack down on crystal methamphetamine problems. This illegal drug has rampaged my riding as well as most of the ridings in Alberta. It is a very serious problem.

The legislation is supported by the Alberta Association of Municipal Districts and Counties. They are struggling with this problem on a firsthand basis in their communities.

I talked to an RCMP member on the weekend. He was very impressed with the opportunity to have legislation that would give him the tools to crack down on those elements that go toward the making of crystal methamphetamine.

The legislation is commonplace in many of the states in the United States. It is a matter that we should be looking at very seriously because it would give the RCMP the ability to crack down on this drug. The precursor of being able to make the drug and having large amounts of it in a person's possession would be deemed an illegal act. It is something that we encourage the House to consider as we move it forward.

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

* * *

●(1515)

NATIONAL MOTTO ACT

Mr. Rick Laliberte (Churchill River, Lib.) moved for leave to introduce Bill C-529, an act respecting the motto of Canada.

He said: Mr. Speaker, I rise today with great honour to introduce an act respecting the motto of Canada, seconded by the hon. member for Vancouver Kingsway.

The current motto is "from sea to sea", which is based on scripture. It says "He shall have dominion from sea to sea and from the river unto the ends of the earth".

I propose that the new motto should reflect a vision of who we truly are as Canadians. We are a nation of rivers and a river of nations. As a nation of rivers, we are blessed and responsible for the numerous river basins which are ascertained by founding treaties.

The river of nations celebrates all our ancestors and our multiculturalism, inclusive of the original nations and all the nations that come from the ends of the earth.

Therefore, I hereby declare that the motto of Canada should be "natio fluminum, flumen nationum", a nation of rivers and a river of nations.

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

PETITIONS

RELIGIOUS FREEDOMS

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I have two petitions today. The first is on the subject matter of hate crime.

The petitioners would like to draw to the attention of the House that all Canadians abhor hate motivated attacks and believe that promoting hatred toward any person or group is wrong.

The petitioners are concerned about the possible impact of the proposed amendments to section 318 of the Criminal Code. Therefore, they call upon Parliament to take all measures necessary to protect the rights of Canadians to freely share their religious and moral beliefs without fear of prosecution.

MARRIAGE

Mr. Paul Szabo (Mississauga South, Lib.): Mr. Speaker, I have five petitions all on the subject of marriage.

The petitioners want to draw to the attention of the House that marriage is the foundation for families and raising children, that it is an institution as between a man and a woman and that it also is being challenged. The petitioners also point out that marriage is the exclusive jurisdiction of Parliament.

They call upon Parliament to pass legislation to recognize the institution of marriage in federal law as being the lifelong legal union of one man and one woman to the exclusion of all others.

TAXATION

Miss Deborah Grey (Edmonton North, CPC): Mr. Speaker, this may be my last chance for me to present a petition. I would like to present a petition on behalf of many Canadians. I have presented thousands already for people who use alternative medicine, such as vitamins and supplements. They spend thousands of dollars out of their pockets.

Now it says in the Income Tax Act, "as recorded by a pharmacist", but there should be licensed health food stores that allow that as well. Also, because they spend many thousands of dollars on vitamins and supplements, they believe they should be GST exempt. This of course would help us in the long run as we baby boomers grow older.

Therefore, these petitioners call upon Parliament to take necessary steps to change paragraph 118.2(2)(n) of the Income Tax Act and that these things should be GST exempt.

I would like to pay tribute to Stella Melnychuk and her group Citizens for Choice in Health Care for their tenacity in bringing this issue forward time and again to Parliament, and certainly pray that something would be done about it finally.

Routine Proceedings

•(1520)

EMPLOYMENT INSURANCE

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, I have two petitions to present. The first petition is on the employment insurance fund that now stands at \$44 billion.

The petitioners request Parliament to call upon the government to make changes to the employment insurance program so that unemployed Canadian workers will have greater access to the program.

[*Translation*]

SENTIER PÉNINSULE BICYCLE TRAIL PROJECT

Mr. Yvon Godin (Acadie—Bathurst, NDP): Mr. Speaker, my second petition reads as follows:

We, the undersigned residents of Canada, draw the attention of the House to the following:

That we, the undersigned support the Sentier Péninsule bicycle path project.

Sentier Péninsule is part of the NB Trail and needs to be maintained for the benefit of future generations. Therefore, the petitioners call on Parliament to provide funding to revitalize this project in the Acadian peninsula.

EMPLOYMENT INSURANCE

Mr. Michel Guimond (Beauport—Montmorency—Côte-de-Beaupré—Île-d'Orléans, BQ): Mr. Speaker, I am pleased to table a petition signed by several hundred citizens, most of whom are from the North Shore, but come also from the Upper North Shore, Forestville and Rivière-Portneuf RCMs.

The petitioners are asking the government to make extensive changes to the employment insurance program, to put an end to transitional measures, to increase workers' benefits and to adopt a universal employment insurance program.

I should point out that the petitioners signed this petition before the announcement made yesterday by the Minister of Human Resources Development and Skills Development. This announcement is deemed totally inadequate by the unemployed on the Upper North Shore, particularly seasonal workers. I am convinced that these people would immediately sign the same petition again.

[*English*]

MARRIAGE

Mr. Pat O'Brien (London—Fanshawe, Lib.): Mr. Speaker, I am pleased to present a petition from some 200 citizens of London, Ontario calling upon the Government of Canada to uphold the traditional definition of marriage as it has been known throughout the centuries and since the start of this country. The petitioners note that marriage is understood as between one man and one woman, which predates any existing state and crosses all cultural and religious lines.

In presenting this petition, it concludes the presenting of petitions of some 25,000 citizens of London, Ontario calling upon the government to take action and be consistent in defending the traditional definition of marriage. I am most pleased to support it.

Mrs. Diane Ablonczy (Calgary—Nose Hill, CPC): Mr. Speaker, it is my honour to present a petition on behalf of over 500 constituents of my riding of Calgary—Nose Hill.

The petitioners pray that Parliament will pass legislation to recognize the institution of marriage in federal law as being a lifelong union of one man and one woman to the exclusion of all others.

[*Translation*]

PASSPORT OFFICE

Mr. Serge Cardin (Sherbrooke, BQ): Mr. Speaker, I am tabling a petition signed by several hundred persons. The petitioners are asking for the establishment of a regional passport office in Sherbrooke. This petition is in addition to the one that I tabled previously. This means that there are now over 13,000 people from Sherbrooke and the surrounding region who have signed a petition, which is a very clearly indication of the need expressed by the public.

[*English*]

BEADS OF HOPE CAMPAIGN

Hon. Bill Blaikie (Winnipeg—Transcona, NDP): Mr. Speaker, it is my honour to present two petitions, both of which contain many thousands of signatures gathered through the Beads of Hope Campaign, organized by the United Church of Canada.

The petitioners call upon Parliament to use its influence in international financial institutions to cancel multilateral debt of impoverished countries, to cancel bilateral debt that developing countries owe to Canada, to continue to increase Canada's official development assistance to meet the goal of 0.7% of gross national income, while increasing support for the United Nations global fund to fight AIDS, tuberculosis and malaria and to promote sustainable development strategies prepared in-country with a high level of civil society input and involvement.

The petitioners also call upon Parliament to ensure that patents or trade related intellectual property rights do not block access to public goods like life-saving medicines.

They further call upon Parliament to double funding to the federal government's domestic program, the Canadian Strategy on HIV-AIDS, to address HIV-AIDS in Canada.

NATIONAL DEFENCE

Mr. Werner Schmidt (Kelowna, CPC): Mr. Speaker, a number of petitioners from my constituency pray that Parliament maintain Canada's multilateral approach to security and reaffirm this country's support for non-proliferation arms control and disarmament and that it reject any and all plans for weapons and war in space, including plans for missile defence. They seek Canada's withdrawal from any discussion or participation in missile defence and the weaponization of space.

•(1525)

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC): Mr. Speaker, I have three petitions. The first is on behalf of the soldiers of Roto O Operation Athena, who served in Afghanistan between December 2003 and February 2004.

Government Orders

The petitioners ask that Parliament correct the mistake of the federal government budget 2004 so the soldiers of Roto O Operation Athena receive the same tax exemption as the soldiers of Roto I Operation Athena.

BILL C-250

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC): Mr. Speaker, the second petition calls for the repeal of Bill C-250 because the bill robs Canadians of their freedom of speech.

PROPERTY RIGHTS

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC): Mr. Speaker, the third petition calls upon Parliament to correct the mistake of 1982 and amend the Constitution Act to include the right to own, use and earn a living from private property, because current regulations, gun control, animal control, unnecessary pollution and waste control, farmland and bush land controls, are killing the rural way of life.

FIREARMS REGISTRY

Mr. Rob Anders (Calgary West, CPC): Mr. Speaker, hundreds of law-abiding gun owners in Calgary and other places wish me to present a petition. The petitioners state that the gun registry has cost \$1 billion, actually it is probably about \$2 billion, that the gun registry is not supported by the provinces, that the gun registry has not reduced gun crimes and they would like a repeal of the gun registry.

SENATE

Mr. Rob Anders (Calgary West, CPC): Mr. Speaker, my second petition is from some other constituents who want to see a Senate that is both elected and effective. It is something we have heard before in this place.

HUMAN RIGHTS

Mr. Rob Anders (Calgary West, CPC): Mr. Speaker, my last petition is from people who are very concerned about the issue of Tibet and China's invasion of that country. They are concerned with issues of unprovoked aggression, the thousands of Buddhist monasteries that have been destroyed, the banning of religious activity in Tibet and the cessation of practices that deprive the Tibetan people of their fundamental human rights and freedoms, including their right to self-determination.

* * *

STARRED QUESTIONS

Hon. Roger Gallaway (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, would you be so kind as to call Starred Question No. 84.

[Text]

*Question No. 84—**Mr. Guy St-Julien:**

What are the total costs to the government in relation to the Canadian firearms program for the following ridings: (a) Abitibi—Baie-James—Nunavik; (b) Roberval; and (c) Témiscamingue?

[English]

Hon. Roger Gallaway: Mr. Speaker, I would ask that the answer to Question No. 84 be printed in *Hansard* as if read.

The Speaker: Is that agreed?

Some hon. members: Agreed.

Hon. Roger Gallaway (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): Mr. Speaker, the total amount disbursed to the province of Quebec related to the agreement with the Canada Firearms Centre is \$45,172,268. This covers the period from fiscal year 1998-99 to 2001-02. The formal agreement for the fiscal years 2002-03 and 2003-04 is in the final approval process. The estimated costs related to these years are \$10,436,957 and \$8,600,000 respectively.

The agreement with the province of Quebec states that the province agrees that it will perform all the required services with respect to the administration of the Firearms Act within its jurisdiction. The baseline has been developed premised on a number of operating projections such as the various estimates with respect to the number of firearms and firearms owners, the anticipated entry rates, the structure and resources of future operating organizations, et cetera.

Mr. Speaker, I ask that the remaining questions be allowed to stand.

The Speaker: Is that agreed?

Some hon. members: Agreed.

* * *

MOTIONS FOR PAPERS

Hon. Roger Gallaway (Parliamentary Secretary to the Leader of the Government in the House of Commons, Lib.): 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

[English]

CRIMINAL CODE

The House resumed from May 4 consideration of the motion that Bill C-12, an act to amend the Criminal Code (protection of children and other vulnerable persons) and the Canada Evidence Act, be read the third time and passed.

Mr. Leon Benoit (Lakeland, CPC): Mr. Speaker, I am pleased to rise to speak to Bill C-12 today. What the bill is intended to do, which is quite different from what it actually does, is to make amendments to the Criminal Code that are intended to safeguard children from sexual exploitation, abuse and neglect.

Government Orders

Clearly these are issues that should have been dealt with a long time ago. In fact, I have been in the House for over 10 years now, and when I first came here the government promised it would deal with these issues. Legislation has appeared on a couple of occasions before and it was supposed to deal with some very serious problems regarding child exploitation, abuse and neglect, yet nothing concrete has happened.

I can safely say that things are no better now when it comes to protecting our children than they were when I came here 10 years ago. In fact, if we take a careful look at the law and the way the courts interpret the law, I think it is safe to say that things are actually worse now and the law actually does a poorer job now of protecting children than it did 10 years ago.

Now we have Bill C-12, which is supposed to fix these flaws in the law, but clearly Bill C-12 will not do that. There are several clear gaps in this legislation, which really make it clear that it will not do the job that it is intended to do. Again, the stated purpose of the legislation is fine, but what the legislation delivers is not. Frankly, that is a common problem that I have seen over the past 10 years. We have seen legislation that states a noble goal but then once delivered really does not do it.

The government seems extremely weak when it comes to putting forth effective legislation and that is too bad, especially when we are talking about protecting our children. I am going to point out some of the specific areas where this legislation clearly fails.

First, this legislation does not eliminate all defences for the criminal possession of child pornography. That is what the Canadian public wanted. It wanted all defences for the possession of child pornography eliminated.

Second, it does not raise the age of consent for adult-child sex. Since I have been here, I have seen literally tens of thousands and hundreds of thousands, possibly millions—it probably is in the millions—of names presented on petitions from Canadians who have called on the government to raise the age of sexual consent from 14 to 16. What has the government done about these hundreds of thousands and probably millions of petitioners? It has ignored them, and that is really another serious flaw in this legislation. The government did not listen to the people who really understand what has to be done, but I will get to that later.

The third thing this legislation clearly fails to do is institute mandatory sentences for child sexual assault. What more important role has the law than to protect our children? To me the answer is clear: there is none. There is simply no more important role of the law than to protect children, yet this legislation clearly fails to do that.

The laws in the United Kingdom and the United States put in place mandatory sentences for sexual assault against children. Why is this so difficult or why is this government so unwilling to do that in Canada? Quite frankly, I do not have the answer.

I do not have the answer. It has been so frustrating. Several members of our party have taken on this issue with everything they have. We have all spoken to this issue. We have all encouraged the government to get serious about protecting our children. Yet what do we get? We get Bill C-12, which absolutely, certainly and clearly

will not do that. Why? I will not try to answer for the motives of the government. I can say that this will not do it.

• (1530)

Because of this, Canada is becoming a global haven for child predators. That is not the kind of reputation I want for our country. One of the things we do not want Canada to be is a haven for sexual predators, yet because of our weak law that is exactly what we have become. It is shameful and it is embarrassing. More important, it is a failure of the Government of Canada to protect our children. It is such an important failure that it has to be corrected. The government has made several attempts to correct this over the years but it has clearly failed.

I want to go back to the issue of who the government listens to when it comes to making laws with regard to this issue. Does it listen to the Canadian public? No. As I have already said, we have had petitions presented in the House that have been signed by hundreds of thousands, possibly millions, of people. I would venture to guess that all of us in this party have presented petitions on this issue. Clearly the government has not been listening to the Canadian public.

This government tends to be elitist and wants to listen to a certain elite group of people that knows better than the general public; that seems to be the way it thinks. If that is what it wants to do, has it listened to front line police officers? That would make sense. Front line police officers know that child abuse takes place and they know how it takes place. They know where they fail in building a case that would stand up in court because of the law put in place by the government. Front line police officers know all these things. They also know the unbelievable damage this predation does to children and their families and their communities. Front line officers have told the government that, but does the government listen? It does not.

Until the government listens to child advocates, to front line officers and to the Canadian public, it will never fix this problem. I just want to say that a Conservative government will. We will. We have been speaking out on this issue and putting forth concrete recommendations for change. We have put amendments to legislation that the government has brought forward. Those amendments by and large have been ignored.

But when we form the government we will fix this issue, because to us the protection of our children is important. It is something we see as one of the most important things a government can do and clearly one of the things government is expected to do. We will do that.

Part of this problem has come about as a result of the artistic merit defence. How many people have called the offices of every single member of Parliament, including Liberal members, to say they were upset with the Sharpe decision? In that case, the Supreme Court interpreted artistic merit and said that in the law it should be interpreted in the broadest sense possible.

Government Orders

While members of Parliament on both sides of the House have heard about this again and again, the government has done nothing to fix the artistic merit problem in Bill C-12. It simply is not going to change in that regard, but this has to be fixed. That is a big part of the reason why this problem has been allowed to carry on for so long. It simply has to be fixed. I have very little faith that this will happen, but I hope it will before Parliament is dissolved. If the government does not fix it, we will.

• (1535)

Mr. Brian Fitzpatrick (Prince Albert, CPC): Mr. Speaker, I want to relate to the House an experience I had in my lifetime. I practised law in rural Saskatchewan for 23 years, in the great community of Nipawin, Saskatchewan, a community of 5,000 to 6,000 people. When people have lived in a community as long as I have, everybody knows one another.

I must say, too, that when one practises law, the law sometimes leaves something to be desired. From time to time we encounter things that just make us just shake our heads and wonder why the people who make the laws in the land, in Parliament and so on, do not remedy them.

A couple I knew quite well came to my office in tears. They had a great family. I knew some of the kids. Some of them were in university and some out of university and so on. Their daughter, who had just turned 14, had them weeping in my office. The problem was that the girl had taken up with a man who was 48 years of age. The parents were very concerned about this situation. They believed that it was an abusive and exploitive situation. The girl was too immature, in their minds, to make decisions like that herself, and she was in this situation. Quite frankly, I found it appalling.

I told them that there must be something we could do in this land, that there had to be a law that would allow parents to be parents and take care of their young children and protect them from those sorts of situations. In the peace and quiet of my own law office that evening, I went through everything I had, including the Criminal Code, the provincial laws and so on.

I found that under the provincial laws it is the parent's responsibility to provide children with schooling and the necessities of life and so on until they are of legal age. That was clearly in the law. As well, there are custody disputes between parents who are splitting up as to who would have actual guardianship of these of 14 year old children so they can see them through their teen years and make sure they come out as good, solid young Canadian adults.

Then I went to the Criminal Code. I said, "There has to be something missing here. I cannot believe the law would not empower parents". I went through the Criminal Code and found the provisions that this government is responsible for and refuses to do anything about. It basically gives a 14 year old the right to have sexual relationships as if she is a full adult. There is no help for the parents. It occurred to me that every sexual predator, especially those with a pedophilic background, knows that this is the law of this land. And in this Internet age, boy, is that a huge opportunity. It is not a crack in the door. It is opening the barn door right up for a whole pile of exploitation.

