



CANADA

House of Commons Debates

VOLUME 142 • NUMBER 037 • 2nd SESSION • 39th PARLIAMENT

OFFICIAL REPORT
(HANSARD)

Thursday, December 13, 2007

—

Speaker: The Honourable Peter Milliken

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HOUSE OF COMMONS

Thursday, December 13, 2007

The House met at 10 a.m.

Prayers

ROUTINE PROCEEDINGS

• (1005)

[*English*]

ROYAL CANADIAN MOUNTED POLICE

Hon. Stockwell Day (Minister of Public Safety, CPC): First, Mr. Speaker, pursuant to subsection 25 of the RCMP Act, it is my pleasure to table, in both official languages, 49 Royal Canadian Mounted Police First Nations Community Policing Service Agreements for first nations communities in the provinces of British Columbia, Saskatchewan, Nova Scotia, as well as Newfoundland and Labrador.

[*Translation*]

These agreements ensure that first nations communities will be provided with exclusive police services by a contingent of first nations RCMP officers.

[*English*]

These agreements send a clear message that the Government of Canada is committed to making communities safer, working in collaboration with provinces and first nations communities.

I also have the honour to table, in both official languages, the 2006-2007 annual report on Royal Canadian Mounted Police use of the law enforcement justification provisions, and that is pursuant to subsection 25(3) of the Criminal Code.

[*Translation*]

This report covers the RCMP's use of specified provisions within the law enforcement justification regime as set out in sections 25(1) to 25(4) of the Criminal Code. The report also documents the nature of the investigations in which these provisions were used.

[*English*]

The regime applies when designated law enforcement officers commit what otherwise would be considered criminal offences during investigations and enforcement of federal laws. It provides these officers with a limited and legal justification defence, provided their conduct is reasonable and proportional under the circumstances.

ELECTRONIC SURVEILLANCE

Hon. Stockwell Day (Minister of Public Safety, CPC): Finally, pursuant to section 195 of the Criminal Code, I have the honour to table, in both official languages, the 2006 annual report on the use of electronic surveillance.

[*Translation*]

The 2006 annual report looks at electronic surveillance activities of law enforcement agencies in connection with investigations into offences that may be prosecuted by the Attorney General of Canada.

[*English*]

This report serves the public interest by reporting on the usefulness and effectiveness of electronic surveillance in criminal investigations on a national basis. The electronic interceptions made in 2006 resulted in 166 arrests and 60 criminal proceedings.

* * *

EXPORT OF MILITARY GOODS FROM CANADA

Hon. Helena Guergis (Secretary of State (Foreign Affairs and International Trade) (Sport), CPC): Mr. Speaker, I am honoured to table, in both official languages, the report on Export of Military Goods from Canada, 2003 to 2005.

* * *

GOVERNMENT RESPONSE TO PETITIONS

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, pursuant to Standing Order 36(8) I am honoured to table, in both official languages, the government's response to two petitions.

* * *

CANADA GRAIN ACT

Hon. Gerry Ritz (Minister of Agriculture and Agri-Food and Minister for the Canadian Wheat Board, CPC) moved for leave to introduce Bill C-39, An Act to amend the Canada Grain Act, chapter 22 of the Statutes of Canada, 1998 and chapter 25 of the Statutes of Canada, 2004.

Routine Proceedings

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

* * *

INTERPARLIAMENTARY DELEGATIONS

Mr. Rob Merrifield (Yellowhead, CPC): Mr. Speaker, pursuant to Standing Order 34(1) I have the honour to present, in both official languages, the following reports of the Canadian delegation of the Canada-United States Interparliamentary Group respecting its participation at four different events this summer.

The first report refers to the 48th annual meeting of the Canada-United States Interparliamentary Group held in Windsor, Ontario, May 18-21, 2007.

The second report refers to the Western Governors' Association 2007 annual meeting held in Deadwood, South Dakota, United States of America, June 10-12, 2007.

The third report refers to the Council of State Governments, Eastern Regional Conference. That is the 47th annual meeting of the Regional Policy Forum held in Quebec City, Quebec, August 12-15, 2007.

The last report refers to the Pacific Northwest Economic Region 17th annual summit held in Anchorage, Alaska, United States of America, July 22-26, 2007.

●(1010)

[Translation]

Hon. Mauril Bélanger (Ottawa—Vanier, Lib.): Mr. Speaker, pursuant to Standing Order 34(1), I have the honour to present to the House, in both official languages, the report of the Canadian Parliamentary delegation of the Canada-Africa Parliamentary Association respecting its bilateral visit to Tanzania and Uganda from September 2 to 8, 2007.

* * *

[English]

COMMITTEES OF THE HOUSE

PROCEDURE AND HOUSE AFFAIRS

Mr. Gary Goodyear (Cambridge, CPC): Mr. Speaker, I have the honour to present, in both official languages, the eighth report of the Standing Committee on Procedure and House Affairs regarding Bill C-482.

Pursuant to Standing Order 92(3)(b) the committee hereby reports that it does not concur in the first report of the Subcommittee on Private Members' Business and is of the opinion that Bill C-482, An Act to amend the Official Languages Act (Charter of the French Language) and to make consequential amendments to other Acts should remain votable.

The Speaker: Pursuant to Standing Order 92(3)(b) the report is deemed adopted.

CITIZENSHIP AND IMMIGRATION

Mr. Norman Doyle (St. John's East, CPC): Mr. Speaker, I have the honour to present, in both official languages, the third report of the Standing Committee on Citizenship and Immigration on "Iraq

War Resisters". Attached to the report is the dissenting opinion of the Conservative members of the committee.

Hon. Peter Van Loan: Mr. Speaker, I rise on a point of order. I seek the unanimous consent of the House for the following motion: That, notwithstanding any Standing Order or usual practices of the House, the notice requirement to call Bill C-18 for debate today shall be waived; when the House adjourns today, and provided Bill C-18 and Bill S-2 have been read a third time and passed, it shall stand adjourned until Monday, January 28, 2008, provided that, for the purposes of Standing Order 28, it shall be deemed to have sat on Thursday, December 13 and Friday, December 14, 2007; and if Bill C-18 and Bill S-2 are not completed before the end of government orders, the House shall sit beyond the ordinary hour of daily adjournment for that purpose and shall not be adjourned except pursuant to a motion proposed by a minister of the Crown.