One of the difficult things I had to do in that particular situation was to phone those people the next day to be the messenger for the

law. Quite often as a lawyer one gets shot for being the messenger. One of the reasons I am here is that I hope I can influence the law sometimes so that we can be a better messenger when advising people and telling them what the state of the law is. It was a very painful experience for me to let those good folks know that there was nothing in the law that would help them. The police could not do anything; their hands were tied. The whole thing was just total nonsense.

There are 301 of us who were sent here. We are supposed to bring our common sense to this House and deal with matters like that. It seems to me that this is not a complicated issue. If we had questions and comments now, I would once again like to ask members opposite to give me one single reason why 14 year olds should not be protected and under the care of their parents and not left to be exploited by sexual predators and pedophiles in our society. This is shameful.

This is shameful; if only there were one ballot question on this in the next election when people go to mark their ballots. The Liberals mention things like artistic merit to defend the right of people who exploit young children to hide behind some sort of bogus argument like public good or artistic merit. Another thing that the Liberals hang their hats on is these sorts of defences.

• (1540)

Some say there has to be a youth offenders act because these people are not responsible for their actions and cannot be dealt with in criminal court and we have to treat them differently. However, when it comes to sexual relationships with 48-year-old men, then they are old enough to make those decisions, the state has no interest and neither do their parents and they can get out of the picture. This is appalling.

We talk about the culture of corruption and incompetence. I would say that one of the appalling things is the mentality to defend these kind of laws which falls within the parameters of corruption as well. Where are people's ethics and values when they can honestly stand behind these sorts of protections afforded to these sexual predators and people that prey upon our youth?

Every Canadian would want this House to stand up for 14-year-old people and support the parents who are trying to help their kids out, instead of letting them down like this.

I was not planning on speaking to this issue, but I am certainly glad I took the opportunity to do so. I wish there were questions and comments because the last time this bill came before us, I never heard a member from the opposite side come up with one intelligent reason why we could not change this law.

In fact, I want to raise an issue. When the question was raised the last time, a member of the Bloc actually stood up and said he thought the age should be lowered. He said that in his riding people want it lowered. I think he mentioned 12 years of age.

Government Orders

It made me scratch my head. Maybe I am from the wrong planet or the wrong part of the country. I am from rural Saskatchewan and people there are out of touch with this modern world. It has passed me by very quickly. I cannot actually believe that the member's constituents in the riding that he represents in that province would actually believe there would be anything good coming from lowering the age to 12 years from 14 years.

Once again, if people are scratching their heads and cannot find a reason to vote in this election, I would say this issue alone should get all Canadians out to vote, if they cannot figure out a reason to vote in the next election. Parliament should be a force for good. We should not be defending those people who are not there to do good things for our young people.

This is something that the lawmakers could do. It could be very effective. It would certainly help the police. It is appalling that police officers do extensive investigations on pedophiles. They set their trap only to find out that the victim of the pedophile was a 14 year old.

In my riding last summer there were two men in their twenties charged with sexual assault of a 12-year-old girl. They were acquitted. If I can believe the newspaper accounts in this case, they picked up an aboriginal girl 12 years of age and I guess they gave her liquor and so on and had a sexual situation with this young girl. It was a very painful thing; there was a lot of publicity in my province of Saskatchewan.

What was their lawyer's defence when it came to arguing the case before the judge? They thought she was over 14. Guess what happened? The judge acquitted them. The assaults had taken place. The girl had clearly been assaulted. The sexual relations had taken place. The judge acquitted the two men in their twenties because there was a reasonable doubt. Maybe someone thought there was a chance she was be 14.

I find this whole area very disturbing. This should not be a partisan issue. It should be a common sense issue, but common sense does not seem to be a strong point for the members opposite.

● (1545)

The Acting Speaker (Mr. Bélair): Is the House ready for the question?

Some hon. members: Question.

The Acting Speaker (Mr. Bélair): The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

The Acting Speaker (Mr. Bélair): All those opposed will please say nay.

Some hon. members: Nay.

The Acting Speaker (Mr. Bélair): In my opinion the nays have it.

And more than five members having risen:

The Acting Speaker (Mr. Bélair): Call in the members.

[*Translation*]

And the bells having rung:

Ms. Diane St-Jacques: Mr. Speaker, I am requesting that the division be deferred until this evening, after government orders.

[*English*]

The Acting Speaker (Mr. Bélair): At the request of the assistant whip of the government, the vote has been deferred until after government orders tonight.

* * *

● (1550)

CRIMINAL CODE

Bill C-35. On the Order: Government Orders

May 7, 2004—The Minister of Justice—Second reading and reference to the Standing Committee on Justice, Human Rights, Public Safety and Emergency Preparedness of Bill C-35, an Act to amend the Criminal Code, the DNA Identification Act and the National Defence Act.

Hon. Ralph Goodale (for the Minister of Justice) moved that Bill C-35, An Act to amend the Criminal Code, the DNA Identification Act and the National Defence Act, be referred forthwith to the Standing Committee on Justice, Human Rights, Public Safety and Emergency Preparedness.

Hon. Sue Barnes (Parliamentary Secretary to the Minister of Justice and Attorney General of Canada, Lib.): Mr. Speaker, in proposing a series of changes that come within the existing structure of the DNA data bank legislation, the government is building upon legislation that has been upheld by the courts every time it has been challenged.

I am not an expert but I understand that a particular pattern of DNA will only appear in one out of billions of samples taken. There are few things harder to explain than the presence of an accused's DNA in or on the body of a victim of a sexual assault. The courts are well aware that DNA evidence provides a virtual guarantee against convicting the innocent, and the miscarriages of justice that have been brought to light by the testing of old exhibits for DNA. Convictions that preceded the development of DNA evidence have been overturned and the real perpetrators identified.

The national DNA data bank contributes to the administration of justice and the safety of Canadians by ensuring that those who commit serious crimes are identified more quickly across all police jurisdictions in Canada, while innocent people are eliminated from suspicion. It assists law enforcement agencies in solving crimes by linking crimes together where there are no suspects, helping to identify suspects, eliminating suspects where there is no match between crime scene DNA and a DNA profile on the national DNA data bank, and determining whether a serial offender is involved.

Government Orders

The Criminal Code establishes the process that can lead to a judicial order authorizing the taking of samples of bodily substances from certain convicted offenders for analysis and inclusion in the DNA data bank. Where a person has been convicted or discharged of a primary designated offence committed after the DNA Identification Act came into force, the judge is required to make a data bank order except in the most exceptional circumstances. The judge must be satisfied that the impact on the offender's privacy and security of the person would be grossly disproportionate to the public interest in the protection of society and the proper administration of justice. The court is also required to give reasons for its decision to make or to deny making a DNA data bank order.

Where a person has been convicted or discharged of a secondary designated offence, the order may be granted if the judge, on application by the Crown, is satisfied that it is in the best interests of justice to do so. In granting or refusing an order with respect to a secondary designated offence, a judge must consider the criminal record of the individual, the nature of the offence, and the circumstances surrounding its commission and the impact such an order would have on the person's privacy and security of the person. Again the court is required to give reasons for its decision to make or to deny making a DNA data bank order.

The legislation contains important protection against the misuse of DNA profiles. It is an offence to use them for any other purpose than the investigation of crimes.

I understand that the Royal Canadian Mounted Police, which operates the national DNA data bank, has developed a system of separating the DNA profile from the identifying information. The bodily sample that is to be analyzed and the identifying information on the offender, which is based on finger prints, are identified by the identical bar code. The DNA data bank keeps the sample and sends the identifying information to the criminal identification branch. The analysis is tracked by the bar code, and the DNA data bank does not know who the offender is.

When there is a match, it advises the criminal identification branch of the bar code, and the criminal identification branch identifies the convicted offender. Moreover, the DNA data bank only analyzes so-called junk DNA, that is, strands of DNA that do not provide any information regarding the personal characteristics of the offender, such as hair or eye colour. The committee, I am sure, will want to hear from the management of the DNA data bank regarding these privacy protections.

With such strong protections for the offender's privacy and the great value of DNA evidence, the courts have welcomed the legislation. I am advised that there has not been a single trial or appellate court judge who has found a violation of the charter in the existing legislation. In this charter sensitive era, when many claim that judges are activists and are eager to strike down legislation, this unanimous support for the legislation is little short of amazing.

• (1555)

In *Briggs*, a decision of the Ontario Court of Appeal handed down in August 2001, the DNA legislation was unanimously endorsed. Its reasoning has since been endorsed by several other provincial courts of appeal. The court dealt with many of the issues that may arise in considering the legislation and held that:

One, whether or not there is evidence at the scene of the crime of which the offender was convicted that would likely yield a DNA profile of the perpetrator is not necessarily a relevant consideration.

Two, the phrase "best interests of the administration of justice" does not import as a prerequisite to making the order that there be reasonable and probable grounds to believe a further offence will be committed.

Three, the state interest in obtaining a DNA profile from an offender is not simply law enforcement by making it possible to detect further crimes committed by the offender. Rather, the provisions have much broader purposes including: deterring potential repeat offenders; promoting the safety of the community; detection when a serial offender is at work; assisting in the solving of cold crimes; streamlining investigations; and most important, assisting the innocent by early exclusion for investigative suspicion or in exonerating those who have been wrongfully convicted.

Four, provisions in the Criminal Code and the DNA Identification Act restricting the use that could be made of the DNA profile and protecting against improper use of the information offer significant protection of the offender's privacy.

Five, the procedures for obtaining bodily substances authorized by the provisions are of short duration and involve none or minimal discomfort. There is a minimal intrusion with no unacceptable affront to human dignity.

Six, a person convicted of a crime has a lesser expectation of privacy.

Seven, the trial judge is entitled to look at the offender's entire record, not just the crimes that may be designated offences.

In *Hendry*, another decision of the Ontario Court of Appeal that has been widely quoted in decisions in other provinces upholding the legislation, the court held that:

In balancing the offender's right to privacy and security of the person against the state interests in obtaining the offender's DNA profile, the court must consider the following. The legislation offers significant protections against misuse of the DNA profile information, thus minimizing an improper intrusion into the offender's privacy. Having been convicted of a designated offence, the offender already has a reduced expectation of privacy. In the ordinary case of an adult offender, the procedures for taking the sample have no, or at worst, a minimal impact on the security of the person. Thus, in the case of an ordinary adult offender, there are important state interests served by the DNA data bank and few reasons based on privacy and security of the person for refusing to make the order.

With no judge dissenting, it seems that this legislation may never make it to the Supreme Court. However, members should be aware that in *R. v. S.A.B.* decided on October 31, 2003, the Supreme Court of Canada unanimously upheld the constitutional validity of the DNA warrant scheme. It found that:

Generally, the DNA provisions appropriately balance the public interest in law enforcement and the rights of individuals to dignity, physical integrity, and to control the release of personal information about themselves.

Government Orders

As the DNA data bank scheme is based on the same designated offences as the DNA warrant scheme and has many of the same safeguards, *R. v. S.A.B.* provides strong support for the constitutionality of the data bank legislation.

I believe we need have no concern about the constitutionality of Bill C-35, although the committee will undoubtedly want to hear from experts on that particular point.

Across Canada judges are deciding every day whether to make an order against an individual offender. Bill C-35, by expanding the number of offences and by clarifying procedures, will make the law even more effective. It will continue to be based on the same protections that have already led to its endorsement by the courts.

I urge all members of the House to support the motion to refer the bill to committee.

Mr. Vic Toews (Provencher, CPC): Mr. Speaker, I too would like to add a few comments on the motion. I am a little concerned about why the government has at this late date brought this bill forward.

As the member who just spoke knows, the justice committee has been mandated to review this legislation in 2005. This appears to be no more than an election ploy designed to garner a few votes indicating that maybe the government is, after all, serious about fighting crime at this late date in its tenure.

Having read the bill I am concerned that what will happen, if the bill is brought forward in the next Parliament, is that it will tie the hands of the committee rather than allowing the committee to take a good strong look at the legislation and determine what needs to be done.

This is a direct contradiction of what the government has stated, that the committee is to be the master of its own process. This seems to be a direction by the government saying "this is as far as you go and no further".

I noted with interest some of the comments by the member suggesting that the legislation was great legislation as it was because the courts had upheld the legislation. Frankly, I do not think that is a test of good legislation at all. The test of good legislation is not whether the court agrees with the legislation but whether it is effective in carrying out its purpose. Its purpose, of course, is to reduce crime by apprehending offenders.

Instead, we have a bill that simply has the lowest common denominator. Therefore it is no surprise that courts uphold the legislation. The reason there is no interference with constitutional rights is because there is no effective legislation in terms of apprehending individuals.

The government has chosen to depart from a constitutionally sound process. Let us look at the fingerprint situation. For a long period of time we have accepted that if people are charged with an indictable offence they are fingerprinted. There should be no difference with the DNA if it is done in an unobtrusive way. Similarly, there is no problem with the Constitution.

However, what the government is doing is limiting the powers of the police, not in a way that is in any way mindful of constitutional liberties but in a way that simply ties the hands of the police officers.

I have yet to hear a valid argument presented by the government on why we do not take the same approach with DNA as we do with fingerprinting. If someone has been charged with an indictable offence, DNA testing should take place in the same way as we do it with fingerprinting.

However it would not be automatic that the DNA is taken even where there are convictions. What the Liberal bill would do is divide the offences into different types of offences. There are three different types of DNA data bank orders: retrospective, prospective and retroactive.

In respect of the retrospective, the designated offence must have been committed before June 30, 2000 and the offender was convicted after that date. Prospective means that the designated offence was committed after June 30, 2000 and retroactive. In the retroactive situation, there needs to be an order of a judge in respect of the individual who was convicted before June 30, 2000 and is still under sentence.

● (1600)

One of the problems with the legislation is resourcing. If a crown attorney is required to go to the courts for these kinds of orders, given the burden on these crown attorneys and other justice officials to actually proceed to court, the chances that these orders will actually be taken are virtually nil.

This is very reminiscent of the Liberal sex offender registry. The Liberals said, after years of pressure from the Conservative opposition, that they would bring forward a sex offender registry but that the sex offender registry would not include anyone who had been convicted prior to the date of the registry coming into force. In fact, we would have had a registry with absolutely no names on it. It is quite disgusting that after a dangerous sex offender goes through a trial and is convicted by a judge or a jury that somehow there would be a violation of the offender's rights. That is just so much nonsense.

It is time the government balanced, not only the rights of a convicted accused, but the rights of the victim. It seems that the victims are consistently forgotten in the legislation and, indeed, the ability of police officers to effectively protect potential victims, never mind those who have already been violated by offenders.

The legislation brings forward all kinds of procedural matters that would hinder the ability of police officers and other justice officials to do their job.

I will not oppose the referral of the legislation to a committee but I am concerned with it. I am concerned that the government is trying to bind the hands of the committee and that the committee will not look at effective options for dealing with these problems because it will consider itself bound by the direction of the government as set out in the bill.

I would like to hear from the Prime Minister and the Minister of Justice that in no way will the legislation bind the legislatively mandated review that will take place of the DNA registry in 2005.

Government Orders

With those comments I am prepared to allow this to proceed forward to committee. I trust that the Minister of Justice will be giving the House and all Canadians some assurance that the committee will be entitled to look at the broader scope of the issues involved here.

• (1605)

[*Translation*]

Mr. Claude Bachand (Saint-Jean, BQ): Mr. Speaker, the Bloc Québécois has examined the bill and we are generally in agreement with referring the whole debate to committee because the committee stage is always an important one. Often, in fact, we reserve judgment until afterward.

In fact, at second reading stage people often appear to appreciate the amendments proposed; then they can be gone into in greater depth in committee. If something is discovered, then we can ask for amendments to a bill or for certain points to be taken out of it or added, and so on. So the whole aspect of the committee stage is of some consequence.

Many people no longer have any doubt about the usefulness of genetic fingerprints.

I will say a few words about how investigative methods have evolved over the years. I recall, when we were younger, all the police novels we read and all the police movies we watched, and how amazed we were when someone ended up being convicted on the strength of a single hair or some other court evidence.

The way science has evolved since then has made it possible for investigative methods to be fine-tuned, so it is important to bring the Criminal Code up to date to reflect that. Today we are dealing with bodily substances. In the old days, it was hard to connect a hair or a nail with the person who had committed the crime.

Now if a hair is found, thanks to the genetic profile we have of people in our DNA banks, the person can be identified perfectly. We cannot, therefore, be opposed to the idea that all investigative tools must be brought up to date.

This is most certainly a very technical bill, and can be gone into in somewhat more detail in committee. I might point out, incidentally, to those listening, that we are perhaps wasting our saliva and its DNA today, because of the impending election. If an election is called, this bill will merely get deferred until some distant date, likely next fall. Considering where it is in the process at this time, barring unanimous consent to speed it through, it is very obvious that it cannot get passed in this session.

The bill centers to a large extent on designated offences. For the benefit of those watching, there are two types of designated offences; these are either primary or secondary. The primary designated offences are more serious offences, normally requiring the court to issue an order authorizing the taking of samples of bodily substances.

The bill adds offences to the list of primary designated offences. I have no objection to a number of them.

The first one concerns sexual exploitation of a person with a disability. Obviously, as someone who worked with persons with disabilities for 20 years, I understand that many might abuse their

intellectual superiority over a person with a disability. I therefore agree with the inclusion of this primary designated offence.

The second one concerns the causing of bodily harm with intent, using an air gun or a pistol. Clearly, as my target training days with Canadian Forces have taught me, a rifle can cause a lot of damage. Air rifles can also cause a lot of damage.

If it is demonstrated that a person intentionally shot an air rifle, that ought to be considered a primary designated offence.

Third is administering a noxious thing—I checked in the dictionary, and noxious means harmful to the health—with the intention to endanger life or cause bodily harm. It seems obvious to me that this ought to be a primary offence.

Fourth is overcoming resistance to the commission of an offence, for instance, by suffocating one's victim. Obviously, I have no objection to now consider this as a primary offence.

The same goes for robbery and extortion. These two offences, however, have just graduated from the secondary to the primary offence category. Under the Criminal Code, robbery and extortion are now primary designated offences.

• (1610)

I would also like to say that even the court is obliged to order sampling for a primary offence, making it important to identify exactly which kinds of offences should be on the list of primary offences.

For secondary offences, it has usually been the court that considered the relevance of taking samples, in order to improve the administration of justice, and based solely on that criterion. Now, the court must ask the plaintiff's opinion. A victim may object and may also require the court to order a genetic sample.

That is an important aspect, since the victim now has a say. The administration of justice is important, but it is also important to give the victim the opportunity to decide where he or she wants to go with the case, as the victim.

I have always sided with those who say that the accused do have rights but that victims must have more rights than the accused. In this bill, that is a rather interesting addition, that the plaintiff can require the court to take or not take a genetic sample. The court must take the plaintiff's decision into consideration.

Government Orders

New secondary designated offences have been added, which we could say are less serious than primary designated offences. They include criminal harassment, uttering threats and breaking and entering a place other than a dwelling-house. This bill makes the distinction. Under the Criminal Code and the bill, breaking and entering a dwelling-house is more serious than breaking and entering a business at a late hour, for instance. The residents' safety is not necessarily in danger in that case. This needs to be looked at in committee, but I have the impression that is why it was considered a secondary designated offence.

The secondary designated offence category also includes intimidation. There has long been intimidation, but there has never been any legal action or provisions in the Criminal Code to pursue the guilty parties. Now, with the bill before us, intimidation is rightly becoming a secondary designated offence.

Arson causing damage to property and arson for fraudulent purpose are also secondary designated offences and are on the list. We are not surprised to see participation in activities of a criminal organization on the list. Committing an offence for a criminal organization is important to have on the list as well. Instructing the commission of an offence for a criminal organization is also on the list.

By and large, the Bloc Québécois is in favour of the principle of the bill. As I was saying earlier, when we are in committee, if we get to that stage, although we have our doubts, we will take the time to look at each one of these offences to see whether they target and will achieve the objective of providing the public with a fairer and safer society.

We agree with the principle of the bill. Let us examine it more closely in committee and come back to third reading for a final decision. We are in favour of the bill as it is currently worded provided that it is sent to committee for future study.

•(1615)

The Acting Speaker (Mr. Bélair): Before we hear from the next speaker, 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 Peterborough, Gasoline Prices; the hon. member for Ottawa West—Nepean, Maher Arar Inquiry.

[*English*]

Hon. Lorne Nystrom (Regina—Qu'Appelle, NDP): Mr. Speaker, we in the NDP support Bill C-35 being sent to committee. I assume, like everyone else, that the Prime Minister will probably drop the writ for an election campaign very shortly and this debate will not continue until the fall sitting of the next Parliament.

However, I do want to make a few comments on the substance of the bill even though the motion before us today is to refer it to the standing committee for greater study. That is important because it will give the committee a chance to call in some expert witnesses. It will also give the committee a chance to see whether or not it is a useful bill for the prevention of crime and for the common good of the people of this country.

The bill itself would add certain criminal offences relating to criminal harassment to the list of designated offences to which a

DNA data bank order can be made. In other words, the police can make a DNA data bank order for offences that are not now available for DNA orders. In principle, that is a good thing to do.

Bill C-35 would permit a data bank order to be made against a person who has committed an offence but found not criminally responsible on account of a mental disorder. If someone with a mental disorder is found not criminally responsible, the police can apply for a data bank order to be made against that individual.

Bill C-35 would expand the list of sexual offences under the retroactive scheme for persons prior to June 30, 2000 by adding historical sexual offences like indecent assault and committing a sexual offence, and the offence of break and enter.

A new class of offender would be added to the list of offenders who may be candidates for the retroactive scheme, for example, those who have committed one murder and one sexual assault at separate times.

The legislation would create the means to compel an offender to appear at a certain time and place to provide a sample of DNA evidence. Bill C-35 would create a procedure for a review of DNA data bank orders that appear to have been made for a non-designated offence and the destruction of samples taken from those offences.

Those are five examples of different things Bill C-35 would do to change the law. The NDP certainly supports the bill being referred to committee. In principle, it looks like we are going in the right direction. On behalf of the New Democratic Party of Canada, I want to reserve our final position on this legislation until we have had a chance to examine witnesses, study it further, and look at possible amendments.

Our party does have some concerns about any changes made to criminal law, particularly when it comes to something like DNA and fingerprinting. We are concerned about an individual's right to privacy. We want to ensure that an individual's privacy is not going to be violated by the suggested changes. We are also concerned about the individual's security. We want to ensure that there will be no violation of fundamental rights that are guaranteed under the Charter of Rights and Freedoms.

In principle, many positive things appear to be happening with the bill in terms of increasing the effectiveness of DNA samples as an investigative tool to be used by the police. Providing it is not a violation of people's security or an infringement on their civil liberties, it is certainly a step in the right direction.

Government Orders

The potential of DNA evidence is enormous. It has great power toward solving crimes, and ensuring that the guilty are convicted and the innocent are exonerated. It is one of the miracles of modern justice. We must ensure however that DNA evidence is accurate and is gathered without infringement on the rights of all Canadians to be free of unreasonable search and seizure. Bill C-35 should be sent to committee for further study.

I want to make one comment on the miracle of DNA evidence. It was brought home very clearly to a lot of us in my Province of Saskatchewan a few years ago. I am referring to the case of David Milgaard.

• (1620)

David Milgaard was convicted for a 1969 murder of a young Saskatoon nurse named Gail Miller. My recollection is that he spent 22 to 23 years in prison for a crime which was later proven he did not commit. David Milgaard might be still in prison had it not been for DNA evidence and DNA technology 10 or so years ago that proved that he was not the person who committed this gruesome and unfortunate act of murder. Someone else is now serving time, having been convicted for the murder of Gail Miller.

This is something that is a miracle of modern technology in terms of convicting those who should be convicted and ensuring that those who are innocent are not wrongfully convicted.

Over the sweep of history in our country, and indeed around the world, there have been many people who have been wrongfully convicted. There have been many cases in this country. I think of the Marshall case and many other cases that I do not want to get into at this particular time.

However, David Milgaard stands as a very good example of this. I commend the courage of his mother, Joyce Milgaard, for the fight to free her son. They came from rural Saskatchewan and one time lived in the Town of Langenburg which was part of my former riding of Yorkton—Melville. David Milgaard then moved around after that to Regina and other parts of Saskatchewan. This is a good example where DNA evidence has freed an innocent man and helped convict a guilty man of a murder.

We certainly support the reference of the bill to committee. The committee will have hearings and cross examine witnesses. I assume we will be making some amendments, after we hear the expert witnesses, and come out of this with something that is positive for the protection of Canadian society in order to bring individuals to justice, convict those who have done wrong, and ensure those who are innocent are not falsely convicted.

• (1625)

[*Translation*]

Hon. Yvon Charbonneau (Parliamentary Secretary to the Deputy Prime Minister and Minister of Public Safety and Emergency Preparedness (Emergency Preparedness), Lib.): Mr. Speaker, I am very pleased to rise to recommend that Bill C-35 be referred to a committee, as suggested by my colleagues. I think that all the parties in the House support the national DNA data bank and want to make it a tool that is as effective as possible to implement the act.

As hon. members know, DNA evidence has had what some are calling a revolutionary impact on the legal system. Canada can be proud of its DNA data bank. Indeed, our country is a world leader in this area and it has developed methods to protect privacy which, apparently, are being copied all over the world. However, while the DNA data bank is a success, it must be recognized that some difficulties have been encountered when using it, and the implementation of the act has also run into problems in court.

As hon. members know, the legislation that initially established the DNA data bank provided for a parliamentary review within five years of the coming into effect of this measure, that is by June 30, 2005. This is why I think the government acted responsibly by introducing Bill C-35 at this point in time. Indeed, we do not know when the review will actually begin and, more importantly, when it will be completed.

The problems that we are trying to solve with this legislation were raised by the Uniform Law Conference of Canada, by the provincial governments, which deal with the overwhelming majority of cases involving a DNA data bank order, and by the RCMP, which is responsible for the bank.

Every year, the criminal justice section of the Uniform Law Conference of Canada brings together federal and provincial government officials and also defence counsel to discuss various resolutions on changes to the Criminal Code and other acts relating to criminal law.

In August 2001, the criminal law section of the Uniform Law Conference of Canada adopted a number of resolutions that called on the Department of Justice to consider, in consultation with the provinces, the territories and other interested stakeholders, amendments relating to the scope and application of the DNA data bank legislation in the Criminal Code. In particular, it recommended that seven issues be addressed on a priority basis. Subsequently, these proposed amendments were studied thoroughly by the Department of Justice, particularly during its legislative consultations in the fall of 2002. The amendments were discussed with the provinces and they urged the federal government to make the changes. I am pleased to advise the House that all seven of the priority items have been addressed in Bill C-35.

The bill will make significant amendments to the DNA Identification Act which governs the operation of the DNA data bank. While these changes are important, I will restrict my remarks to the main proposals for change in the Criminal Code, which, in my view, are the most significant: the inclusion of the offences of indecent assault female, indecent assault male and gross indecency in the list of designated offences and the list of sexual offences.

Moreover, there are persons who should be in the DNA data bank as a result of having committed a series of these offences prior to the legislation coming into force. The Criminal Code does allow for persons convicted of two or more sexual offences to be sampled so this change to the definition of sexual offence will allow the Crown to apply to a judge to have them included.

Government Orders

The Uniform Law Conference and the provinces also proposed the inclusion of those individuals found not criminally responsible by reason of mental disorder within the DNA data bank scheme. We currently have in the House Bill C-29 which proposes important changes to the provisions of the Criminal Code dealing with the mentally disordered offender.

While those accused are not convicted of the crime, the court has found beyond a reasonable doubt that they have in fact done the act that constitutes the physical element of the offence. While they should not be sentenced to jail, it is clear they may be very dangerous. They are therefore put under the jurisdiction of a provincial review board. By making it possible for a judge to order that their DNA profiles be included in the DNA data bank, we may be solving crimes that they committed in the past. More importantly, if they should be released and commit a crime where they leave their DNA, we may solve that crime.

• (1630)

Members should remember, however, that having their DNA in the data bank could be a benefit to a mentally disordered offender who has been released into the community. These offenders are likely to be suspects, but if their DNA does not match the DNA from the crime scene, the police will know they are innocent.

The bill also contains a process, which the Criminal Law Section and the provinces wanted, for compelling the offender to attend in court at a hearing to determine whether a DNA data bank order should be made. Usually, this hearing takes place as part of sentencing, but there are occasions where the parties are not ready and the matter should be set over to another date. The bill contains a provision which ensures that the judge retains jurisdiction to order the person to show up for the hearing and, if the person does not show up, for a warrant for the person's arrest to be issued.

The Criminal Law Section and the provinces also recommended creating a process that would permit a judge to make, upon request, a second DNA data bank order, where the national DNA data bank has declined to process the first one because of police error in completing the forms that must accompany the bodily substances submitted for analysis.

The Criminal Code contains a provision permitting such a second sample if, for some reason, a DNA profile cannot be derived from the bodily substance. It is entirely appropriate if there has been a clerical error, for example in mixing up bar codes making identification of the offender impossible, that it should be possible to seek another order. Again, this bill will make this possible.

The provinces also wanted a mechanism to require the offender to appear for the purpose of providing a DNA sample. The law, as it currently stands, only makes provision for the DNA sample to be taken when the order is made. This has proven to be impractical. The police simply cannot have trained personnel in every criminal courtroom in the land. It is far more practical for the court to order the person to go to the police station at a fixed time. The bill provides for such an order and enables the judge to issue an arrest warrant, where necessary.

The bill also proposes changes in the list of designated offences covered by the DNA data scheme. Probably the most important

additions to the list will be uttering threats and criminal harassment. As these will be secondary offences, the crown will have to apply for the order. People who engage in these activities present an elevated risk of subsequent violence, particularly to the victim of the offence. Having their DNA in the data bank may assist in deterring them.

The bill also proposes to move robbery and break and enter into a dwelling house from the list of secondary designated offences to the list of primary designated offences. This should increase the likelihood that a court would make a DNA data bank order in the case of these very serious offences.

I believe this review of the highlights of Bill C-35 shows clearly how important it will be in promoting the safety of the public and how it responds to the suggestions made by the provinces.

Of course, identical changes are being made in the National Defence Act to ensure that the military justice system remains consistent with the Criminal Code.

The sooner that review begins, the better. Therefore, I urge members to send Bill C-35 to committee.

Mr. Réal Ménard (Hochelaga—Maisonneuve, BQ): Mr. Speaker, I believe it is now known that the Bloc Québécois is in favour of the principle of this bill. We obviously recognize that any provision in the Criminal Code that facilitates the administration of justice is a positive thing.

This bill will contribute to the administration of justice, because it will provide additional guarantees with respect to sentencing.

Mr. Speaker, I believe you were a member of this House a few years ago when a heinous crime was committed against a young girl named Manning. There were a few difficulties at the trial because the way in which the bodily substances had been collected for establishing guilt was called into question.

If memory serves me correctly, we passed at first, second and third readings, in 48 hours, a bill on the creation of a national DNA databank and the administration of evidence in the case of DNA samples. It was done quite quickly. Public indignation was extremely high. At around the same time, in 1995, 1996, or 1997, we discovered with horror the influential power of organized crime.

I will turn 42 tomorrow. Imagine that. I must stop saying I am 41, with a birthday coming tomorrow.

I did not grow up hearing as much about organized crime as the member for Mercier, who has clearer memories than I of the commission of inquiry into organized crime. People came to know more about it, or at least people a little older than me, because of the CIOC. Things calmed down for a while, and then by the mid-90s our communities began to realize how much power organized crime again had.

Government Orders

We know that three conditions are required for organized crime to flourish: a relatively rich society, a society with well-developed means of communication, and a society where there are guarantees of rights. As far as communications are concerned, we know that ports, highways, and airports are unfortunately often the focus of those engaged in smuggling.

So where is the link between that and Bill C-35? It used to be possible for a judge to issue a warrant for collecting bodily substances from an inmate or accused. This would provide DNA profiles to be kept in a national data bank under RCMP responsibility.

The way DNA profiles were assessed, and the way they were taken, was governed by the category of offence. There were two categories of offence. The first was primary designated offences, where it was virtually automatic for a judge to order a DNA profile. This category of offence includes generally extremely serious offences under criminal law.

Now section 487.04 of the Criminal Code lists the offences, including those for which a DNA profile may be ordered.

The new bill adds to these sexual exploitation of person with disability, and causing bodily harm with intent—air gun or pistol.

Also added are: administering noxious thing with intention to endanger life or cause bodily harm; overcoming resistance to commission of offence; robbery; extortion; breaking and entering a dwelling-house; and finally, intimidation of a justice system participant or journalist.

● (1635)

Hon. members might recall that we had three bills to fight against organized crime. Bill C-95 was very important. I was the first member of Parliament to introduce an anti-gang bill. On August 9, 1995, in my riding of Hochelaga—Maisonneuve, a car bomb went off on Adam Street, right across from the Très-Saint-Nom-de-Jésus church. A young man, Daniel Desrochers, who happened to be in the wrong place at the wrong time, was killed. That is why we started looking for the best means to dismantle organized crime.

The first piece of legislation we had against organized crime offences was Bill C-95, which was introduced by the then justice minister, Allan Rock. I think I am allowed to name him, since he is no longer a member of Parliament. The main offence that was mentioned in Bill C-95 was the criminal organization offence. If five or more persons were part of a group, or if these five persons had committed five indictable offences in the last five years for which the maximum punishment was imprisonment for five years or more—the three fives rule—we had a criminal organization offence.

Do you know what happened? Major gangs such as the Hells Angels, the Bandidos and the Rock Machines started spinning off satellite criminal groups. They recruited people who did not have a criminal record but who joined gangs in order to get their badge. It became extremely difficult for the Crown to lay charges under Bill C-95.

Bill C-95 was all the more difficult to administer because, a few years previously, the Supreme Court handed down a ruling, the

Stinchcombe decision. This extremely important criminal law ruling imposes obligations on the Crown.

As we know, criminal investigations may last three, four, up to seven years. The process is an extremely long one. Under the Stinchcombe ruling, the Crown must disclose all of the evidence it has against the accused. That meant that a police officer involved in shadowing during an investigation, in a bar for example, had to table the notes that allowed the investigation to progress.

The Stinchcombe ruling was extremely controversial. Of course, coming from the Supreme Court, it created new law. The attorney general could not appeal the ruling. It made it very difficult to bring investigations to an end, and it thus became necessary to further refine the administration of evidence and hence the gathering of DNA samples.

● (1640)

So, we got Bill C-95. Then came Bill C-24 and Bill C-36. There was a lot of legislative activity in criminal law. Today the three fives rule has been simplified. An organized crime activity is described as three persons engaged in certain offences.

The new bill refers to journalism. Quebeckers or even people in the gallery might remember the attack on the journalist Michel Auger in the parking lot of the *Journal de Montréal*.

Mr. Michel Auger, a crime reporter, was victim not only of intimidation but of an attack on his life. As a matter of fact, it is the former member for Berthier—Montcalm, Mr. Michel Bellehumeur, now a Quebec court judge, who had suggested that bill include a reference to the intimidation of not only members of Parliament, police officers, judges and commissioners, but also journalists.

We want to see Bill C-35 go to committee as soon as possible.

● (1645)

[English]

Mr. Derek Lee (Scarborough—Rouge River, Lib.): Mr. Speaker, I am pleased to speak to the motion to send Bill C-35 to committee before second reading.

Bill C-35 contains a number of technical and remedial amendments to the Criminal Code, the DNA Identification Act and the National Defence Act intended to clarify and strengthen the present law which governs the taking of bodily substances for purposes of the national DNA data bank.

I intend to focus my remarks today on those amendments that will address a particular problem that has been identified by the commissioner of the Royal Canadian Mounted Police who manages the DNA data bank on behalf of Canadians.

Government Orders

Great care was taken in the initial design of the DNA data bank legislation to carefully balance the protection of society achieved through the early detection, arrest, prosecution of offenders using DNA technology and the privacy rights of individuals on the other hand. Up until now, under the Criminal Code, judges have only been authorized to make DNA data bank orders against offenders convicted of a specific designated Criminal Code offence.