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

Some hon. members: Agreed.

Some hon. members: No.

* * *

BUSINESS OF THE HOUSE

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, pursuant to Standing Order 56.1, I move:

That, notwithstanding any Standing Order or usual practices of the House, the notice requirement to call Bill C-18 for debate today shall be waived; when the House adjourns today, and provided Bill C-18 and Bill S-2 have been read a third time and passed, it shall stand adjourned until Monday, January 28, 2008, provided that, for the purposes of Standing Order 28, it shall be deemed to have sat on Thursday, December 13 and Friday, December 14, 2007; and if Bill C-18 and Bill S-2 are not completed before the end of government orders, the House shall sit beyond the ordinary hour of daily adjournment for that purpose and shall not be adjourned except pursuant to a motion proposed by a minister of the Crown.

The Speaker: Will those members who object to the motion please rise in their places.

Fewer than 25 members having risen, the motion is adopted.

(Motion agreed to)

* * *

●(1015)

PETITIONS

OFFICIAL DEVELOPMENT ASSISTANCE

Mr. Paul Steckle (Huron—Bruce, Lib.): Mr. Speaker, pursuant to Standing Order 36 I have the honour to present a petition with numerous names of petitioners from my riding. It is the understanding of the petitioners that Canada is a signatory to the United Nations resolution calling for the members of the Organization for Economic Co-operation and Development, OECD, to contribute 0.7% of GNP as official development assistance, ODA, to its designated developing countries.

To date, Canada's contribution is 0.3%. Canada is only one of six countries of the approximately 22 nations which constitute the OECD that has not agreed to a timetable to meet the agreed target date of 2015 to achieve the aforementioned 0.7% of GNP.

Therefore, the petitioners call upon Parliament to urge the government to live up to its commitment and to prepare a timetable which meets the UN resolution of 0.7% of GNP for ODA to the developing countries which have been designated as recipients.

ORGAN TRANSPLANTS

Mr. Steven Fletcher (Charleswood—St. James—Assiniboia, CPC): Mr. Speaker, it is my pleasure to table a petition signed by Canadian physicians from across Canada, including some from the Province of Manitoba, which urges the Canadian government to issue travel advisories warning Canadians that organ transplants in China include the use of organs harvested from non-consenting donors, including Falun Gong practitioners.

Recent reports have indicated that there is widespread and systematic organ harvesting from unwilling, live Falun Gong practitioners by the Chinese regime and the Chinese military. This has resulted in over 41,000 unaccounted for transplants. The Chinese regime has not provided any evidence to the contrary.

Canadian physicians urge the Canadian government to issue travel advisories warning Canadians that organ transplants in China are sourced almost entirely from non-consenting people, whether prisoners sentenced to death or Falun Gong practitioners.

AUTISM

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, I have the honour to present three petitions.

The first petition I am pleased to table is an important petition signed by people from my riding of Hamilton Mountain, as well as residents of Brantford.

The petitioners request Parliament call upon the government to amend the Canada Health Act and corresponding regulations to include IBI and ABA therapy as medically necessary for children with autism, and that all provinces be required to fund this essential treatment for autism.

The petitioners also call upon the government to create an academic chair at a university in each province to teach IBI and ABA treatments to undergraduates and doctoral level students, so that Canadian professionals will no longer be forced to leave the country to receive academic training in the field, and Canada will be able to develop the capacity to provide every Canadian with autism with the best IBI and ABA treatment available.

• (1020)

SENIORS

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, the second petition that I am pleased to table today is one that arises out of my national campaign to fight for fairness for ordinary Canadians, and in particular for seniors who were shortchanged by their government as a result of an error in calculating the rate of inflation.

The government has acknowledged the mistake made by Statistics Canada, but is refusing to take any remedial action.

Petitioners from all over the country are paying attention to this issue. At this time I have received hundreds of signatures from Kelowna, Coquitlam, Langley, Victoria, Abbotsford, St-Bruno,

Routine Proceedings

Chatham, Oakville, Burlington, Peterborough, Beaverton, North York, Etobicoke and Milton. All the petitioners are asking for is some fairness.

The petitioners call upon Parliament to take full responsibility for this error which negatively impacted the incomes of seniors from 2001 to 2006 and take the required steps to repay every Canadian who has been shortchanged by a government program because of the miscalculation of the CPI.

I am proud to table that petition on their behalf today.

TAXATION

Ms. Chris Charlton (Hamilton Mountain, NDP): Finally, Mr. Speaker, as we find ourselves in another round of pre-budget consultations, I am pleased to present another petition on behalf of members and supporters of the building trades. This time the petitioners are from Sudbury and the Nickel Belt area in Ontario.

Building trades across the country have lobbied successive governments for over 30 years to achieve some basic fairness for their members. They want trades persons and indentured apprentices to be able to deduct travel and accommodation expenses from their taxable incomes, so that they can secure and maintain employment at construction sites that are more than 80 kilometres away from their homes.

It makes no sense for trades persons to be out of work in one area of the country while another region suffers from temporary skilled trade shortages, simply because the cost of travelling is too high.

To that end they have gathered hundreds of signatures in support of my private member's bill, Bill C-390, which would allow for precisely the kind of deductions that their members have been asking for.

I am pleased to table this petition on their behalf and share their disappointment that this item was not addressed in the government's mini-budget this fall.

MANUFACTURING INDUSTRY

Mr. Mario Silva (Davenport, Lib.): Mr. Speaker, I have a petition signed by many people who are concerned about the manufacturing crisis facing our country. The petitioners call upon Parliament to immediately develop and implement a plan of action to protect Canadians' manufacturing jobs, in consultation with stakeholders, including labour and the business community.

Manufacturing jobs are important to Canada's economy. A stronger manufacturing sector will lead to a strong Canadian economy. I urge members to join with me to support this important and timely petition.

[Translation]

CANADA POST

Mr. Thierry St-Cyr (Jeanne-Le Ber, BQ): Mr. Speaker, I would like to table a petition signed by a thousand people from Pointe-Saint-Charles and elsewhere in my riding who want the government to tell Canada Post to reverse its decision to close the Pointe-Saint-Charles post office located at 1695 Grand Trunk in Montreal.