A DNA data bank order made by a judge under the Criminal Code authorizes the police to take samples of bodily substances from a convicted offender for the purposes of the data bank. After the samples are collected, the police forward them along with a copy of the judge's order to the national DNA data bank in Ottawa.

Under procedures established by the commissioner of the RCMP, before the samples of bodily substances from a convicted offender are subjected to a forensic DNA analysis, the DNA order is examined again to verify whether it in fact relates to a designated offence. However, since the DNA data bank legislation came into force, almost four years ago, over 400 DNA data bank orders have been made against persons who on the face of those orders appear not to have been convicted of a designated offence.

These are referred to as facially defective DNA orders. In essence, there is a mistake on the face of the document which shows the order of the court. The biological samples that accompany these defective DNA data bank orders have not been analyzed by the data bank. To have processed the samples could have violated the privacy of those persons and undermined the integrity of the data bank.

The commissioner of the RCMP should be congratulated in this case for having respected the intent of Parliament by carefully examining and screening the data bank orders submitted to him.

There is now a need to create a procedure to determine whether the errors on the face of these orders are merely a clerical error which can be corrected or whether they are clearly cases where the court lacked authority to make the order. In the latter case, there is a need for the DNA Identification Act to provide clear authority to the commissioner to destroy the bodily substance obtained under these orders.

I want to say a few words about the procedure set out in the proposed legislation which will ensure that only those DNA samples that have been taken in conformity with the law are analyzed.

First, one observes that there is now a duty imposed on the commissioner to review the information transmitted to him, along with the DNA sample taken from a convicted offender, to ensure that the offence referred to in the DNA order is a designated offence.

Second, if the commissioner is of the opinion that the offence referred to in the DNA order is not a designated offence, he is required to retain the DNA sample and to communicate with the attorney general of the province, where the order was made, to initiate a review of that order. The attorney general of the province is responsible for the prosecution of Criminal Code offences in that jurisdiction and will review the order and the court record to determine whether the offence referred to in the DNA order is in fact a designated offence. A defective order will have to be revoked by the court of appeal for that province and in that procedure.

● (1650)

If the attorney general is advised that the DNA order has been revoked, the commissioner will have a duty to destroy the DNA samples that accompanied the original order. In a case where there was just a clerical error in the drafting of the order and the commissioner receives a corrected DNA order in which the offence referred to is a designated offence, he can proceed to analyze the DNA sample and to include the offender's DNA profile in the convicted offenders index in the national DNA data bank.

Under the DNA Identification Act, DNA profiles of convicted offenders that have been placed in the convicted offenders index are compared with the DNA profiles derived from biological substances found on or in something related to the commission of an unsolved designated offence. Where there is a match the local police are advised of the identity of a suspect.

In closing, I also wish to indicate my support to adopt the bill here prior to second reading and send it to committee. I note there is substantial support around the House for this. In the context of the time we have now, I suppose I could say we had better hurry, but I am sure when the House has an opportunity to deal with this bill again, it will receive prompt disposition and passage.

Hon. Larry Bagnell (Parliamentary Secretary to the Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, I have the distinct pleasure today of sharing a great Canadian success story. It is a story that combines justice, innovation and worldclass technology.

It is a story that highlights unique Canadian know-how and strong Canadian leadership. It is a story that affects all Canadians and reaches well beyond our borders.

This is a story about the administration of justice and the most powerful investigative tool ever discovered. It has solved hundreds of serious crimes in just the last few years and kick-started some of the most difficult criminal cases facing Canadian police. It helps protect Canadians from violent criminals and sex offenders.

This is the story of forensic DNA evidence and the ways in which it has revolutionized criminal investigation and prosecution.

More powerful than fingerprints, DNA serves as a silent but credible witness, convicting the guilty while protecting the innocent. When properly handled and properly profiled, it offers foolproof evidence.

This is a story that illustrates the power of science. It is a story of Canadian innovation that is putting science to its best use through the national DNA data bank.

DNA is the fundamental building block of our entire genetic makeup. With the exception of identical twins, every person's DNA is unique.

Government Orders

Using modern technology, DNA can be extracted from a small biological sample, such as a few drops of blood, the root of one hair or by swabbing the inside of the mouth. The sample is analyzed, creating a DNA profile that can be used to identify a person. That profile, in turn, can be compared to an unknown DNA profile drawn from a different biological sample. If the profiles match, the two samples come from the same person or from identical twins.

At the forefront of forensic DNA science is the nation DNA data bank, formed as a result of legislation passed by the House six years ago. The data bank is recognized worldwide for the quality of its work and the professionalism of the scientists who work there.

Since it opened in June 2000, the data bank has helped solve almost 120 murders and over 300 sexual assault cases in communities from coast to coast to coast. It has played a pivotal role in helping police solve 250 armed robberies and almost 900 break and enters. The national DNA data bank has provided critical evidence leading to convictions in more than 1,700 serious crimes.

The power of DNA evidence is so well entrenched that we now almost take it for granted. It is remarkable to realize it was only 15 years ago that DNA typing methods were introduced into criminal investigations and trials in Canada.

The first conviction directly tied to DNA evidence came in 1989 in the case of a vicious sexual assault. The so-called McNally case transformed the administration of justice in Canada and paved the way for the introduction of the data bank just over a decade later. The evidence developed by the RCMP in a lab in the McNally case, was so compelling that it convinced the accused to change his plea to guilty.

Although the RCMP started using DNA analysis successfully in 1989, there was no coordination at the national level to help police take full advantage of steady advances in the technology.

In 1996, the Department of the Solicitor General and the Department of Justice embarked on nationwide consultations with a wide range of stakeholders, including the provinces and territories, police associations, privacy advocates, legal experts and victims groups.

Confirming the Government of Canada's commitment to combat crime, and particularly violent crime, Bill C-3, the DNA Identification Act, received royal assent in December 1998, and was proclaimed in June 2000. With royal assent, the RCMP committed to build a national DNA data bank and to make it operational within 18 months. The project was completed on time and under budget.

• (1655)

The nationwide consultations that contributed to the creation of the data bank also stressed the need to balance a suspect's right to privacy with the need for police officers to collect evidence.

The legislation imposes strict procedures to govern the handling of DNA profiles and biological samples to ensure the privacy interests are protected. Information collected by the national DNA data bank is used for law enforcement purposes only. The bill continues all of those protections.

Some members of the House will also know that the national DNA data bank advisory committee oversees the operation and offers advice to the commissioner of the RCMP.

The data bank is one component of the national police services administered by the RCMP for the benefit of the entire Canadian law enforcement community. The data bank currently employs 26 people and operates with an annual budget of \$3.1 million.

The value of DNA to police investigations is remarkable. Biological samples collected from a crime scene can link a suspect to that scene or rule out the suspect entirely. Evidence from different crime scenes can be compared to link the same perpetrator to multiple offences, whether the crimes took place locally, across the country or halfway around the world.

Canada's national DNA data bank has been recognized as one of the most advanced facilities of its kind in the world. The national DNA data bank relies heavily on robotic technology. Combined with a worldclass inventory and sample tracking system, personnel can process more samples in less time and at a significantly lower cost than other similar operations.

Moreover, the facilities in other countries require enormous cold storage containers to maintain the quality of DNA samples awaiting processing. The Canadian system uses specialized blotting paper that stabilizes the DNA and allows it to be stored at room temperature in secure cabinets.

Although there are fewer numbers of samples in the Canadian national DNA data bank compared to its counterparts internationally, our data bank has realized success much earlier than many. Compared to DNA banks, such as the Florida state wide data bank, the Canadian bank has seen more matches per sample.

The national DNA data bank consists of two primary databases. The first is a convicted offender index and includes profiles from individuals convicted of certain serious Criminal Code offences. The second is the crime scene index which houses DNA profiles generated from crime scenes.

There are currently more than 57,000 profiles entered onto the convicted offender index and more than 14,000 on the crime scene index.

An offender "hit" occurs when a biological sample from a crime scene is sent to the data bank and the resulting DNA profile matches one in the convicted offender index.

A forensic "hit" occurs when a crime scene DNA profile is sent to the crime scene index and matches a profile from at least one other crime scene.

The data bank's success is based on a simple formula. The more profiles entered into the two indices, the more hits generated to help police investigators solve serious crimes.

One such "hit" solved the vicious 1992 murder of a convenience store attendant in Sydney, Nova Scotia.

I would like to conclude my remarks by reminding the hon. members across the way, who are so enthusiastic about the bill, that the national DNA data bank serves as one of the most powerful law enforcement tools available to Canadian police and courts.

Members will recall that more than 1,700 serious crimes have been solved over the last four years as a direct result of evidence generated by data bank scientists.

• (1700)

Even more encouraging is the fact that, as the national DNA data bank approaches full capacity, its impact will increase even further as greater numbers of samples are processed.

Enhanced automation and robotics will help scientists process even more DNA samples in a shorter period of time. New technology will help position the data bank to better respond to various types of forensic investigation, including mass disasters.

The Speaker: Is the House ready for the question?

Some hon. members: Question

The Speaker: The question is on the motion. Is it the pleasure of the House to adopt the motion?

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

The Speaker: All those opposed will please say nay.

In my opinion the yeas have it. Accordingly, the bill stands referred to the Standing Committee on Justice, Human Rights, Public Safety and Emergency Preparedness.

(Motion agreed to and bill referred to a committee)

* * *

FISHERIES ACT

The House resumed from May 3 consideration of the motion that Bill C-33, an act to amend the Fisheries Act, be read the second time and referred to a committee.

Hon. Shawn Murphy (Parliamentary Secretary to the Minister of Fisheries and Oceans, Lib.): Mr. Speaker, I thank you for allowing me to rise in the House today to speak on this issue. As Parliamentary Secretary to the Minister of Fisheries and Oceans, I appreciate the opportunity to add my thoughts to what has already been said earlier on this bill by the minister and to show my support for Bill C-33.

I would also like to add my thanks to the members of the standing joint committee, co-chaired by the hon. member for Surrey Central,

Government Orders

for their interest in this issue, and their very hard work and efforts in bring their concerns forward.

I have carefully read about and listened to the committee's concerns. They have done a lot on this issue, as has been stated in the House by the minister and I believe others. That committee has reported to Parliament and its report, issues, concerns and recommendations have been taken very seriously.

Specifically, the committee has made a case for the need for greater clarity and certainty in the Fisheries Act. That, it is my submission, is exactly what Bill C-33 would do. It would provide greater clarity and certainty on matters of legislative authority with respect to regulations that govern Canada's aboriginal fishery. The Minister of Fisheries and Oceans has listened and the government is responding.

The bill would expressly provide that the governor in council could make regulations respecting the method of designation where a licence was issued to an aboriginal group. It would expressly provide that breach of a term or condition of a licence issued under the Fisheries Act would be an offence.

The bill proposes a number of amendments. It would amend the Fisheries Act to expressly make compliance with licence terms and conditions a requirement under the act. It provides that the terms and conditions of prescribed licences issued to aboriginal organizations prevail over other regulations. It defines for greater certainty the term "aboriginal organization". It would permit the governor in council to prescribe an entity as an aboriginal organization. It provides express regulation making authority for designation provisions.

What we are offered today is an opportunity to clarify the Fisheries Act. Before we act on this opportunity, I would like at this time to highlight the government's longstanding, and I should add ongoing, efforts to strengthen the involvement of aboriginal groups in the management of fisheries on all three of our coasts.

Over the years many programs and initiatives have evolved to allow the Government of Canada to negotiate with and work cooperatively with aboriginal groups in the management of a regulated fisheries.

As everyone in the House knows, in 1990 the Supreme Court of Canada issued a landmark ruling in the Sparrow decision. In that case the Supreme Court found that where an aboriginal group had the right to fish for food, social and ceremonial purposes, it would take priority after conservation over other uses of that resource. The court also indicated the importance of consulting with aboriginal groups when their fishing rights might be affected.

• (1705)

In response to this decision, DFO launched the aboriginal fisheries strategy. Among other things, the strategy provides aboriginal groups with an opportunity to participate in the management of fisheries, thereby improving conservation, management and enhancement of the resource.

Government Orders

I would like to step back and talk about the aboriginal fisheries strategy. When the Sparrow decision came down, followed by the other decision on the east coast, the Marshall decision, there were certainly questions raised as to how these particular court decisions would be handled by society in general.

There was a certain feeling in the fisheries community, and I guess society as a whole, that we would have chaos in the fisheries industry. The principles of the fisheries industry as they are governed, conservation of the resource, sustainability of the industry and the whole precautionary principle would give way, and we would have chaos and things would be very troublesome.

That is not the case. This has been going on for quite a few years now. I am a little more familiar with the issues on the east coast rather than the west coast. I applaud the people who implemented the strategy. In my opinion, this is a strategy that has worked. As everyone in this House knows, not everything in Ottawa works; however, this strategy has worked. I want to congratulate everyone who was involved in the implementation of the strategy.

On the east coast we have, I believe, 34 native bands. There are presently agreements with 32 of the 34 bands. Unfortunately, with respect to one band, in the dying days, March 31 to be exact, the agreement just did not come about. It is a little unfortunate but again, 32 of the 34 bands have signed agreements.

In each case, the band has been given access to the fishery. It has been done on a coordinated basis and these principles of sustainability of the resource, conservation of the resource, and the sustainability of the industry have been adhered to.

Again, everything is not perfect. There have been a few problems along the way. As recently as last week, I talked with the executive director of the Prince Edward Island Fishermen's Association. I asked him specifically if in his experience the program had worked. He was very unequivocal. He said that it had definitely worked. He had nothing but good to say about the way this program had been implemented in that province.

Looking back, it has been a real credit to the officials in the Department of Fisheries and Oceans but also, and perhaps more importantly, to the band chiefs who negotiated these agreements.

My province, I believe, has 28 lobster fleets and two snow crab fleets. Nova Scotia and New Brunswick would have many times this amount, probably in the hundreds. I do not have the exact number. When a community, whether it is native or non-native, has three or four lobster fleets and maybe a snow crab fleet, or another fleet, it not only provides employment and economic development, but it also enhances the whole economic and social fabric of that community.

The coastal communities on the Atlantic coast rely on these fishing fleets, and the native communities are no different than the non-native communities. So with four or five lobster fleets and a snow crab fleet, they need gas, they need workers, and they need people to make repairs. There is the whole issue of the sale and marketing of the products. Name it, it is there. We can see the economic development opportunities that flow from this strategy, which again I applaud.

• (1710)

To turn the page, and keeping pace with change in recent years, Fisheries and Oceans Canada has renewed the strategy. Part of this renewal has included the development of two programs introduced last year that continue to increase the opportunities for first nations communities involved in our fisheries industries.

First, the aboriginal aquatic resources and ocean management, AAROM, program supports aboriginal groups in areas where DFO manages the fisheries and establishes aquatic resource and ocean management bodies. It enables these bodies to obtain access to skilled personnel and related support that allows them to participate effectively in decision making and advisory processes.

The second initiative is the aboriginal inland habitat program. That program shares the same objectives as the AAROM program but focuses on fish habitat management in inland provinces. This program facilitates the engagement of inland aboriginal groups in activities of fisheries and oceans in the fish habitat management program, and of course we are talking about aquaculture and fish farm management.

It encourages new collaborations among aboriginal groups and helps us build established working relationships. It is not part of the policy discussions, but I would hope that what happened on the Atlantic coast, with the inclusion of the native bands and the established fishery, that it would serve as a template for other industries, perhaps forestry or similar court cases that come down giving native groups rights, albeit limited, to some of our timber resources. That is also something that I think the government and perhaps our aboriginal leaders should consider. I really think this is a program that has worked and should be emulated in other areas.

Very recently the Minister of Fisheries and Oceans announced new initiatives for aboriginal fisheries mentoring and training. The at sea mentoring initiative will help Mi'kmaq and Maliseet First Nations in New Brunswick, Nova Scotia, Prince Edward Island and in the Gaspé region of the Province of Quebec to further develop skills to fish safely and effectively in various fisheries.

Again, we can see some of the challenges and dilemma of this program. In certain instances people are now fishing who did not fish before. It is not something that one can just go and do. One has to be trained. There is experience involved. It takes time. This program that I reported recently talks about some of the initiatives that the minister is taking to enhance the level of training and skills that our aboriginal fishers will need to have when they utilize the licences that are presently owned by their aboriginal communities.

It will assist the first nations in diversifying the catch in the inshore fishery and improving overall fishing skills in the mid-shore fishery as well as learning vessel maintenance.

There are always going to be challenges and it is never going to be perfect. I see the two programs that I just talked about adding two new layers to the existing program which has been so successful.

Government Orders

At the same time, the minister announced a new fisheries operation management initiative that will support first nations in learning more advanced skills to manage the communal fisheries assets with the objective of maximizing benefits not only for the fishers but also for the coastal communities. I want to reiterate how important that is.

• (1715)

Both of these initiatives respond to the training, the mentoring and the management expertise requirements identified by the first nation communities. In addition to helping aboriginal groups develop skills and capacity, we have increased their access to the fishery and we have signed multi-year fisheries agreements with 32 first nations.

Clearly this government continues to do its utmost to ensure that aboriginal Canadians can participate fully in the fisheries, with conservation and sustainability being the top priorities.

Despite all of these positive initiatives, as everyone is aware, certainly people who follow fisheries issues, the management of fisheries is extremely complex. We see that in what is going on off the coast of Newfoundland as we speak. There is nothing simple about the management of fish. Issues around treaty and aboriginal rights add to this complexity, but I believe they are being handled in a good manner.

As I first said when I rose, we certainly very much appreciate the committee's concerns around clarity. We are taking actions to address the issues that it has raised. I should point out also that there has been considerable consultation with aboriginal fishing groups and other fishing groups and I understand that the bill has received broad support from all concerned.

It is clear that Bill C-33 fulfills commitments made to the standing joint committee and addresses the issues raised in its reports. The bill proposes greater clarity and certainty on existing legislative authorities, a key component in an orderly and properly managed fishery.

I urge all members of the House to join me in supporting Bill C-33, which I consider a very important piece of legislation.

• (1720)

Hon. Wayne Easter (Malpeque, Lib.): Mr. Speaker, I listened to the remarks of the parliamentary secretary and certainly agree with the thrust of the bill. The parliamentary secretary talked a fair bit about the Marshall decision, the Sparrow court decision and others that have had quite an impact on the regular commercial fishery.