Routine Proceedings

The topic of post office closures in rural areas has been much discussed in this House. However, closing an urban post office hurts too. Some residents, particularly those in this neighbourhood, have a hard time getting around. They use wheelchairs or walkers to get to the post office. For them, a post office located several kilometres away at the end of the Victoria bridge, an area that is not served by public transportation and that is regularly congested, is just not acceptable.

Furthermore, between 200 and 300 people use post office boxes at this post office. Some people use them to maintain a permanent address, but now they will have to get new post office boxes. Others, such as victims of domestic violence, use them for reasons of confidentiality. All of these people will have trouble accessing this service in the future.

Lastly, I would like to point out that Montreal's Pointe-Saint-Charles neighbourhood is experiencing economic renewal and development. Community members have done a lot of work to attract businesses to the neighbourhood. Canada Post is sending the wrong signal by closing the only post office in the neighbourhood.

The government will have to pay attention to the thousands of people who have signed this petition and who are taking part in a rally about this today. I hope they will be heard, and I hope Canada Post will reverse its decision.

[English]

ASBESTOS

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, as a former asbestos worker, I am proud to rise in the House with a petition signed by the people from the great province of Saskatchewan who are concerned about Canada's continuing role in exporting asbestos into the third world. As we know, asbestos is the greatest industrial killer the world has known, and Canada remains the big tobacco of industrial exports because of its involvement in the asbestos trade.

The petitioners call for a very practical, straightforward program to redeem Canada's reputation in the international community. It would be to ban asbestos in all its forms; to institute a just transition program for the workers in the communities where asbestos has been mined; to end all government subsidies of asbestos, both in Canada and abroad; and to have Canada stand up and stop blocking international health and safety conventions designed to protect workers and their families from asbestos, such as the Rotterdam convention.

SECURITY AND PROSPERITY PARTNERSHIP

Ms. Judy Wasylycia-Leis (Winnipeg North, NDP): Mr. Speaker, I am very pleased to table a petition that comes from people in Winnipeg, particularly in my constituency of Winnipeg North.

The petitioners are very concerned about the government's plans and proposals around continental integration and specifically the Security and Prosperity Partnership, which they believe is really NAFTA on steroids. They are very concerned about the 300 initiatives under this overall, overarching plan, which they say will lead to Canada lowering its standards to fit with those of the United States and Mexico, thereby putting at risk the health and safety of Canadians and of course the environment in which we live.

The petitioners would like the government to come clean on this plan, allow for a full debate in Parliament and ensure that nothing about Canada or our sovereignty is put at stake because of this agenda.

● (1025)

The Deputy Speaker: Before I recognize the hon. member for Algoma—Manitoulin—Kapusking on a point of order, I might just say that the length of the preamble and the follow-through surrounding the presentation of petitions is getting longer and longer. I would just caution hon. members to keep that in mind when presenting petitions. I am not referring to anybody in particular. This morning there are a number of culprits from all sides of the House.

I recognize the hon. member for Algoma—Manitoulin—Kapusking on a point of order.

Mr. Brent St. Denis: Mr. Speaker, mindful of your admonition, I will be very brief. I would ask the indulgence of the House to revert for a few moments to the introduction of private members' bills.

The Deputy Speaker: Is there unanimous agreement to revert to the introduction of private members' bills?

Some hon. members: Agreed.

* * *

ABORIGINAL HISTORY AND CULTURE SCHOOL CURRICULUM ACT

Mr. Brent St. Denis (Algoma—Manitoulin—Kapusking, Lib.) moved for leave to introduce Bill C-496, An Act to promote the teaching of aboriginal history and culture in Canada's schools.

He said: Mr. Speaker, I thank my colleague from Yukon for seconding this bill. If passed, the bill would ask that the federal government to work with the provinces, first nations and aboriginal leaders across the country to ensure that as much as possible our primary and secondary schools will include in their curriculum the teaching of aboriginal history and culture to promote understanding and better comprehension of the history and culture of our very important first nations and aboriginal peoples in this country.

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

* * *

QUESTIONS ON THE ORDER PAPER

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

The Deputy Speaker: Is that agreed?

Some hon. members: Agreed.

Government Orders

[Translation]

POINT OF ORDER

BILL C-3—IMMIGRATION AND REFUGEE PROTECTION ACT

Mr. Pierre Paquette (Joliette, BQ): Mr. Speaker, I have a brief point of order.

On behalf of my colleague from Marc-Aurèle-Fortin, I am appealing to you with regard to a decision made by the chair of the Standing Committee on Public Safety and National Security on December 6. The chair deemed that an amendment introduced by my colleague on behalf of the Bloc Québécois was out of order.

I will explain very quickly. This has to do with Bill C-3 concerning security certificates. The bill already allows an appeal, but only in very restricted circumstances. An appeal can be made only if a judge believes that a serious question of general importance is involved. Only then can the case be re-examined.

Since the bill opened the debate on appeals and in light of the serious consequences of security certificates, we amended this appeal process to broaden it. People can be detained for several years on the basis of these security certificates. We therefore wanted the appeal process to go beyond what the bill allowed and be governed by more or less the same provisions as in the Criminal Code.

When my colleague from Marc-Aurèle-Fortin introduced his amendment, which we felt was in order because it amended an existing part of the bill—namely, the appeal process—the amendment was ruled out of order because it was considered to be outside the scope of the law. Consequently, we were unable to discuss the amendment in committee, and our colleague was not even able to present his arguments.

I would like to bring to your attention the French and English dictionary definitions of “scope of the law”, which in French is rendered as *portée de la loi*. The English term is found in the eighth edition of *Black's Law Dictionary*.

• (1030)

[English]

It states that “scope of authority” is:

The range of reasonable power that an agent has been delegated or might foreseeably be delegated in carrying out the principal's business.

[Translation]

The French term “portée”, or scope, is defined in the third edition of the *Dictionnaire de droit québécois et canadien*:

Scope: term used to refer to the area of application or effects of an act, agreement, legal decision, etc.

Consequently, in our opinion, the amendment introduced by the member for Marc-Aurèle-Fortin was completely in order because it pertained to an existing clause of the bill. Certainly, it broadened that clause, but in our opinion, when a bill is being studied clause by clause, nothing prohibits a member from introducing an amendment that broadens or restricts an existing clause of the bill—in this case, the appeal clause.

We are therefore calling on you to rule that this amendment was in order, so that we can introduce it here, in Committee of the Whole, when we discuss Bill C-3 regarding security certificates.

[English]

The Deputy Speaker: Is the hon. parliamentary secretary to the government House leader rising on the same point of order?

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Yes, Mr. Speaker. Through you to the hon. House leader of the Bloc Québécois, I would point out that the ruling in committee by the chair of that committee was that this amendment was out of order, that it was outside the scope of the bill.

Of course as we all know, and as you well know, Mr. Speaker, committee decisions are made and should be final and binding, but I should also point out to my hon. friend that those rulings are not done in an arbitrary manner. Those rulings are usually done after consultation, with legal counsel in some cases, and certainly with the advice and the interpretations on a process and procedures basis from all clerks who assist our chairs and all committees.

I would certainly suggest to you, Mr. Speaker, and to my hon. colleague, that the ruling was in fact a correct one and should not be interpreted otherwise.

The Deputy Speaker: The Chair does intend to rule on this, but not at the moment. I have listened to hon. member for Joliette and also to the parliamentary secretary to the government House leader. The bill in question is not now before the House. At the appropriate time, there will be a ruling from the Chair on this point of order.

GOVERNMENT ORDERS

[English]

CANADA-UNITED STATES TAX CONVENTION ACT, 1984

The House proceeded to the consideration of Bill S-2, An Act to amend the Canada-United States Tax Convention Act, 1984, as reported (without amendment) from the committee.

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

Hon. Monte Solberg (for the Minister of Finance) moved that the bill be concurred in.

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

Some hon. members: Agreed.

Some hon. members: No.

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

Some hon. members: Yea.

The Deputy Speaker: All those opposed to the motion will please nay.

An hon. member: Nay.

Government Orders

The Deputy Speaker: In my opinion the yeas have it.

Some hon. members: On division.

The Deputy Speaker: I declare the motion carried.

(Motion agreed to)

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

Some hon. members: Agreed.

Hon. Monte Solberg (for the Minister of Finance) moved that Bill S-2, An Act to amend the Canada-United States Tax Convention Act, 1984, be read the third time and passed.

Mr. Ted Menzies (Parliamentary Secretary to the Minister of Finance, CPC): Mr. Speaker, it is wonderful, in the spirit of Christmas, how things are moving along quickly here today. We know that all hon. members want to get home to their families to celebrate Christmas. It is wonderful to see everyone working together here this morning.

We do have some business to finish up, so I rise today to speak to Bill S-2 at third reading. The passing of this bill, once it receives royal assent, completes Canada's role in the ratification of an agreement to update major elements of the Canada-U.S. tax treaty.

The U.S., for its part, must also ratify this agreement before it comes into effect.

As the House may know, Canada and the U.S. have had a tax treaty in place since 1980. Since that time, there have been four updates or protocols to this treaty. This is to ensure that our respective tax systems evolve to reflect economic and social changes.

Bill S-2 represents the fifth update to the treaty. Canada has numerous tax treaties with other countries as well. However, given the unique relationship we have with the Americans, the Canada-U.S. tax treaty is generally viewed as the one of most importance.

This treaty is part and parcel of the government's plan to create a tax advantage for Canada and we have a long term economic plan for Canada's future called "Advantage Canada". This plan was designed to improve our quality of life and to make Canada a world leader for today and for future generations.

"Advantage Canada" promotes five competitive economic advantages we need to succeed in today's global economy: a fiscal advantage, a tax advantage, a knowledge advantage, an entrepreneurial advantage and an infrastructure advantage. Each of those advantages does not stand alone. Rather, they stand interconnected with each other. In other words, we are creating a Canadian advantage on those five fronts.

Given that we are talking about a tax treaty today, it is creating a tax advantage that I would like to highlight today. A Canadian tax advantage will help individuals, families and businesses to get ahead and stay ahead. Moreover, it will reward initiative and make Canada the global investment destination of choice. A tax advantage starts with reducing taxes for Canadians. Of course, taxes pay for Canada's important public services but high taxes limit Canadians' opportunities and choices.

With a more focused government, we can both lower taxes to create better incentives for Canadians to succeed and provide significant funding for priorities.

A tax advantage is about reducing taxes in all areas to stimulate investment and economic growth. This includes reducing personal income taxes to improve rewards from working, from saving and investing in new knowledge and skills. It includes creating a business tax advantage that will encourage businesses to invest in Canada. In turn, this will spur innovation and growth leading to more jobs and higher wages for Canadian workers.

The government also continues its commitment to restoring tax fairness. Canadians deserve to know that everyone will pay their fair share of taxes. That is what tax fairness is all about.

Indeed, tax fairness is key to the "Advantage Canada" plan. This plan will make our tax system simpler, fairer and more competitive. This will help us to compete in the global marketplace. We have taken significant action in that direction.

Most recently, this fall's economic statement proposed broad based tax relief of almost \$60 billion for individuals, families and businesses over this and the next five fiscal years.

Combined with previous relief provided by the government, total tax relief over the same period is almost \$190 billion. These dramatic tax reductions and initiatives will benefit families with children, workers, seniors, persons with disabilities and others.

● (1035)

They will also strengthen our tax advantage to help all Canadian businesses compete and succeed in the global marketplace. These important initiatives will help attract investment to Canada. Moreover, this action will increase productivity and economic growth and create more and better jobs for Canadians.

What, one may ask, does this have to do with tax treaties? Tax treaties and tax fairness are inextricably linked. Our tax treaties help contribute to the growth of the Canadian economy, particularly by encouraging trade. This is principally important because exports account for more than 40% of Canada's annual GDP.

In addition, tax treaties help attract investment in Canada. This investment means inflows of capital, technology and information, all of which contribute to Canada's economic growth, job creation and the well-being of our citizens.