In one of the ports in my riding and in regard to the allocation under the Marshall decision, although it was the right thing to do, and the intent was right, under that intent and after a certain period of time the aboriginal community was supposed to be fishing on its own on the water and not leasing out its operations to allow somebody else to fish. That is not exactly what happened. The fact of the matter is that some leasing is still going on so the full intent has not been exercised.

As well, I have heard a rumour, and I wonder if the parliamentary secretary could tell me whether the rumour is right or wrong. The rumour was that there would be two more allocations of fishing licences made in an area that is already tight in terms of the fishery

and conservation. In my view, we are not supposed to be issuing additional licences. I would expect that the aboriginal community would have to wait until such time as those licences would be available.

I will ask the parliamentary secretary this for greater clarity and certainty in terms of where we are at relative to the Marshall decision. The fisheries committee provided the Department of Fisheries and Oceans some time ago with quite a list of questions and has never received any answers relative to the Marshall decision.

Can the parliamentary secretary assure me that no licences will be granted unless they can be purchased in order to be turned over?

Hon. Shawn Murphy: Mr. Speaker, I want to thank my learned colleague for this question. He certainly is very knowledgeable on this issue. He has lived it, not only in his district of Malpeque, Prince Edward Island, but also as a former chair of the Standing Committee on Fisheries and Ocean, which has spent quite a bit of time studying this issue.

He raises some good points, but I think he does agree with me that from a global context, although everything is not perfect and this implementation has not been perfect, by and large the whole implementation of the Marshall initiative by the Department of Fisheries and Oceans has worked reasonably well. It is not perfect.

The hon. member raised one point about the whole issue of aboriginal persons on the water. Again, that is one of the programs on which I just reported about seven minutes ago. The minister announced last year that the department is trying to upgrade the skills and training of the aboriginal fishers so that they will better trained in the whole process of fishing. My colleague knows that we cannot take what we call a landlubber and put him at sea or the next thing we know we are going to have problems. People may think that fishing is easy. It is not an easy occupation. It is a hard occupation and it is a dangerous occupation, and one has to be trained to do it.

What has happened on the east coast is that a lot of fishing families have been at it for eight generations. A lot of the Acadian families started in the 1600s, so for them it has been 10 and 12 generations. A lot of these men—although a lot of women go to sea now—were trained by their fathers. A lot of them started as young men and have learned their training at sea. Again, that is the program the minister announced and it has been a good program.

He identifies in his comments the whole issue of the acquisition of licences, and the learned member is correct that the department, to meet its requirement under the Marshall initiative, is supposed to get two additional licences on the north shore of Prince Edward Island. The department has tried its very best but one of the problems, because of the acquisition by DFO of a number of these licences over the last number of years, and perhaps because fishing has been relatively good—although there are parts of Prince Edward Island where the lobster fishery, especially on the strait side, has not been good, but in the district that I call LF24 it has been relatively good—is that it has driven up the price of these licences pretty high, as my learned friend knows very well, and that has caused problems in acquiring these last two licences.

Government Orders

My learned friend is right. It would be better to have them spread out across the north shore. Hopefully that will take place.

• (1725)

Hon. Larry Bagnell (Parliamentary Secretary to the Minister of Indian Affairs and Northern Development, Lib.): Mr. Speaker, I have two questions for my hon. colleague. The second one is basically about why there are only these small technical amendments in this act. There have been calls for amendments to the Fisheries Act for many years. We have a number of issues that have come from my riding, and the chambers of commerce nationally and the national Federation of Canadian Municipalities have been calling for certain reviews, so I question why there are only a few small technical amendments in this act.

My first question is related to whether the member can explain how this act, which came from parliamentarians, helps to fulfill the democratic deficit. As he knows, that is one of the most exciting things since the new administration came into place. The House has changed dramatically with free votes by the members, at least on this side, and there has been a whole change in tenor. If he remembers, when we first started this Parliament virtually all the debate from the opposition on all sides was related to how undemocratic this place was, and we do not hear a word of that anymore. It is a great empowerment of committees in Parliament and I find it exciting that we will be going into some free votes in a couple of minutes.

I wonder if the member could respond to those two questions: first, how this was actually an initiative of parliamentarians, responding to parliamentarians; and second, why there are not a lot of the other initiatives that people have been asking for in regard to the Fisheries Act.

Hon. Shawn Murphy: Mr. Speaker, I will answer the second question first. Yes, this issue arose from a court case on the west coast of Canada. It was referred to the standing joint committee. The standing joint committee put a lot of good work into the whole issue and shared its concerns with the Minister and Department of Fisheries and Oceans. The minister and the department responded very quickly, which I thought was appropriate. Again, as I pointed out previously, the amendments to the Fisheries Act have broad support, both within the native fisheries organizations and within the non-native fisheries organizations. I guess in hindsight this is the way the system should work, and I am pleased to be part of it on this particular issue.

On the other issue, my learned friend brings up a very important point on the whole review and modernization of the Fisheries Act. I am not sure my learned friend is aware, but some of the provisions of the Fisheries Act that are there now were, I believe, enacted in 1867 and are there without amendment. It is a very ancient act. There are a lot of unusual provisions. It probably does need a review. I have concerns that should be addressed in the Fisheries Act, but likewise every fisheries organization from coast to coast to coast has concerns.

• (1730)

CRIMINAL CODE

The House resumed consideration of the motion that Bill C-12, an act to amend the Criminal Code (protection of children and other vulnerable persons) and the Canada Evidence Act, be read the third time and passed.

The Speaker: I am sorry to interrupt the parliamentary secretary, but it being 5:29 p.m., the House will now proceed to the taking of the deferred recorded division on the motion at the third reading stage of Bill C-12.

Call in the members.

• (1800)

[*Translation*]

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

(*Division No. 74*)

YEAS

Members

Adams	Alcock
Anderson (Victoria)	Assad
Assadourian	Bachand (Saint-Jean)
Bagnell	Bakopanos
Barnes (London West)	Barrette
Beaumier	Bélangier
Bennett	Bergeron
Bertrand	Bevilacqua
Bigras	Binet
Blondin-Andrew	Bonin
Boudria	Bradshaw
Brisson	Brown
Bulte	Caccia
Calder	Cardin
Carroll	Castonguay
Catterall	Cauchon
Charbonneau	Coderre
Collenette	Comuzzi
Cotler	Crête
Cullen	Cuzner
Dalphond-Guiral	Desrochers
DeVillers	Dion
Dromisky	Drouin
Duceppe	Easter
Efford	Eyking
Farrah	Fontana
Frulla	Gagnon (Québec)
Gagnon (Lac-Saint-Jean—Saguenay)	Gagnon (Champlain)
Galloway	Gaudet
Girard-Bujold	Godfrey
Goodale	Graham
Guay	Guimond
Harvey	Hubbard
Ianno	Jackson
Jennings	Jobin
Jordan	Karetak-Lindell
Karygiannis	Keyes
Kilgour (Edmonton Southeast)	Knutson
Kraft Sloan	Laframboise
Laliberte	Lalonde
Lanctôt	Lastewka
Lee	Leung
MacAulay	Macklin
Malhi	Maloney
Marcel	Marleau
Martin (LaSalle—Émard)	Matthews
McCallum	McCormick
McGuire	McKay (Scarborough East)
McLellan	McTeague
Ménard	Minna
Mitchell	Murphy
Myers	Nault

Private Members' Business

PRIVATE MEMBERS' BUSINESS

[English]

CRIMINAL CODE

The House resumed from May 7 consideration of the motion that Bill C-221, an act to amend the Criminal Code (no parole when imprisoned for life), be read the second time and referred to a committee.

The Deputy Speaker: The House will now proceed to the taking of the deferred recorded division on the motion at second reading stage of Bill C-221.

• (1805)

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

(Division No. 75)

YEAS

Members

Ablonczy
Benoit
Casson
Duncan
Epp
Gallant
Gouk
Hill (Macleod)
Johnston
Lunn (Saanich—Gulf Islands)
McNally
Mills (Red Deer)
Obhrai
Penson
Reid (Lanark—Carleton)
Ritz
Schmidt
Strahl
Toews
White (North Vancouver)
Yelich— 41

Anderson (Cypress Hills—Grasslands)
Casey
Chatters
Elley
Fitzpatrick
Goldring
Hanger
Jaffer
Kenney (Calgary Southeast)
Lunney (Nanaimo—Alberni)
Merrifield
Moore
Pallister
Rajotte
Reynolds
Schellenberger
Solberg
Thompson (New Brunswick Southwest)
Wayne
Williams

NAYS

Members

Adams
Anderson (Victoria)
Assadourian
Bagnell
Barnes (London West)
Beaumier
Bennett
Bertrand
Bigras
Blaikie
Bonin
Bradshaw
Brown
Bulte
Calder
Carroll
Catterall
Charbonneau
Collenette
Comuzzi
Crête
Cuzner
Davies
Desrochers
Dion
Dromisky
Duceppe
Efford
Farrah

Alcock
Assad
Bachand (Saint-Jean)
Bakopanos
Barrette
Bélanger
Bergeron
Bevilacqua
Binet
Blondin-Andrew
Boudria
Brisson
Bryden
Caccia
Cardin
Castonguay
Cauchon
Coderre
Comartin
Cotler
Cullen
Dalphond-Guiral
Desjarlais
DeVillers
Doyle
Drouin
Easter
Eyking
Fontana

Neville
O'Reilly
Pagtakhan
Parrish
Peric
Pillitteri
Pratt
Proulx
Reed (Halton)
Robillard
Roy
Sauvageau
Scherrer
Sgro
Simard
St-Hilaire
St-Julien
Steckle
Szabo
Thibault (Saint-Lambert)
Tonks
Tremblay
Valeri
Wappel
Wilfert

O'Brien (London—Fanshawe)
Owen
Paradis
Patry
Pickard (Chatham—Kent Essex)
Plamondon
Price
Redman
Regan
Rocheleau
Saada
Savoy
Scott
Shepherd
Speller
St-Jacques
St. Denis
Stewart
Telegdi
Tirabassi
Torsney
Ur
Volpe
Whelan
Wood— 154

NAYS

Members

Ablonczy
Benoit
Bryden
Casson
Comartin
Desjarlais
Duncan
Epp
Forsyth
Godin
Gouk
Hearn
Jaffer
Kenney (Calgary Southeast)
Lunn (Saanich—Gulf Islands)
Martin (Winnipeg Centre)
McDonough
Merrifield
Moore
Obhrai
Penson
Rajotte
Reynolds
Schellenberger
Solberg
Thompson (New Brunswick Southwest)
Wayne
Williams

Anderson (Cypress Hills—Grasslands)
Blaikie
Casey
Chatters
Davies
Doyle
Elley
Fitzpatrick
Gallant
Goldring
Hanger
Hill (Macleod)
Johnston
Lill
MacKay (Pictou—Antigonish—Guysborough)
Masse
McNally
Mills (Red Deer)
Nystrom
Pallister
Proctor
Reid (Lanark—Carleton)
Ritz
Schmidt
Strahl
Toews
White (North Vancouver)
Yelich— 56

PAIRED

Members

Asselin
Bourgeois
Duplain
Gauthier
Lincoln
Manley
Paquette
Phinney
Thibault (West Nova)

Augustine
Caplan
Fournier
Guarnieri
Loubier
Marceau
Perron
Picard (Drummond)
Vanclief— 18

The Deputy Speaker: I declare the motion carried.
(Bill read the third time and passed)

Private Members' Business

Frulla	Gagnon (Québec)
Gagnon (Champlain)	Gagnon (Lac-Saint-Jean—Saguenay)
Galloway	Gaudet
Girard-Bujold	Godfrey
Godin	Graham
Guay	Guimond
Harvey	Hearn
Hubbard	Ianno
Jackson	Jennings
Jobin	Jordan
Karetak-Lindell	Karygiannis
Keyes	Kilgour (Edmonton Southeast)
Knutson	Kraft Sloan
Laframboise	Laliberte
Lalonde	Lanctôt
Lastewka	Lee
Leung	Lill
MacAulay	MacKay (Pictou—Antigonish—Guysborough)
Macklin	Malhi
Maloney	Marcil
Marleau	Martin (LaSalle—Émard)
Martin (Winnipeg Centre)	Masse
Matthews	McCallum
McCormick	McDonough
McGuire	McKay (Scarborough East)
McLellan	McTeague
Ménard	Minna
Mitchell	Murphy
Myers	Nault
Neville	Nystrom
O'Brien (London—Fanshawe)	O'Reilly
Owen	Pagtakhan
Paradis	Parrish
Patry	Pickard (Chatham—Kent Essex)
Pillitteri	Plamondon
Pratt	Price
Proctor	Proulx
Redman	Reed (Halton)
Regan	Robillard
Rocheleau	Roy
Saada	Sauvageau
Savoy	Scherrer
Scott	Sgro
Shepherd	Simard
Speller	St-Hilaire
St-Jacques	St-Julien
St. Denis	Steckle
Stewart	Szabo
Telegdi	Thibeault (Saint-Lambert)
Tirabassi	Tonks
Torsney	Tremblay
Ur	Valeri
Volpe	Wappel
Whelan	Wilfert
Wood— 167	

PAIRED

Members

Asselin	Augustine
Bourgeois	Caplan
Duplain	Fournier
Gauthier	Guarnieri
Lincoln	Loubier
Manley	Marceau
Paquette	Perron
Phinney	Picard (Drummond)
Thibault (West Nova)	Vanclief— 18

The Deputy Speaker: I declare the motion defeated.

* * *

CRIMINAL CODE

The House resumed from May 11 consideration of the motion that Bill C-452, an act to amend the Criminal Code (proceedings under section 258), be read the second time and referred to a committee.

The Deputy Speaker: The House will now proceed to the taking of the deferred recorded division on the motion at second reading stage of Bill C-452 under private members' business.

● (1815)

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

(Division No. 76)

YEAS

Members

Ablonczy	Anderson (Cypress Hills—Grasslands)
Bachand (Saint-Jean)	Benoit
Bergeron	Bigras
Blaikie	Bryden
Cardin	Casey
Casson	Chatters
Comartin	Crête
Dalmond-Guiral	Davies
Desjarlais	Desrochers
Doyle	Duceppe
Duncan	Elley
Epp	Fitzpatrick
Forseth	Gagnon (Champlain)
Gagnon (Lac-Saint-Jean—Saguenay)	Gagnon (Québec)
Gallant	Gaudet
Girard-Bujold	Godin
Gouk	Guay
Guimond	Hangar
Hearn	Hill (MacLeod)
Jaffer	Johnston
Kenney (Calgary Southeast)	Laframboise
Lalonde	Lill
Lunn (Saanich—Gulf Islands)	Lunney (Nanaimo—Alberni)
MacKay (Pictou—Antigonish—Guysborough)	Martin (Winnipeg Centre)
Masse	McDonough
McNally	Ménard
Merrifield	Mills (Red Deer)
Moore	Nystrom
Obhrai	Pallister
Penson	Peric
Pillitteri	Plamondon
Proctor	Rajotte
Reid (Lanark—Carleton)	Reynolds
Ritz	Rocheleau
Roy	Sauvageau
Schellenberger	Schmidt
Solberg	St-Hilaire
St-Julien	Strahl
Thompson (New Brunswick Southwest)	Toews
Tremblay	Wayne
White (North Vancouver)	Williams
Yelich— 83	

NAYS

Members

Adams	Alcock
Anderson (Victoria)	Assad
Bagnell	Bakopanos
Barnes (London West)	Barrette
Beaumier	Bélangier
Bennett	Bertrand
Bevilacqua	Binet
Blondin-Andrew	Bonin
Boudria	Bradshaw
Brisson	Brown
Bulte	Caccia
Calder	Carroll
Castonguay	Catterall
Charbonneau	Coderre
Collenette	Comuzzi
Cotler	Cullen
Cuzner	DeVillers
Dion	Dromisky
Drouin	Easter
Efford	Eyking
Farrah	Fontana

Private Members' Business

Frulla
 Godfrey
 Harvey
 Ianno
 Jennings
 Jordan
 Karygiannis
 Knutson
 Laliberte
 Lastewka
 Leung
 Macklin
 Maloney
 Marleau
 McCallum
 McGuire
 McLellan
 Mitchell
 Myers
 Neville
 O'Reilly
 Pagtakhan
 Parrish
 Pickard (Chatham—Kent Essex)
 Price
 Redman
 Regan
 Saada
 Scherrer
 Sgro
 Simard
 St-Jacques
 Steckle
 Telegdi
 Tirabassi
 Torsney
 Valeri
 Wappel
 Wilfert

Galloway
 Graham
 Hubbard
 Jackson
 Jobin
 Karetak-Lindell
 Keyes
 Kraft Sloan
 Lanctôt
 Lee
 MacAulay
 Malhi
 Marcil
 Martin (LaSalle—Émard)
 McCormick
 McKay (Scarborough East)
 Minna
 Murphy
 Nault
 O'Brien (London—Fanshawe)
 Owen
 Paradis
 Patry
 Pratt
 Proulx
 Reed (Halton)
 Robillard
 Savoy
 Scott
 Shepherd
 Speller
 St. Denis
 Szabo
 Thibeault (Saint-Lambert)
 Tonks
 Ur
 Volpe
 Whelan
 Wood— 120

PAIRED

Members

Asselin
 Bourgeois
 Duplain
 Gauthier
 Lincoln
 Manley
 Paquette
 Phinney
 Thibault (West Nova)

Augustine
 Caplan
 Fournier
 Guarnieri
 Loubier
 Marceau
 Perron
 Picard (Drummond)
 Vanclief— 18

The Deputy Speaker: I declare the motion defeated.

It being 6:20 p.m., the House will now proceed to the consideration of private members' business as listed on today's Order Paper.

* * *

• (1820)

[Translation]

EXCISE TAX ACT

Ms. Caroline St-Hilaire (Longueuil, BQ) moved that BillC-456, An Act to amend the Excise Tax Act, be read the second time and referred to a committee.

She said: Mr. Speaker, today we are debating Bill C-456, an act to amend the Excise Tax Act, which is intended to exempt cloth and disposable diapers for children from the goods and services tax.

First, I will tell you that I am very honoured to speak in this House, especially since Quebec is celebrating family week until May 16. I invite the people of Longueuil and Quebec to take part in the many events that are being held everywhere in Quebec. Let us say

that the time is quite appropriate to debate a bill on families. It could not be more timely.