In short, our government must ensure that Canada's system of international taxation is competitive. We have worked to ensure that our network of bilateral tax treaties is up to date in order to help Canadian companies and investors to prosper and succeed.

Government Orders

One important function of tax treaties to keep in mind when considering this bill is that they help eliminate double taxation. I trust that hon. members would agree that there is little that can have more of a negative impact on the expansion of our trade and the movement of capital and labour between countries than double taxation.

The potential for double taxation comes about when a taxpayer resides in one country and earns income in another. Without a tax treaty in place, both countries can claim tax on that same income.

One of the goals for Canada, therefore, in negotiating its tax treaties, is to remove the potential for double taxation. This not only helps provide incentives for investment, it promotes fairness in our tax system. That is why one of the proposals in Bill S-2 would allow taxpayers to demand that otherwise insoluble tax issues be settled through arbitration, thus ensuring that there is no double taxation of immigrants' gains.

Given the special relationship that Canada has with the U.S., it makes sense that our tax treaty would also be special. Indeed, Canada's income tax treaty with the United States is vital. It helps to ensure the efficient flow of trade between our two countries. These changes to the treaty, signed in September, will stimulate further trade and investment and make our tax systems more efficient.

Canadians and Canadian businesses will benefit from this treaty update in a number of ways. They will see reduced borrowing costs and a more competitive lending market with the elimination of withholding tax on interest paid on all arm's length debt.

Since treaty benefits will be extended to limited liability companies, the protocol in Bill S-2 would provide better access to U.S. capital. With further harmonization of the tax treatment of pension contributions in the two countries and new rules to clarify the treatment of stock options, this proposed legislation would also provide more mobility for Canadians working in the U.S.

Furthermore, these changes would, among other benefits, reduce the cost of cross-border financing and would have a positive effect on investment and, above all, simplify the tax system. All of these benefits, in turn, support the competitiveness of Canada's multinational enterprises. These are important considerations that we need to keep in mind when debating this bill.

One of the most important aspects of the Canada-U.S. tax treaty is the proposal respecting withholding tax. Reaction from taxpayers to this measure has been particularly positive.

Following the signing of the treaty, the director of the C.D. Howe Institute said:

And our research suggests that the bilateral elimination of withholding taxes will substantially improve the efficiency of capital markets, attract foreign direct investment to the country, and help Canadians penetrate the North American market on a more competitive basis.

Reaction from the other side of the border has been equally supportive. Treasury Secretary Paulson, at the signing of the agreement in September, said that updating our treaty enables us "to move even more swiftly in the global economy".

● (1040)

Canadians will particularly benefit from easier cross-border investment as the withholding tax is removed from interest paid between non-arm's length persons between Canada and the U.S.

I will explain why this is a good thing for Canadians. Canada and most other countries levy a withholding tax on passive forms of income earned by non-residents. This fifth protocol will eliminate the source country tax on cross-border interest paid between unrelated persons and will gradually eliminate the maximum withholding rate for interest payments between related persons.

For unrelated party interests, the withholding tax is zero as soon as the protocol becomes ratified. An example would be in the interest that banks pay to a depositor. For related party or non-arm's length interest, the tax will be eliminated in three stages: from 10% to 7%, then to 4% and finally to zero after three years. This could be, for example, between a Canadian company and its subsidiary in the U.S.

With these important tax reductions for payments to and from the United States, the government is in a position to remove the withholding tax on all arm's length interest payments to non-residents, regardless of where they reside.

This initiative announced in budget 2007 represents a major step forward in Canada's international tax policy. The legislation to implement this measure contained in Bill C-28 is currently going through the parliamentary process, as we have watched in the last few days. Once passed, this measure will increase access to foreign capital markets. It will reduce costs for Canadians and Canadian businesses that borrow from foreign lenders.

It is important to point out here that the government had originally planned to tie the effective date of this general tax reduction to the Canada-U.S. tax treaty protocol. However, given the uncertainty of when the protocol will be ratified on both sides of the border, the government proposes to give the domestic rule a fixed start date of January 1, 2008. This will provide certainty for Canadian investors so that after 2007 they will no longer need to withhold interest on tax paid to arm's length persons in any country.

Summing up, this tax treaty bill, like others that preceded it, is directly related to international trade and investment. These bills have a significant and a direct benefit to the Canadian economy. This is no small consideration in a world where Canadian exports, as I said earlier, account for more than 40% of our annual GDP.

Furthermore, direct foreign investment, as well as inflows of information, capital and technology, represent the lifeblood of Canada's economic wealth. As a result, eliminating tax impediments in these areas, as this bill proposes to do, is of utmost importance, and that is why passing this bill is also of utmost importance.

I, therefore, encourage the hon. members from all parties to pass this bill into law quickly.

Government Orders

•(1045)

[*Translation*]

Ms. Louise Thibault (Rimouski-Neigette—Témiscouata—Les Basques, Ind.): Mr. Speaker, I have three brief questions for the member who just addressed the House regarding this bill.

First of all, if I understood correctly, the provisions of this bill will allow employees and cross-border workers to benefit from the same advantages as resident workers. Is that the case?

Second, if I understood correctly, this would be valid while they are working; but will they also be protected when the time comes to retire, with respect to their pensions?

Third, I listened carefully to my colleague and I heard only positive comments. But it is important to look at the other side of the coin. Does this bill in fact have any negative aspects?

[*English*]

Mr. Ted Menzies: Mr. Speaker, in answer to my colleague's second question, I have not heard any negative aspects mentioned here in the debate. What I do hear is positive comments and that it is very important to investors.

As for the hon. member's first question about working on one side of the border and living on another, this is one of the most critical improvements that we can make. There are many places in the country, such as in New Brunswick and in the Windsor-Detroit corridor where people are back and forth across the border. On the lower mainland of British Columbia many people live in the U.S. and work on the Canadian side and vice versa.

As for the hon. member's question, it does carry on beyond their working days. Many pension contributions have been ineffective or focused on one side of the border. This treaty would allow people, who work for a corporation that has entities on both sides of the border, to continue to contribute to their pension and be able to do that on both sides of the border. That is one very important aspect.

•(1050)

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, it is a very important bill. However, what people should understand is that the bill has come from the Senate, which is an issue in itself, but second to that, there has not been a single witness about this bill and tax treaty, and that is very important.

I want to be clear about this in my question for the parliamentary secretary because we are getting contradictory information about this.

Is it the government's interpretation that the bill would eliminate all double taxation of U.S. social security recipients? Is the parliamentary secretary 100% sure that constituents, like myself, who are collecting U.S. social security, will not get double taxed anymore and that this would rectify a historic problem that we have had with double taxation for U.S. social security recipients? Is he clear that the bill would end that practice?

Mr. Ted Menzies: Mr. Speaker, I will remind my hon. colleague that it is very important for his constituents to have this treaty in place because it will protect pension benefits. Many employees of the auto industry can be transferred from one entity to the other and

so the protection of their pension benefits is one of the important aspects.

One of the other important aspects that we do need to remind hon. members about is the arbitration process that this brings into play. We have all heard horror stories of dealing with the tax departments on both the Canadian and the U.S. side. We all would like to think it could work better but when there is an issue this would provide a mandatory process of appeal that was not in place before, which can impact residents on both sides of the border, and this would allow them to have their concerns heard by an independent arbitrator.

This has many important aspects to it and the sharing of making social security benefits taxable only in the recipients country of residence is one of the important aspects.

[*Translation*]

Mr. Thierry St-Cyr (Jeanne-Le Ber, BQ): Mr. Speaker, of course the Standing Committee on Finance studied this bill. The committee also looked at other tax treaties, including the treaty with Barbados regarding tax havens.

The government took action on this matter, although this bill comes from the Senate. Before it was elected, the government said—and it repeated this at the Standing Committee on Finance—that it would take action on the matter of tax havens and the tax evasion that goes on in Barbados, for example.

I would like to ask him a very specific question. Can the parliamentary secretary give us a date on which the government will come forward with a proposal to resolve the tax haven issue?

[*English*]

Mr. Ted Menzies: Mr. Speaker, my hon. colleague plays an active role on the finance committee. He also played a very active role last night in our voting procedure as a parent. We all recognized that he was doing his fatherly duty by having his child with him. We applaud his courage for bringing his child into the House. Remembering our families is what it is all about at this time of year.

The government has a s great concern about tax avoidance and we are doing everything within our power to bring in legislation that will stop the avoidance of taxes. As our Prime Minister has said, there is no such thing as a good tax, but we all recognize that taxes are necessary.

This government has gone to great lengths to ensure that the main point that we are driving forward is tax fairness. Anyone who thinks they can continue to avoid paying taxes will be met with new types of legislation, such as the one we have brought forward which would ensure that people do not pay more than their fair share and that they do not avoid paying their fair share.

Government Orders

●(1055)

Mr. Brian Masse: Mr. Speaker, I would like to ask the parliamentary secretary to be clear on this because we are getting mixed information from research. Is it the government's interpretation that this bill would eliminate all double taxation of U.S. social security recipients who are living in Canada but who have worked in the United States? Would this bill eliminate the double taxation that historically has taken place? Would it meet the provisions in Bill C-265, the private member's bill put forward by the member for Essex?

I want the parliamentary secretary to be on the record for the government. Would Bill S-2 achieve that goal?

Mr. Ted Menzies: Mr. Speaker, in the 1997 tax treaty protocol, Canada and the U.S. agreed to make cross-border social security benefits taxable only in the recipient's country of residence. My understanding is that has already been dealt with in a previous tax treaty.

Mr. Massimo Pacetti (Saint-Léonard—Saint-Michel, Lib.): Mr. Speaker, it is a pleasure today to speak to Bill S-2, An Act to amend the Canada-United States Tax Convention Act, 1984. We are now on third reading, which happened quite rapidly earlier today. I think the cooperation in this House seems to be quite rampant at this time of year.

The Canada-United States Tax Convention Act was last updated in 1997 and, prior to that, in 1995 by the former Liberal government. It is important that these conventions get reviewed and updated regularly. In fact, the former Liberal government had already started negotiating this new tax convention with the U.S. even after the adoption of the last convention.

Like any tax convention or tax treaty, these agreements are important to the economic success of a country and, in particular, under current conditions where countries and all stakeholders need to compete on the international scene.

This particular convention is important since it is with our largest trading partner, a country with over \$50 billion of trade on an annual basis.

While international tax law, especially in this place, does not always make for the most exciting of debates, its importance is indisputable, especially as we move toward greater globalization and greater free movement of labour and capital across international borders.

We have had tax treaties in place with many countries for many years and, as with most laws, there comes a time when they need to be amended in order to reflect the changing times. This is one of those situations where we see a more rapid change in the actual conditions than the actual conventions themselves. Consequently, this bill presents some routine amendments that I believe will help to ensure Canada remains a leading participant in the global economy.

International arrangements, such as these, allow for relatively free movement of people and capital across borders, contributing greatly to the rich, multicultural nature of the country.

●(1100)

[*Translation*]

Some members in this House think that tax treaties are signed as a way of avoiding taxes. In fact, if these treaties are well written and properly understood, they make the taxation system more effective and promote trade—the exchange of goods and services—and do not add an administrative burden. Everyone benefits from treaties that are well written and signed in due form. They encourage foreign investment and increase trade, as I was saying.

[*English*]

Bill S-2, in turn, would also be a valuable tool to help certain industries improve Canadian productivity. Even though the latest Conservative measures, such as reducing the GST, do not improve productivity, nothing is even close to being fair about some of the Conservative latest tax planning or tax initiatives that they have come up with.

The worst example in the last couple of weeks is their tax policy or tax system where in the 2006 budget they raised the lowest personal income rate to 15.5% and now have announced that they will bring the rate back down to the original Liberal rate of 15%. People can all try and figure that one out.

Another advantage of Bill S-2 is that it would eliminate source country withholding tax on cross-border interest payments. Canadians who borrow money, and I would say mainly large corporations that borrow money from American lenders, would no longer need to withhold and remit Canadian tax on the interest payments.