As you know, the GST is aimed at a wide variety of goods and services, and it applies to products that are considered essential to families. However, there are several exceptions based on social, economic or administrative grounds. Supplies are thus said to be tax-free or exempted. The purpose of my bill is precisely to change one of these exceptions in Schedule V to the act by adding supplies relating to child care.

In terms of the mechanics, there is no problem, and GST exemptions have already been granted on a number of essential, not to say indispensable, goods and services, as should be the case for children's diapers. For example, there is no GST on adult diapers, while there is GST on diapers for children. Someone will have to explain the logic of that to me.

As for the Bloc Quebecois's interest in this, we have always been concerned about the interests of families and about improving the living conditions of families. In order to do so, we must introduce progressive measures that will encourage and enable young couples to start and raise a family in dignity and respect for family values. This is a very simple step and only a small one, but we all know that long journeys are begun with small steps.

Thus, in proposing to abolish the GST on diapers, I want to give families with young children a way to decrease the cost of certain purchases, such as diapers for their children. At present, GST applies to all these products, even though they are essential to the care and upbringing of a child.

Since I am now the mother of two beautiful boys—probably the most beautiful and the sweetest—Étienne and Louis-Félix, I can testify to the essential nature of these items. Believe me, it ends up costing a lot.

We cannot talk about families without talking about challenges. One of these challenges is to ensure that Quebec families have a better income, using fiscal and other measures. Another major challenge requiring attention is the decline in population growth. Obviously, the mere fact of exempting diapers from GST will not entirely improve a family's financial situation, or the demographic problem. Still, I am convinced that with a number of measures, we can make a difference and encourage couples to have larger families and more children.

Some will say that the amount families will save will be very small. In truth, it is not a large sum for a middle-class family. On the other hand, it would make a difference for a family living below the poverty line. Unfortunately, many families in Quebec, and in Canada, are raising their children in sometimes extremely difficult conditions. This amount, however tiny, can make a huge difference for many people.

The federal tax system is partially responsible and is among the most voracious and regressive in the industrialized world, and young families and women are its first victims.

Private Members' Business

The Minister of Finance must recognize these inequities, which oblige a couple with two children and a single income to pay federal income tax starting on an income of \$13,719, while in Quebec, that same family starts paying income tax only when its income reaches \$30,316. The federal tax threshold is completely unacceptable. The \$13,719 is below the poverty line established in Quebec in 2003, which is \$22,000 for a couple with two children.

Quebec, however, is among the most progressive governments in North America. Yet, it does not have the same manoeuvring room as the federal government since, unlike Ottawa, its expenses increase more quickly than its revenue. Obviously, not everyone has the same priorities, and the reality for families seems to escape the federal government.

• (1825)

If the Minister of Finance wants to show openness to families, then he should promise right now to change federal taxation, as the Bloc Québécois has been asking since 1994.

The federal government must resolve once and for all the many injustices impoverishing Quebec and Canadian families, and thereby perhaps improve the birth rate.

To me the demographic problems are particularly worrisome. According to Statistics Canada, Canada's birth rate declined again in 2002 and dropped to 10.5 births for every 1,000 people. Over the past 10 years alone the rate dropped by 25.4%, which is an unprecedented dip.

In Quebec, there were 72,477 births in 2002, or 1.7% fewer births than in the previous year. At the beginning of the 20th century, the birth rate was close to 40 births for every 1,000 people in Quebec. The fertility rate is currently 1.5 children per woman, while a rate of 2.1 children per woman is needed and this does not take into account the contribution of immigration to stabilizing the population.

In light of these revealing data, I feel it is our duty as parliamentarians to introduce measures to promote demographic growth. If we do not, there will be heavy consequences in the next few decades. It is imperative to get our priorities straight.

Of course, the implementation of a real family policy is the responsibility of the governments of Quebec and the other provinces, but the federal government also has a major duty in this respect, namely to give Quebec and the provinces the means to carry it out. The federal government, which is awash in surpluses and able to find money for its friends, should be able to find some for families at least.

The federal government can afford to act on my bill, Bill C-456, and exempt baby diapers from the GST. GST revenues are forecasted to be \$31 billion in 2004-05, while my proposal would cost slightly over \$2 million a year.

According to Statistics Canada, in 2001, the federal government took in around \$2.3 million in revenues from the GST on disposable diapers. It is fair to assume that, if it eliminated the GST, its revenues would decrease by the same amount every year. This goes to show that the measure means very little to the federal government, but it would certainly make a huge difference for some families.

As a matter of fact, while on the topic of the GST, I would like to remind the House that on, May 6, the National Assembly unanimously passed a resolution supporting the government's efforts to ask Ottawa to transfer the GST revenues to the province to rectify the fiscal imbalance and to fund, among other things, health care or other measures to help families.

I must deplore therefore the attitude of the Prime Minister of Canada, who clearly stated he had no intention of transferring any GST revenues. In Quebec alone, the GST collected on behalf of Canada amounts to \$7 billion. Imagine what we could do in Quebec if we had an extra \$7 billion.

The federal government has many other sources of revenue. Allow me to remind you of a few savings it made on the backs of Quebec families.

For instance, ever since the introduction of the \$5 daycare program in 1998, the federal government has saved \$1 billion on the backs of Quebec parents, without counting the parental leave program, which deprives Quebec families of a much more generous plan than the federal one, and which the Quebec government is postponing implementing for lack of money. What the federal government owes for this program is now estimated at around \$630 million.

These are but a few examples. I do not have the time to give you the whole picture of the shortfall in Quebec and the surplus in Ottawa, commonly known as the fiscal imbalance, which deprives Quebec of \$50 million every week.

We in Quebec would know just where to invest that money, in a society where Quebec takes care of its young people, its families and its senior citizens. We would invest in a healthy, well-educated society, keen to bring the stork back to Quebec.

• (1830)

In closing, I would like to thank Lisa Dion from my riding, who shared with me her indignation that there is tax on diapers. I share that indignation. This is one more example of the role and the power of the public.

Finally, on the occasion of family week in Quebec and in light of the importance of this measure, I seek the support of all my colleagues in the House of Commons.

[English]

Mr. Ken Epp (Elk Island, CPC): Mr. Speaker, I listened to every word the member said and enjoyed her speech and her argument in favour of eliminating the GST on diapers for children. If I remember correctly, I believe she was the member who carried her first baby while she was a member of Parliament. It was interesting to watch that development, shall we say.

However I would like to thank her for bringing this issue up at this time. We remember it was the Liberals who said that they would eliminate the GST on everything. While her bill purports to favour eliminating it on this one item, the Liberals said that they would get rid of it, kill it, but of course that never happened.

Private Members' Business

As she said, diapers are necessities and certainly should come under the same category as food and other necessities of life. It also is interesting that we do not have exemptions for clothing which, in our climate, is pretty much essential. Beyond that, we also have GST on food. If we buy small quantities, such as five doughnuts, we have to pay GST, but if we buy six doughnuts we do not. There are many crazy anomalies in the GST program.

I would like to ask this member to comment further on whether it is a good idea to just keep adding lists of items that are exempted from the GST instead of dealing with the issue in its totality.

[*Translation*]

Ms. Caroline St-Hilaire Mr. Speaker, I thank my colleague for his comments and question. I did indeed have the good fortune and privilege to have my first son, Étienne, during my first term here, and, during the second, I had Louis-Félix. Who knows what will happen during a third? But seriously, it was a great honour to give birth to those two boys.

In my functions as an MP, I have met people in my riding who expressed their indignation at having to pay tax on diapers. We must recall that the GST was supposedly a tax on goods and services, but that there essential items were to be exempt. Goodness knows that diapers are essential to anyone with children. I do not know many people who go around with an undiapered infant, and that is probably a good thing.

That being said, when we talk about products that were exempted from the GST, there is something about this government that I do not understand. Particularly, and this is probably the most blatant example, diapers for adults are exempted from the GST. It is appropriate that they are, but the government should explain to me why it does not do so for children. To me, this is an obvious comparison; this is why this bill is important to me and why I wish all members in this House would support it.

[*English*]

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, I hesitate to ask this question because I have two daughters, a son and eight grandchildren, but are in fact disposable diapers disposable in the environmental sense? Has progress been made to make them truly disposable? I know they are called disposable but are they disposable?

• (1835)

[*Translation*]

Ms. Caroline St-Hilaire: Mr. Speaker, I thank the member for his question. Indeed, when the bill was drafted, we were wondering if we would limit the exemption to disposable and re-usable diapers, which is very interesting from the environmental standpoint. However, today, in 2004, most Canadians use disposable diapers. Of course, in terms of the environment, we must find measures to encourage people to use re-usable diapers. The fact still remains that most parents are now using disposable diapers.

Yes, as parliamentarians, we must send environmental messages, but we must be aware that, in 2004, parents are still using disposable diapers.

[*English*]

Ms. Sophia Leung (Vancouver Kingsway, Lib.): Mr. Speaker, I am pleased to speak to private member's bill C-456, which asks Parliament to amend the Excise Tax Act to exempt cloth and disposable diapers for children from the goods and service tax, the GST.

The government recognizes that my colleague's intent of the bill is to assist low income families with young children. I am pleased to hear that she has two young children now. I remember when she was expecting her first child. I am sure she is very busy.

Canadian society is one of caring and compassion and it is up to the government to reflect that attitude in its legislation. In that regard, the federal government has introduced many measures in recent budgets to help Canadians who need it the most, in particular families with children.

I trust my colleagues would agree that while tax reduction must ultimately benefit all Canadians, it must primarily benefit those who need it the most, middle and low income earners, especially families with children. The best way to help these families is to provide targeted tax relief. That has been a priority of this government ever since we achieved a balanced budget in 1998.

Personal income tax cuts can be better targeted to low and middle income families rather than providing GST relief on specific items, such as diapers, that may be purchased by both low and high income individuals.

Let me explain. As a general principle, it is better to tax a broad base of goods and services rather than to exclude a certain GST base. The broad base of the GST allows the tax rate to be set at a relatively low rate, while still ensuring an adequate level of revenue. Moreover, value added taxes such as the GST are more efficient when applied to a wide range of goods and services consumed in Canada.

It is also important to mention here that removing certain items from the GST base could, over time, erode the tax base, hampering the government's ability to keep the GST at a relatively low rate.

To return to the issue of targeted tax relief, for individuals and families, GST relief is provided through the GST credit. The government provides approximately \$3 billion a year through the GST credit to help low income families and individuals with the sales tax they paid during the year. The credit has proven to be an effective means of targeting and delivering tax relief, particularly to low income families. This is the fairest and the most efficient means of providing targeted relief from the GST.

Private Members' Business

As well as the GST, targeted tax relief is provided by way of the \$100 billion five year tax reduction plan. This plan was introduced in 2000, and it continues to provide tax relief to low and middle income Canadians. The plan has reduced federal personal income taxes by 21% on average and for families with children, that figure is 27%.

This year's budget builds on prior actions for families with children by helping them accumulate savings for their children's post-secondary education.

● (1840)

Our economy must be powered by ideas, imagination and innovation. Knowledge is the key not only to individual opportunity but also to economic success.

In previous budgets we improved assistance to students, created the Canada study grants, supported lifelong learning, enhanced the education tax credit and added the Canada education savings grant, CESG, to registered education savings plans.

The 2004 budget announced a broad package of measures aimed at promoting learning at every stage of life, including the very young. This budget commits additional resources to the multilateral framework on early learning and child care so more children will be better prepared to learn at school and succeed in life.

The government will also provide increased resources to understanding the early years, a pilot project which will identify children with learning disabilities. The program will be extended to 100 more communities.

Family saving is very hard for low income families who struggle just to make ends meet. To help these families, the government currently provides support through the Canada child tax benefit, in particular the national child benefit supplement. All in all, the annual federal investment in Canadian children and youth through the Canada child tax benefit is about \$10 billion, making it one of the nation's most important social programs after medicare.

Too many Canadians from low and middle income families cannot have a college education because the cost is too high. To further assist those families to save for their children's education, the 2004 budget announced three important new measures.

First, beginning this year the government will introduce a learning bond in the amount of \$500 which will be available to every child born after 2003 to families earning less than \$35,000. Each year thereafter, for 15 years, the Government of Canada will contribute an additional \$100 bond for children in low income families. This will provide up to \$2,000 for post-secondary education. Even with no additional contributions by parents or others, when placed in an RESP, these funds could grow to nearly \$3,000 by the time the child reaches 18, providing a foundation for higher education and a better future. The learning bond will benefit for than 120,000 newborn children this year alone.

Second, for families earning less than \$35,000, we will double the Canada education savings grant from 20% to 40% on the first \$500 of contributions each year. The means that for every \$5 that a low income family contributes to an RESP, the Government of Canada will add \$2. As a result, families receiving the learning bond and

contributing as little as \$5 a week to an RESP could have close to \$12,000 by the time their children ready for a college education.

Third, we will provide some 20,000 students from low income families with new grants worth up to \$3,000 to cover a portion of the first year of tuition.

Furthermore, for families earning between \$35,000 and \$70,000, the CESG will increase from 20% to 30% on the \$500 of contributions each year. This could benefit more than two million children in middle income families.

● (1845)

Each year the Canada student loan program provides financial support for almost half of the full time students in post-secondary education. Students across Canada will have told the government—

The Deputy Speaker: Time has lapsed. During private members' business, members have a limited amount of time and the time has passed, so I must move on. Resuming debate, the hon. member for Medicine Hat.

Mr. Monte Solberg (Medicine Hat, CPC): Mr. Speaker, it is a pleasure to rise to address the bill, Bill C-456, an act to amend the Excise Tax Act.

Before I get into that, I just want to say to the speaker who just spoke that we wish her all the best in her career after politics. She is one of many members who will be leaving this place. Although we are on different sides in this case, I think there is a real collegiality in this place at the end of the day and people do want to see the people, who were even their political adversaries, go on to prosper in their careers after they leave Parliament. Certainly that is my wish.

I want to begin by commending the member for bring forward Bill C-456. I really commend the motives behind this. It is a bill that would see the GST on diapers exempted so there would be no GST them. It is motivated by a good thing. The member makes it clear she wants to help people who, in many cases, cannot afford diapers.

I am someone who knows a little about diapers. At one point I was a struggling young man with a family who had to try to pay for diapers, formula, clothing, playpens, all the things required to raise children. I have a tremendous amount of sympathy with people who are struggling with that. It is a very hard situation.

We did not have much money when we first had our children. It is a difficult thing. I changed many diapers. I remember my youngest son was very ill when he was first born and we went through a lot of diapers. Therefore, I have tremendous appreciation for the intent behind the bill. It is difficult to afford all those things, whether it is clothes, formula, some of the accessories and certainly diapers.

Private Members' Business

Let me address the specifics. The argument the member has made is that although this would not necessarily amount to a lot of money, to someone who is poor, it is substantial. I agree with that. I also think that there are maybe some better ways to address it.

It is pretty clear that if we exempt diapers, then other people would argue for further exemptions, whether it is on clothes or other things. Those things are commendable, but I think a lot of people would argue that a better approach is to lower taxes in general for people on the low end. I think we should have lower taxes for people on the low end.

My leader spoke not long ago in Truro about the need to ensure that families with children received special attention in the future and that there be substantial tax relief for them, irrespective, by the way, of how they looked after their children. A lot of the tax breaks and benefits in Canada today have been based on how we look after our children. We do not think that is the appropriate way to deal with it. The important thing is that we get some tax relief if we have children. We want to honour the fact that people have made the decision to have children and who want to support them.

We want to provide some kind of acknowledgement of that through lower taxes for families with children, whatever their special challenge. If it is a case like mine where we had a very sick child and went through a lot of diapers, then we could use those lower taxes to help with that. If it is a situation that is different, maybe they need extra medication, whatever it is, they would be in a position as the recipient of lower taxes to keep more of that money. They then could decide on their priorities.

I really do appreciate the point of this, and we are very sympathetic to it, but we would take a little different approach.

Generally speaking, taxes in Canada are far too high, I would argue, for everyone. I was looking at the numbers the other day. In Canada today, all three levels of government spend about 42% of GDP.

• (1850)

Mr. John McKay: They are down from 45%.

Mr. Monte Solberg: They are down from 45% he says. I am not sure about that, but it is around 42%. So, that is really the level of taxation in Canada. The average family spends almost 50% of its income on taxes.

There was a Fraser Institute study that came out the other day and it went through all the taxes. There are so many of them, and it is almost 50%. An average family in Canada earns around \$60,000 which is not a huge amount of money, especially if there are a lot of children. It is pretty clear that if one is spending 50% of one's income on taxes there is not a lot left over to deal with some of the things that are important to people, whether it is having some money to pay for diapers, or to put children in hockey or ballet, or buy them music lessons, or whatever it is. These are not really luxuries, I would argue. They are important things for families.

We must have lower taxes in Canada and we are not hearing that from my friends across the aisle right now. My leader, the member for Calgary Southwest, has made the argument that we must have

lower taxes, both to acknowledge the difficult struggles of families today and also because ultimately it is the road to growth.

If we have lower taxes, then there is the possibility of accumulating capital that can then be used to purchase education, the tools that are necessary to make a person more productive, expand the economy, and bring more revenues into government. And ultimately, to have a stronger social safety net to again help people on the low end who, through no fault of their own, cannot make it for some reason.

We all want that in this place, but I think the government is missing the boat when it does not address that in a fundamental way. I would also say to my friend from the Bloc that it is also the way that Bloc members should be arguing. They should be arguing that we need lower taxes in general to help people so that whatever their situation is, they will have that money.

If they are on the low end of the income scale, they would be able to deal with the problems that they face, but ultimately, and just as importantly, lower taxes in the end broaden the tax base. They make us more productive, they raise the standard of living, and they ensure that there are more revenues coming in so that we can have a sustainable social safety net. To me that is just so important.

The other day a group of us talked with a senior economist here in Canada, somebody who does this work and considers these issues all the time. We talked about the problem of the coming demographic crunch. We talked for a long time about the need to make Canada far more productive so that we will have the revenues coming in to ensure that we have a strong social safety net, so that when it comes to health care, pensions, and social programs, the money will be there.