Bill S-2 would also provide an advantage for Canadians to better access the U.S. debt market. Sometimes we see larger corporations having difficulty in accessing capital here in Canada. The Americans have a larger capital base and I think that will help the opening up to the debt market. We will see what happens in the short term with some of the crisis that we are seeing in the U.S. right now. However, this convention should definitely provide an easier flow of obtaining some debt for some of the Canadian companies. It also will be easier for companies to finance their expansion and, hopefully, their expansion into other markets other than here in Canada.

The bill would also allow taxpayers to require otherwise unsolvable double tax issues to be settled through arbitration. This arbitration rule is an important element of the bill because it would increase taxpayers' confidence that the tax treaty will resolve potential double taxation situations. These convention tax treaties, the basic purpose, in normal circumstances, is to avoid double taxation, should solve the fact that no double taxation of gains or even deemed gains of immigrants to Canada will arise.

Government Orders

The bill would also extend treaty benefits to limited liability companies by removing a potential impediment to cross-border investment which arises from private equity funds and their comings and goings. I will probably address this point later on in my speech because this point was brought up at the finance committee during the prebudget consultations in the past. This would make it easier for companies to bring their products from the research stage to the actual market commercialization phase. Hopefully, this will result in more research and development work to be completed in Canada and potentially for exporting to other markets, in this case the U.S. market.

More and more workers are temporarily being reassigned outside the borders and apparently more into the U.S.

Bill S-2 would give mutual tax recognition to pension contributors. In other words, provided certain conditions are met, cross-border commuters may deduct, for residence country tax purposes, the pension contributions they make to a plan or arrangement in the country where they work. People who move temporarily from one country to the other for work reasons can, subject to certain conditions, get tax recognition in their temporary new home country for pension contributions they continue to make to their original employer's pension plan. This proposal would facilitate the movement of personnel between Canada and the U.S. by removing a possible disincentive for commuters in temporary work assignments.

That is definitive a positive step. There is also an advantage for clarifying how stock options are taxed or, in other words, the harmonization of the rules in both countries. There are a whole bunch of other technical amendments in this bill that if we have some additional time I will get into.

I want to address the importance of these conventions. These conventions are great, fine and dandy. We can improve them, ratify them and pass them into law in this country, but the fact that they are international tax agreements, we require an entity on the other side to also sign these conventions. These conventions and tax treaties are not worth the paper they are written on if we cannot get the other countries to ratify them.

I wish that this particular legislation had been brought forward to the finance committee. Instead, the present government decided to bring it before the international trade committee. I am not sure why it went through without too many witnesses. We would have probably looked at ensuring that there was a willingness on the other side to have this treaty ratified and signed quite rapidly.

• (1105)

There are some tax treaties that we signed in the past that have yet to be signed by other countries. I know of many in particular that have been negotiated with Italy. I think there are some agreements that are at least five years old that have not been signed by the other country to the agreement, so there are pending issues in terms of double taxation where there are people who are being taxed in Canada and other countries. Again I would caution the present government to make sure that even though we ratify these conventions or enact the legislation, the government make it a priority to have the other country ratify the agreement or convention as well.

Since I have some time, I will explain how some of the amendments got into this bill. I would like to take credit for some of them. I chaired the finance committee in 2004, and we did a very thorough job. There were a lot of presentations made before the committee in terms of what Canadians and Canadian businesses were looking for when doing business in the United States.

We devoted practically a whole chapter of our report to business growth and prosperity. We included in it some of the testimony given by witnesses. There is one paragraph I would like to read into the record where witnesses urged that changes be made to the non-resident withholding tax regime to ensure that Canada remained competitive. This was in 2004 and three years later we are still at this.

It was suggested, for example, that the Department of Finance negotiate a new provision with the U.S. to eliminate withholding tax on all dividends and interest to both related and unrelated parties. They mentioned a recent study which claimed that the elimination of withholding taxes on all dividends and interest would result in increased capital investment in Canada of \$28 billion. Even a fraction of that would help certain sectors of this country, especially the manufacturing sector. It would also result in increased income of \$7.5 billion annually. It was pointed out that while there would be a federal fiscal cost associated with eliminating withholding tax, the economy would benefit in the long run. Again this was in 2004. The committee also heard that Canada's dividend tax rate is now much higher than that in the U.S., with a 15% federal tax rate.

As a result of that, I am proud to say that in 2004 we made over 30 recommendations. Of those, there were at least five that pertained to items that needed to be addressed when it came to the Canada-U.S. tax treaty. I will read into the record one of the recommendations that I thought was important:

The federal government ensure that the effective tax rate for Canadian corporations is competitive with that in the United States and elsewhere. Within that context, the government should: review the timetable for elimination of the federal large corporations tax; review the timetable for the tax changes for the resource sector; consider immediate elimination of the corporate surtax; and review the corporate income tax rates and other taxes paid by corporations.

Recommendation 13 reads:

The federal government, bearing in mind Recommendation 16 regarding a review of capital gains, review the current federal tax treatment of dividend income and non-resident withholding taxes with a view to ensuring that the tax treatment in Canada remains competitive with the rest of the world, particularly the United States, and that the tax treatment does not distort investment decisions.

Another recommendation that was applied in the U.S.-Canada convention is that the federal government revise Canada's cost allowance rates such that the Canadian rates are similar to rates for comparable asset classes in the United States and other countries. In fact, this one has not been addressed yet by the current government.

Recommendation 24 was that the federal government undertake a comprehensive review of the personal taxation system in Canada, including the value of the basic personal amount and other particular aspects of the Income Tax Act, but always taking into account that the review should be undertaken with a view to ensuring that Canada's personal taxation system is both fair and as competitive as possible with other countries, particularly the United States.

Government Orders

• (1110)

We have seen the importance of this convention in the past. Other recommendations were made that also referred to making sure that we are competitive with the United States.

In the finance committee's 2006 prebudget report, everything is recapped in one little passage which states, "The federal government expedite the review of the tax treaty between Canada and the United States. This review should specifically address Canadian recognition of the United States limited liability corporations". This is one of the items that is in the bill right now.

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, my colleague is quite right that there probably should have been some witnesses to come forward and speak about this tax treaty. Also, the bill went to the international trade committee and not the finance committee.

I would ask the member why, at that committee, did the Liberals join with the Conservatives to block witnesses? The NDP member for Burnaby—New Westminster asked for witnesses to be brought forward and the Liberals and the Conservatives blocked that from happening. Why did his party take that position?