Let me conclude by again congratulating the member for her initiatives and certainly for her motives. They are completely honourable and we all should be concerned with the fate of people who are less well off than we are. We need to find ways to help them.

We would argue that we should be approaching this in a slightly different way. She seems to be upset about that. We really do honour what she is attempting to do and we think it is a good effort, but we would approach it differently.

• (1855)

Ms. Wendy Lill (Dartmouth, NDP): Mr. Speaker, it is an honour to speak tonight to Bill C-456, an act to amend the Excise Tax Act to exempt cloth and disposable diapers from the GST. I appreciate the bill put forward by the member for Longueuil. I also appreciated her comments at the beginning of the debate. I hope that her two boys are watching their mom on CPAC, or whatever the equivalent is in Quebec. I hope they are watching their mother speak out on an issue which is very important to families.

I think, if anything, this bill speaks to the reason why we need a lot more women in the House of Commons. We see issues that are very down to earth and essential to our families. They need to be discussed here in order to bring forward practical solutions. This is as good an example as any why we need a lot more women in the House of Commons.

Private Members' Business

I support this bill and I believe that New Democrats support this bill. We are trying to come up with ways of eliminating more of the hardships facing Canadian families all over this country and helping people deal with the rising costs of raising children. It will make a difference. It will bring relief on a dollar per dollar basis of the amount that goes out every week on essentials, such as diapers. That is a really positive benefit of this bill.

The member for Longueuil mentioned that Quebec is more progressive when it comes to measures to assist families. I have always looked to Quebec and the kind of day care assistance it gives to families. I have wished very much that we could offer the same kind of assistance for all families in Nova Scotia, where I live and where I represent people.

I think that Quebec has also been working to assist families deal with escalating costs of raising children in other ways. I read that effective March 31, the Quebec sales tax is no longer applicable to the following items, and these are again important items involved in child raising: children's diapers and training pants, breast and bottle feeding equipment, waterproof pants worn over washable diapers, absorbent liners, and biodegradable paper used with children's diapers.

The goods and services tax continues to be applied to these items, but the Quebec sales tax, QST, has been removed. This is an important progressive step. The NDP believes in this kind of step to remove these consumer taxes on items that are essentials in daily life.

In February, my colleague, the member for Winnipeg North Centre, introduced a private member's bill to eliminate the goods and services tax on feminine hygiene products. That is another important elimination of a consumption tax on essentials. At that time, she said that charging the GST on feminine hygiene products clearly affects women only. It unfairly disadvantages women financially, solely because of our reproductive role.

If a proper gender based analysis had been done when the GST was introduced, this discriminatory aspect of the tax would never have been implemented. I agree with the member for Winnipeg North Centre.

I would say that applying the GST to diapers unfairly disadvantages people who have children. I would hope that this is certainly not the intent of the government. It certainly is not the intent of anyone in the New Democratic Party. The NDP finds this kind of consumption tax on essentials unacceptable.

● (1900)

The NDP has been at the forefront in speaking out on child poverty in this country. A decade ago the House of Commons gave unanimous support to an NDP motion made by our leader at the time, Ed Broadbent. It was a resolution to eliminate child poverty by the year 2000. At the present time, one in five children still lives in poverty.

There is a direct relationship between child poverty and poverty facing parents in this country. Last week I had the opportunity to speak with people from Campaign 2000, a group speaking out about child poverty. I heard some astounding statistics. More than 60% of single mothers living in poverty earn less than \$10 an hour.

Canada is a very low wage country among industrialized countries in terms of our wage scale. We are second only to the United States. One in four wages in this country is under \$10 an hour. Into that mix are added on some very expensive consumer taxes to essential products such as diapers and feminine hygiene products. It is unacceptable that we have such low wages and unacceptable that so many people are living in poverty. It is also unacceptable that we further penalize people by putting on these kinds of consumption taxes.

I appreciate and support the bill put forward by my colleague from Longueuil. I hope that the bill will have the support of everyone else in the House.

Mr. Alan Tonks (York South—Weston, Lib.): Mr. Speaker, as has been said, Bill C-456 is a proposal to amend the Excise Tax Act to exempt cloth and disposable diapers for children from the goods and services tax.

I would like to preface my remarks by saying that I think all members in the House would agree that the role of families, and in particular the role of mothers, in nurturing their families is an extremely important part of what makes Canada the kind of place it is. A society that believes in nurturing its young and attempts to find those ways through the taxation regime to help and assist in that nurturing is the kind of civil society that we all believe in.

I would suggest that while there are the kinds of problems with the tax regime that exists, and which this motion tries to come to grips with, the government has done a great deal through the tax regime to help families, particularly low income families with children.

Before I address the specifics of this bill, I would like, as has been done already, to allude to some of those initiatives that the government has taken in order to come to grips with those challenges facing Canada's low income families with children.

As we know, cumulative tax relief of \$100 billion was announced in 2000 under the five year tax reduction plan. The plan has reduced federal personal income taxes by 21% on average, and for families with children that figure is in fact 27%. We have been attempting over the last five years to take the \$100 billion and in fact apply it strategically to families in the low income category to lower, reduce and soften the impact of the tax system.

I also would draw the House's attention to the fact that personal income tax reductions account for three-quarters of those tax reductions and are providing significant relief, particularly for low income and modest income families with children.

I would like to remind the House that families with children have also benefited from these particular improvements: the reductions in tax rates for all income levels; the elimination of the deficit reduction surtax; the increases in the amount they can earn tax free and the amounts at which higher tax rates apply; and finally, the restoration of full indexation of the personal income tax system, which protected families against automatic tax increases and the erosion of benefits caused by inflation.

However, the government has not stopped there. As I mentioned earlier, in terms of broad-based help for families with children, the 2003 budget built on the five year reduction plan by providing additional support for low income families and taking further steps to encourage investment, job creation and economic growth.

For example, the national child benefit supplement was increased by \$150 per year in July 2003 and will be increased by \$185 in July 2005 and by another \$185 in July 2006.

In addition to that, a new child disability benefit was established as a supplement to the Canada child tax benefit for low income and modest income families with a child with a disability. It provides annual support of up to \$1,600 a year.

Most recently, the 2004 budget builds on previous commitments by increasing support for early learning and child care.

Ensuring that all children get the best possible start in life and equal opportunities throughout their early lives is a fundamental part of the legacy Canadians leave to future generations. This has been a longstanding priority of the government.

Previous speakers have alluded to the \$500 Canada learning bond available to children born after 2003 in families entitled to the national child benefit supplement.

● (1905)

The budget also makes changes to the successful Canada education savings grant to further help children in low income and middle income families. The enhanced CESG will be available to the families of more than 4.5 million children and is expected to cost \$80 million annually.

Early learning and child care also play an important role in promoting the development of young children, which is why the 2004 budget proposes to accelerate implementation of the multi-lateral framework on early learning and child care with an additional \$75 million in both the 2004-05 budget and the 2005-06 budget.

Over the next two years, the total federal commitment to early learning and child care will be \$375 million and will result in up to 70,000 fully subsidized spaces for children from low income families.

I believe that the government puts forward these kinds of improvements to illustrate that the commitment by the government is to help lower income Canadians, particularly those with families, and this is the approach to do it.

The bill before us today asks that the GST be removed from disposable and cloth diapers. While I certainly appreciate that the bill is presented with the intent of helping low income families, and I congratulate the member for putting the bill forward, this government believes that personal income tax benefits can be better targeted to low income and middle income families rather than providing GST relief on specific items such as diapers.

Removing the GST from certain items risks eroding the tax base and restricting the government's ability to keep the GST at a relatively low rate. Furthermore, I trust that hon. members can appreciate that high income individuals as well as low income families may purchase such items.

Private Members' Business

Earlier I mentioned the tax reduction initiatives taken by the government to assist low income and middle income families. In addition, hon. members are no doubt aware that GST relief is provided for individuals and families through the GST credit, which has proven to be effective in targeting and delivering tax relief, particularly to low income families. Last year, for example, the government provided over \$3 billion in tax relief to lower income families and individuals.

This is the fairest and most efficient means of providing targeted tax relief to those who need it most.

In view of these remarks, although we agree with the intent of the bill, the government would have to ask hon. members not to support the bill in its present form.

● (1910)

Hon. John McKay (Parliamentary Secretary to the Minister of Finance, Lib.): Mr. Speaker, like other speakers, I recognize and honour the intention of the member in bringing forward her bill. I too have five children and I have seen the business end of too many diapers as far as I am concerned.

Unfortunately, we cannot support the bill.

Let me start by saying that we appreciate the positive parts of this bill. Helping with the day to day expenses of a young family is very important. I trust that the hon. member and hon. members generally would agree that one of the responsibilities of the federal government is to help those families, in particular those who need it most.

However, it is my job as a parliamentary secretary to raise the questions that need to be raised about any private member's bill that comes before the House.

Rather than excluding certain items from the GST base, as this bill is asking us to do, the government takes another view. The hon. member raised the issue of feminine hygiene products. Another member raised the issue of strollers and cribs and various other things for raising a young family, and of course young families are probably the most financially vulnerable. We could develop quite easily a list of genuine and worthy exemptions from the GST base.

However, the government takes the view that there are better ways to deliver and target tax relief, particularly to low income and middle income families. That is one of the points that I did want to raise. When we approach this as the hon. member does with this particular bill, it does not particularly distinguish between those families that have a genuine need for relief and those families that do not have as much need for relief.

One of the key features of the GST is that it applies to a broad base of goods and services. This broad base allows the tax to be set at a relatively low rate while still ensuring the adequate level of revenue needed for the government. I suppose we could arrive at some sort of basket of exemptions, but in arriving at the basket of exemptions we then would make the tax somewhat more complicated and also, in order to generate a similar amount of revenue, we probably would end up raising the rates. I dare say that not many Canadians wish to have the GST rate raised.

Adjournment Debate

While the intent of the bill is certainly positive, I trust that hon. members can appreciate that removing the GST base over time risks eroding the tax base and hampering the government's ability to maintain the low rate.

Furthermore, creating new GST exemptions would complicate tax compliance and administration and costs for both business and government. It is interesting to note that we went through this yesterday with respect to another item on the excise tax, namely, jewellery. There it attracts an excise tax of something in the order of 10%, starting at a threshold of \$3. I think it is pretty hard to fathom how many Canadians would understand a luxury tax that would cut in at a base of \$3.

However, when we started to talk about how to adjust that, it quite quickly became clear that we had to bear in mind the administrative costs of both the government and the businesses that have to remit the tax. We did not want to respond in a haphazard fashion that actually would create more work and difficulties for both the government collecting and the businesses remitting.

That is why the government has chosen other means to provide tax relief and target it to those who need it most.

To begin with, for individuals and families, GST relief is provided through the GST credit. The government provides approximately \$3 billion a year through the GST credit to help offset sales tax paid by lower income families and individuals.

To give an example, for a typical family of four in the year 2004, the GST credit is about \$684. This, we believe, is the fairest and most efficient means of providing targeted tax relief from the GST. I want to emphasize fair. It is fair because it is set at an income threshold and it is efficient because it is efficient both on the part of the collector and on the part of the remitter. This is a means that is an efficient means, which is important to everyone concerned.

• (1915)

The GST credit is only part of the tax relief initiatives offered by the government to help families.

As other members have mentioned, the \$100 billion five year tax reduction plan was introduced in the year 2000, which was quite a revolutionary budget, and continues to provide tax relief to low and middle income Canadians. The plan has reduced personal income taxes by 21% on average and, for families with children, that figure is in the order of 27%.

The actions taken since 2000 have removed about one million Canadians from the tax rolls. Just to give members a feel for the significance of this, if they refer to the budget documents they will see that a typical single parent with one child and an income of \$25,000 receives an additional \$1,139 in annual federal benefits in terms of the difference between the year 2000 and this taxation year. A typical one-earner family of four earning \$40,000 pays \$2,003 less in annual net federal income tax, a saving of about 60%. A typical two-earner family of four earning \$60,000 pays \$1,984 less in annual net federal income tax, a saving of about 35%.

There is a significant savings and it is probably a better way to get money into the hands of Canadians who are in the lower end of the income scale.

An important component of the five year tax reduction plan, another budget initiative since 2000, has been enhanced through targeted support to families with children through the Canada child tax benefit; probably one of the, if not the most, significant initiatives on the part of the government in terms of its relationship with families. Approximately 3.2 million families with children benefit from the Canada child tax benefit.

The 2003 budget increased the national child benefit supplement by an annual amount of \$150 per child in July 2003. It also legislated increases of \$185 in 2005 and \$185 in July 2006. This means a \$965 million a year increase in the NCB supplement to the Canada child tax benefit. That is just under \$1 billion.

With those changes, the maximum amount of the Canada child tax benefit for the first child in July 2004 will be \$2,719. It is projected to reach \$3,243 in 2007, more than double the 1996 benefit. In total, the program is projected to reach \$10 billion in the year 2007.

I am sure everyone will agree that this is a means of addressing issues, such as the one the hon. member's bill raises, and the ones raised by the members from Halifax and Dartmouth concerning feminine hygiene products, and various other bills that have come through the House on this point and related points. I am sure members will agree that the Canada child tax benefit is a better way in which to help disadvantaged families and, similarly, I am sure they will realize that this is a much more even-handed treatment.

In addition to these tax cuts, I would like to take a moment to remind the House what the government has done in recent years with respect to helping parents provide for their children so that they become healthy and productive adults who will contribute to tomorrow's society.

Let me start with the changes to the employment insurance program that were put in place four years ago to benefit parents. These changes have increased the number of weeks for parental leave from 10 weeks to 35 weeks. That is a pretty significant increase. That is more than just a threefold increase. I think by anyone's standard, 35 weeks would be considered to be fairly significant.

• (1920)

In the Speech from the Throne the government pledged action on a number of fronts relating to children. For example, the government pledged to accelerate, with the help of the provinces and territories, initiatives under the multilateral framework for early learning and child care.

[*Translation*]

The Deputy Speaker: I am sorry to interrupt the hon. member, but the time provided for the consideration of private members' business has now expired, and the order is dropped to the bottom of the order of precedence on the Order Paper.

ADJOURNMENT PROCEEDINGS

A motion to adjourn the House under Standing Order 38 deemed to have been moved.

Adjournment Debate

[English]

GASOLINE PRICES

Mr. Peter Adams (Peterborough, Lib.): Mr. Speaker, I thank the industry minister for trying to answer my question about gas prices but the time available in question period was not enough for either of us to fully express ourselves. I look forward to a more complete response from the parliamentary secretary.

This is a matter that I and other MPs from eastern Ontario have raised before. For years we have received calls about oil companies jerking around consumers. People notice that prices go up before weekends, especially long weekends. This is important in a tourist area like eastern Ontario. Prices go up suddenly but they come down slowly over a period of days. Prices seem to rise and fall at all gas stations at the same time. People want to know how it is that gas, which is already in the tanks at the station, can change in price like that. My constituents see excess profit taking, price gouging and collusion in these patterns.

I have raised my constituents concerns on such matters in the House before. The Liberal member for Pickering—Ajax—Uxbridge and the Liberal committee on gas pricing in Canada worked hard to hold oil companies accountable. We pushed for public inquiries but they invariably showed no collusion and the pricing practices continued.

People want to know why we do not compensate for the excessive gas price hikes by lower federal taxes. I point out that the federal share of taxes is lower than the provincial share and that the federal excise tax is fixed; it does not go up with the price. The GST portion of the tax does increase with price but there are rebates for low income people, farmers, school bus operators, truckers, municipalities and others. We successfully lobbied for a home heating rebate a few years ago.

However the trick here is to lower taxes without providing a windfall profit for oil companies. Gas selling for 90¢ this week can be sold for the same price next week with or without tax. How do we prevent the tax difference going to the oil companies?

Also, it has been pointed out to us federal MPs that price control is a provincial jurisdiction and that the few provinces that have tried gas price control have seen negative effects on their economies.

However Canada is a major oil producer and net exporter of oil. Taxpayer money has been used and is being used to stimulate and support that industry.

While I can see that Canadian consumers do not need protection when world prices are reasonable, surely there is something we can do to protect them from sudden and unreasonable price changes. We are told that the current price increase is driven by a huge surge in world prices resulting from the Iraq war and troubled times in the Middle East. Most Canadians can accept that, but the member for Pickering—Ajax—Uxbridge calculates that the current world price for oil should have resulted in prices in the 80¢ per litre range not the \$1 per litre range that is being experienced in various parts of the country.

Why should Canadians who have invested in their domestic oil industry be subjected to price gouging like this?

I look forward to the parliamentary secretary's reply on behalf of the minister with great interest.

Hon. Joe Jordan (Parliamentary Secretary to the President of the Treasury Board, Lib.): Mr. Speaker, I am pleased to address the question about retail gasoline prices raised by my colleague, the member for Peterborough, on May 6.

Like many of the items that he raises, he seems to be ahead of the curve in terms of the issues that are important to Canadians. He and I served on the task force on gasoline pricing. I want to congratulate my colleague, the member for Pickering—Ajax—Uxbridge, for his work there. It certainly provided us with a very thorough grounding on exactly what was happening in the area of gasoline prices.

All of us are concerned with the recent increase in gas prices in Canada and its impact on consumers and businesses. We want to ensure that these prices are a proper reflection of supply and demand. It is therefore important for all Canadians to know why prices have increased.

On May 4, the Competition Bureau, an independent law enforcement agency responsible for the administration of the Competition Act, began a national inquiry regarding gasoline prices. It is examining whether the recent increases in gas prices have resulted from anti-competitive practices in the industry, such as a conspiracy among oil companies to fix or co-ordinate prices, or whether there is some other explanation such as a worldwide or North American supply and demand change.

To examine the issue, the bureau is obtaining data to track pricing trends and will obtain and analyze information from industry experts and participants from all sectors of the petroleum industry to determine whether there has been any breach of the act. More specifically, the bureau is studying refiner margins, crude oil and retail price indices, and other industry data to determine if the recent rapid rise in the price of gas is due to anti-competitive conduct or to other factors.

I can assure hon. members that where the Competition Bureau finds that companies or individuals have engaged in anti-competitive conduct, it does not hesitate to take immediate and appropriate action under the Competition Act. Under the criminal provisions of the act, wrongdoers risk fines of up to \$10 million for each count and five years in prison.

If anyone has evidence that prices of petroleum products are being set by agreement among competitors and not by market forces, I encourage them to bring the evidence to the Competition Bureau. All information given to the bureau is done so in strictest confidence. There are whistleblowing provisions in the act which protect employees who provide evidence. The bureau also has an immunity program which protects companies from prosecutions and individuals who come forward with information.

Adjournment Debate

Retail gasoline prices around the world reached very high levels last week. This is a worldwide problem. Even so, the latest available data from the International Energy Agency, an autonomous agency linked with the OECD, showed that in March 2004 Canada had lower gasoline prices than most of the other industrialized countries studied.

In May 2003 the Standing Committee on Industry, Science and Technology held hearings to explore possible causes of the February-March 2003 increases in the price of gasoline. The committee tabled its report on November 7, 2003, and concluded that price increases in the February-March period were the result of industry participants, competitive reactions to a series of international crises. The report stated that there was no basis to conclude that there was a conspiracy to raise and fix prices.

The member is absolutely right. Federal taxes on gas are generally lower than the provincial portion, and the excise portion of federal tax is on a per litre basis, so it does not increase when the price increases.

While I realize this is little comfort to consumers who had to pay more to fill their gas tanks, I must remind the hon. members that the Government of Canada does not have the authority to directly regulate retail gasoline prices except in emergency situations. Under the Constitution, the decision whether or not to regulate retail prices rests with the provinces. I should point out that some provinces have used this authority with very mixed results.

• (1925)

Mr. Peter Adams: Mr. Speaker, the parliamentary secretary has addressed some of my concerns, but I urge the government to use every means at its disposal to address this matter. This is something that affects our entire economy, that affects every household in Canada, every Canadian.

Also, it is not just a matter of money. It is something that affects the self-confidence and comfort of people in their everyday lives, getting to work, getting the children to school, and getting out on weekends. It hits those on fixed incomes, especially seniors, very hard.

Most countries are helplessly in the power of the oil companies. We, as an oil producing nation, are not. We should be able to protect our citizens from the worst excesses of oil price fluctuations.

While in the short run, decreasing dependence on overseas oil and increasing dependence on our own oil resources, the government should continue with its efforts, through Kyoto and other provinces, to decrease dependence on oil itself.

Hon. Joe Jordan: Mr. Speaker, I want to congratulate my colleague for bringing this matter forward in the informed way that he has.

There are certain constituencies that are calling simply for the government as a short term measure to reduce the federal portion of the tax, somehow suggesting that this will lower the retail price.

I want to quote the member for Okanagan—Coquihalla who, while he was the finance minister in Alberta, was under a great deal of pressure to do just that, to reduce a portion of the tax with the

assumption that it would reduce the price at the retail pump. At the time he said:

If we look at lowering the gas tax, what kind of guarantees do we have that the gas retailers will also drop the price, or are they just going to fill in the ditch?

That is a direct quote; it is not a term I would have used, but I think he was on to something. When we cannot determine what supply and demand factors would dictate the retail price to be, either the federal or provincial government's vacating tax room with the understanding that the retail price would go down is probably a very misguided approach.

There is a better approach. The Liberal task force on gasoline pricing looked at the Competition Act and looked at structural reasons within the industry. One of them is the chain of ownership. We proposed divorce legislation. There is Bill C-249 which is presently in the other house. The Liberal members supported it. We did not get similar support from the opposition.

There is no easy fix here, but I want to assure my colleague that we will continue to work extremely hard to minimize the negative aspects of the spike in gasoline prices.

• (1930)

MAHER ARAR INQUIRY

Ms. Marlene Catterall (Ottawa West—Nepean, Lib.): Mr. Speaker, on April 30 I asked a question of the Parliamentary Secretary to the Minister of Public Safety and Emergency Preparedness concerning the position the government had taken before the inquiry into the matter of government involvement in the detention of Mr. Maher Arar in Syria for a year.

The parliamentary secretary's reply suggested that it was not appropriate for parliamentarians to comment on the arguments used by counsel for either side before the inquiry.

Let me point out that counsel operates on behalf of its client and at the direction of its client. In this case the client is the Government of Canada. I think it is appropriate for me to comment on the position my government has taken on a matter of such direct interest to a constituent of mine. My duty to represent my constituent and his best interests and those of his family does not end simply because a thorough public inquiry has commenced.

Let me say first though that I do have every confidence in Mr. Justice O'Connor to conduct a thorough and expeditious inquiry. I notice in his comments in recent days that he has emphasized the importance of conducting this inquiry expeditiously so that some of the questions before him can be resolved.

I also want to express my appreciation that he has, in fact as I suggested in my question to the parliamentary secretary, levelled the playing field by ensuring that Mr. Arar's legal costs will be paid by the inquiry, therefore putting him on an equal footing in front of the inquiry with the Government of Canada and any other party.

I cannot emphasize too much the importance of this inquiry. Mr. Arar's history is well known to the House and to Canadians generally. The findings of this inquiry's process are extremely important, not only to the Arar family, but to literally tens of thousands of Canadians who have a background of birth not in this country but who have come here to make this their home and who are, in my view, entitled to all the protections of Canadian citizenship.

Mr. Arar and his family continue to suffer the consequences of his detention in Syria under extreme conditions. The inquiry's job is to find out whether and what government involvement or involvement of government agencies there may have been that led to that detention.

It is important that we find out how our government officials may have operated that led to what will be, I can only say, lifelong implications for Mr. Arar and his family of this horrendous year that he experienced. There is no question he was away from home for a year. He suffered terrible conditions and terrible treatment, but it is not over yet and he continues to be unable to find employment.

The inquiry clearly has to get to the bottom of how this happened to him to make sure as far as possible it does not happen to another Canadian.

• (1935)

Hon. Yvon Charbonneau (Parliamentary Secretary to the Deputy Prime Minister and Minister of Public Safety and Emergency Preparedness (Emergency Preparedness), Lib.): Mr. Speaker, I rise today in response to the request put to the House by my colleague, the member for Ottawa West—Nepean, in regard to allowing Mr. Arar's counsel to participate in the in camera hearings of the Commission of Inquiry into the Actions of Canadian Officials in Relation to Maher Arar. We recognize the particular interest and the work that the member, our colleague, brings to this file.

[Translation]

As hon. members know, this commission of inquiry was called on the recommendation of the hon. Deputy Prime Minister and Minister of Public Safety and Emergency Preparedness to investigate into and report on the actions of Canadian officials in the Maher Arar affair.

The government has appointed a well respected judge in the person of Mr. Justice O'Connor to conduct an impartial review of all the evidence relating to the way Mr. Arar was treated by Canadian officials.

[English]

The role of the factual inquiry is not to investigate the actions of Mr. Arar. It is meant to investigate and report on the actions of Canadian officials in relation to Mr. Arar during his detention in the United States, his deportation to Syria via Jordan, his imprisonment and treatment in Syria, his return to Canada, and any other circumstances directly related to Mr. Arar that the commissioner deems relevant to fulfill his mandate.

[Translation]

In this process, Justice O'Connor is seconded by his own counsel, Paul Cavalluzzo, who will have access to all the information and all

Adjournment Debate

the witnesses who will be heard during the inquiry, including those testifying in camera.

The commission's counsel will be in charge of calling witnesses and thoroughly testing their evidence. The interim rules of procedure and practice provide the following:

Commission counsel will thoroughly test the evidence heard in camera by examination in chief or by cross-examination where deemed appropriate.

We also recognize the provisions of rule 46, whereby, prior to going in camera, all parties shall raise with commission counsel specific areas for questioning, which would include representations by Mr. Arar's counsel.

[English]

It is also important to note that in accordance with rule 41 of the commission's draft rules of procedure and practice, the commissioner will appoint an independent legal counsel to act as an *amicus curiae* to appear in the in camera hearings to make submissions with respect to the request for in camera hearings. This counsel shall be independent of government and shall be a person with a background in security and intelligence. His or her mandate shall be to test in camera hearing requests on the grounds of national security confidentiality.

[Translation]

Some parts of the commission's hearings will likely be held in camera—the decision will be made by the judge—because of the nature of the information that the commissioner will review during his inquiry. In camera hearings are necessary to prevent the disclosure of information which, if it became public, could, according to the commissioner, be prejudicial to international relations, defence or national security, as mentioned in paragraph (k) of the mandate of the public inquiry commission.

[English]

In summary, the government has called this inquiry to provide assurances to Canadians that an independent and respected jurist has examined all of the relevant evidence about the actions of Canadian officials in relation to Mr. Arar's arrest, detention, treatment in Syria, and return to Canada, through both public and in camera proceedings.

Ms. Marlene Catterall: Mr. Speaker, I thank the parliamentary secretary for his additional response.

I must say I fully understand and respect the need to consider the requirements of national security and the safety of other people who might be jeopardized, among other things, by the release of information that should not be released. Having said that, I think we are all very well aware of the public debate about what is the proper balance between national security and the need for secrecy around certain issues and the rights of average Canadians to the protection of Canadian law.

The purpose of my question was to ensure as far as possible that we are respecting that balance, that Mr. Arar has, as far as possible, fully equal status with the Government of Canada in any proceedings before the inquiry.

Adjournment Debate

As I said, I appreciate the parliamentary secretary's additional comments, but I do think that this is a question that will continue to engage this Parliament: the proper balance between our security concerns and our respect for the human rights of all Canadians.

• (1940)

[*Translation*]

Hon. Yvon Charbonneau: Mr. Speaker, I would like to remind the hon. member, who is understandably concerned about this rather disturbing situation, that the government made a commitment to get to the bottom of this issue by launching a public inquiry.

Unlike a trial, the inquiry process is not adversarial in nature. Commissioner O'Connor is responsible first and foremost for establishing the facts. The commissioner will be assisted by lawyers whose role will consist in examining the evidence in an impartial and independent fashion, to help him determine what happened.

[*English*]

Successive Canadian governments have consistently maintained that they have an obligation to protect certain fundamental principles including the right to privacy, the confidentiality of officials' advice to ministers, cabinet confidences and sensitive national security, law enforcement and international relations information.

The government has a responsibility to balance the importance of public disclosure against national security concerns.

[*Translation*]

I want to reassure the hon. member by telling her that the minister will always ensure that this balance is maintained.

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 7:41 p.m.)

CONTENTS

Wednesday, May 12, 2004

STATEMENTS BY MEMBERS

Hybrid Fuelled Vehicles

Mr. Caccia 3069

Cattle Industry

Mr. Johnston 3069

Polish Second Corps

Ms. Bulte 3069

Marine Security

Mr. Jobin 3070

Member for Halton

Mr. Reed 3070

Health Care

Mr. Lunn 3070

Member for Ottawa South

Mr. Manley 3070

St. Lawrence River

Mr. Bergeron 3070

Member for Vancouver Kingsway

Ms. Leung 3071

Public Service of Canada

Mr. Reid 3071

Member for Don Valley East

Mr. Tonks 3071

New Democratic Party

Mr. Blaikie 3071

International Aid

Ms. Lalonde 3072

Human Rights

Mr. Kilgour 3072

Government Policies

Mr. Schellenberger 3072

ORAL QUESTION PERIOD

Gasoline Prices

Mr. Harper 3072

Mr. Martin (LaSalle—Émard) 3072

Mr. Harper 3072

Mr. Goodale 3073

Mr. Harper 3073

Mr. Goodale 3073

Mr. MacKay 3073

Mr. Goodale 3073

Mr. MacKay 3073

Mr. Goodale 3073

Sponsorship Program

Mr. Duceppe 3073

Mr. Martin (LaSalle—Émard) 3073

Mr. Duceppe 3073

Mr. Martin (LaSalle—Émard) 3074

Ms. St-Hilaire 3074

Mr. Saada 3074

Ms. St-Hilaire 3074

Mr. Saada 3074

Health

Mr. Blaikie 3074

Mr. Martin (LaSalle—Émard) 3074

Infrastructure

Mr. Blaikie 3074

Mr. Martin (LaSalle—Émard) 3074

Gasoline Prices

Mr. Moore 3075

Mr. Goodale 3075

Mr. Moore 3075

Mr. Martin (LaSalle—Émard) 3075

Mr. Solberg 3075

Mr. Anderson (Victoria) 3075

Mr. Solberg 3075

Mr. Efford (Bonavista—Trinity—Conception) 3075

Employment Insurance

Mr. Crête 3075

Mr. Volpe 3076

Mr. Crête 3076

Mr. Volpe 3076

Mr. Gagnon (Lac-Saint-Jean—Saguenay) 3076

Mr. Volpe 3076

Mr. Gagnon (Lac-Saint-Jean—Saguenay) 3076

Mr. Volpe 3076

Sponsorship Program

Mrs. Ablonczy 3076

Mr. Owen (Vancouver Quadra) 3076

Mrs. Ablonczy 3076

Mr. Owen (Vancouver Quadra) 3076

Mr. Kenney 3077

Mr. Owen (Vancouver Quadra) 3077

Mr. Kenney 3077

Mr. Owen (Vancouver Quadra) 3077

Employment Insurance

Mr. Barrette 3077

Mr. Volpe 3077

Electoral Boundaries

Mr. Godin 3077

Mr. Saada 3077

Electoral Reform

Mr. Nystrom 3077

Mr. Martin (LaSalle—Émard) 3077

Agriculture

Mr. Strahl 3078

Mr. Speller	3078	(Motions deemed adopted, bill read the first time and printed)	3081
Mr. Strahl	3078		
Mr. Speller	3078		
Fisheries			
Mr. Hearn	3078		
Mr. Regan	3078		
Mr. Hearn	3078		
Mr. Regan	3078		
Gasoline Prices			
Mr. Cardin	3078		
Mr. Efford (Bonavista—Trinity—Conception)	3079		
Mr. Cardin	3079		
Mr. Efford (Bonavista—Trinity—Conception)	3079		
Public Service			
Mrs. Yelich	3079		
Mr. Alcock	3079		
Mrs. Yelich	3079		
Mr. Alcock	3079		
Agriculture			
Ms. Whelan (Essex)	3079		
Mr. Speller	3079		
Health			
Mr. Merrifield	3079		
Mr. Pettigrew	3080		
Mr. Merrifield	3080		
Mr. Pettigrew	3080		
Foreign Affairs			
Ms. Gagnon (Québec)	3080		
Ms. McLellan	3080		
Public Works and Government Services			
Mr. Cuzner	3080		
Mr. Owen (Vancouver Quadra)	3080		
Health			
Mr. Clark	3080		
Mr. Pettigrew	3080		
Business of the House			
The Speaker	3080		
Motion	3081		
Points of Order			
Oral Question Period			
Mr. Anderson (Victoria)	3081		
Mr. Solberg	3081		
Withdrawal of Comments			
Mr. Williams	3081		
Mr. Boudria	3081		
ROUTINE PROCEEDINGS			
Government Response to Petitions			
Mr. Gallaway	3081		
Quarantine Act			
Mr. Volpe (for the Minister of Health)	3081		
Bill C-36. Introduction and first reading	3081		
		Committees of the House	
		Canadian Heritage	
		Ms. Bulte	3081
		Textile Labelling Act	
		Mrs. Jennings	3081
		Bill C-527. Introduction and first reading	3081
		(Motions deemed adopted, bill read the first time and printed)	3082
		Controlled Drugs and Substances Act	
		Mr. Merrifield	3082
		Bill C-528. Introduction and first reading	3082
		(Motions deemed adopted, bill read the first time and printed)	3082
		National Motto Act	
		Mr. Laliberte	3082
		Bill C-529. Introduction and first reading	3082
		(Motions deemed adopted, bill read the first time and printed)	3082
		Petitions	
		Religious Freedoms	
		Mr. Szabo	3082
		Marriage	
		Mr. Szabo	3082
		Taxation	
		Miss Grey	3082
		Employment Insurance	
		Mr. Godin	3083
		Sentier Péninsule Bicycle Trail Project	
		Mr. Godin	3083
		Employment Insurance	
		Mr. Guimond	3083
		Marriage	
		Mr. O'Brien (London—Fanshawe)	3083
		Mrs. Ablonczy	3083
		Passport Office	
		Mr. Cardin	3083
		Beads of Hope Campaign	
		Mr. Blaikie	3083
		National Defence	
		Mr. Schmidt	3083
		Mrs. Gallant	3083
		Bill C-250	
		Mrs. Gallant	3084
		Property Rights	
		Mrs. Gallant	3084
		Firearms Registry	
		Mr. Anders	3084
		Senate	
		Mr. Anders	3084
		Human Rights	
		Mr. Anders	3084
		Starred Questions	
		Mr. Gallaway	3084

Motions for Papers	
Mr. Galloway	3084

Motion agreed to	3101
(Bill read the third time and passed)	3101

GOVERNMENT ORDERS

Criminal Code	
Bill C-12. Third reading	3084
Mr. Benoit	3084
Mr. Fitzpatrick	3086
Division on Motion deferred	3087

Criminal Code	
Bill C-35. On the Order: Government Orders	3087
Mr. Goodale (for the Minister of Justice)	3087
Motion	3087
Mrs. Barnes (London West)	3087
Mr. Toews	3089
Mr. Bachand (Saint-Jean)	3090
Mr. Nystrom	3091
Mr. Charbonneau	3092
Mr. Ménard	3093
Mr. Lee	3094
Mr. Bagnell	3095
(Motion agreed to and bill referred to a committee)	3097

Fisheries Act	
Bill C-33. Second reading	3097
Mr. Murphy	3097
Mr. Easter	3099
Mr. Bagnell	3100

Criminal Code	
Bill C-12. Third reading	3100

PRIVATE MEMBERS' BUSINESS

Criminal Code	
Bill C-221. Second reading	3101
Motion negatived	3102

Criminal Code	
Bill C-452. Second reading	3102
Motion negatived	3103

Excise Tax Act	
Ms. St-Hilaire	3103
Bill C-456. Second reading	3103
Mr. Epp	3104
Mr. Adams	3105
Ms. Leung	3105
Mr. Solberg	3106
Ms. Lill	3107
Mr. Tonks	3108
Mr. McKay	3109

ADJOURNMENT PROCEEDINGS

Gasoline Prices	
Mr. Adams	3111
Mr. Jordan	3111
Mahe Arar Inquiry	
Ms. Catterall	3112
Mr. Charbonneau	3113

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