Mr. Massimo Pacetti: Mr. Speaker, that was my point. This bill should have been sent to the finance committee. It should have been sent to the proper people to look at this bill in a proper fashion.

Why did the Liberals not ask for witnesses? As usual, the bill was probably presented at the last minute and they were probably not ready. The finance committee at that time was travelling and I think it just shows the lack of preparedness on the side of the Conservative members.

[*Translation*]

Mr. Thierry St-Cyr (Jeanne-Le Ber, BQ): Mr. Speaker, the hon. member is right when he says that this tax treaty with the United States was not given its due.

However, the Standing Committee on Finance spent a great deal of time examining the tax treaty with Barbados. When the current government was in the opposition, it was in favour of rapidly plugging the loopholes that allow people to bring money back to Canada from tax havens without having to pay tax. Now that it is in government, it seems to be well-intentioned, but we are still waiting for results.

It was the Liberal Party that was responsible for creating these loopholes in the first place. In fact, it was the former minister of finance and current member for LaSalle—Émard who did so. He even had Parliament pass retroactive legislation to allow money to be repatriated from Barbados tax free.

I would like to know whether the Liberals, now that they are in opposition, have changed their minds and are willing to cooperate with the other parties to resolve the tax havens problem.

Mr. Massimo Pacetti: Mr. Speaker, I want to thank the hon. member for his question. We are both members of the Standing Committee on Finance.

I would like to point out something to follow up on what I was saying earlier. Some hon. members still do not understand the tax treaty concept. The purpose of these treaties is not to create tax

havens, but to enhance and facilitate international trade with full respect for these agreements.

I would like to remind the hon. member that the motion presented by the Bloc Québécois in the last session, calling for an examination of the tax treaty with Barbados, did in fact receive support from the Liberal Party. When it came time for a report on the matter, there was not a word from the Bloc members. I think they still do not understand what a tax treaty is.

Mr. Thierry St-Cyr (Jeanne-Le Ber, BQ): Mr. Speaker, I did not ask a question because I knew that I would have the opportunity to reply to my colleague from the Standing Committee on Finance. I am pleased to see that he wishes this committee to examine this issue once again. An agreement will be reached readily given that the government has already stated that it supports continuing with the review already begun by the Standing Committee on Finance.

I now know that the Liberal Party also supports proceeding and I have no doubt at all that the NDP would also like to examine the issue of companies that use tax havens such as Barbados, the most well known example, to avoid paying their fair share of tax.

I would like to spend most of my time on this subject. The tax agreement with the United States covered by the bill under consideration is not a problem. We all know that the United States is not a tax haven. The bill gives cross-border workers the same tax benefits as resident workers. It will institute a bipartite tribunal or board to settle tax disputes and to tighten rules for certain types of companies, making it more difficult to use various tax loopholes.

The bill eliminates certain provisions pertaining to double taxation of capital gains. We support this and I believe it has a great deal of support from parliamentarians. I do not wish to go into too much detail about this matter.

However, it is surprising that the government has time for such matters. That is fine, we are not criticizing them, but we are questioning their unwillingness to shut down tax havens.

I would like to backtrack a bit to have a better understanding of what is at issue. There is a general rule among various countries that sign tax agreements. If tax is paid in one country, it is not paid a second time on the same income when the money is repatriated to the country of origin. According to this principle, the same income is not taxed twice.

That said, in order to know whether companies have paid taxes in their country of origin, Canada negotiates tax treaties with other countries. Among other things, these treaties provide for the exchange of information about taxes paid in another country, so that Canada knows whether or not the money should be taxed when it is brought back here. If there is no tax treaty or exchange of information, Canada assumes that taxes were not paid and claims the corresponding taxes when the money is brought back.

Government Orders

In the past, in the Liberal days, a bill was introduced by the finance minister at the time, the member for LaSalle—Émard, to establish a tax treaty with Barbados, telling our companies that do business in Barbados and pay taxes there that they should not also pay taxes in Canada. At issue was a famous example of a company doing business in Barbados, Canada Steamship Lines International, which was of course owned by the family of the member for LaSalle—Émard.

Up to this point, everything is fine and seems to make sense. The problem is that the tax rate for international companies in Barbados is 2%. Obviously, it is rather ridiculous to say that these companies paid taxes in Barbados, since they paid 2%. Really, it was getting a gift. Then, companies such as Canada Steamship Lines are allowed to bring back to Canada the money they had earned from having their head office in Barbados, without having to pay taxes here.

There is another loophole in this mechanism that the Liberals themselves introduced. Obviously, the act requires there to be a real place of business in Barbados. It also states that the revenues must genuinely be earned in Barbados, and that they must not simply be a financing scheme to avoid paying taxes.

Members will probably remember the very telling report that aired in Quebec, aptly called *Les évasions barbares*, or The Barbarian Evasions.

• (1115)

A journalist went to Barbados, to the building that is home to the head offices of hundreds of companies that supposedly do business there. The journalist found that the building has about a hundred tiny rooms just big enough to accommodate a secretary and two filing cabinets. Obviously, the journalist demonstrated by this very fact that it would be impossible for a company that generates millions of dollars to really have a head office there, in such a small partitioned office with only a desk, a typist, a computer and two filing cabinets.

In reality, the decisions made by those companies are made in Canada or elsewhere around the world. Their activities take place in Canada or elsewhere around the world, but their financing is such that all revenue is artificially declared in Barbados and is subject to a ridiculously low tax rate, only 2%. They then send the money back to Canada, maintaining that they have already paid taxes in Barbados and therefore should not have to pay taxes in Canada.

This scheme is possible because of the negligence of the Liberal government at the time and we hope that the Conservative government will be proactive in this file, as it claims it will. At the time, the Liberal government was negligent and even had the audacity to adopt retroactive measures with respect to the tax treaty with Barbados. In fact, when the bill was adopted, the provisions were that the treaty would apply retroactively to 1995. By a curious coincidence, that was the same year that Canada Steamship Lines was established in Barbados. That was a rather interesting situation, especially since, when it comes to retroactivity, both the Liberals and the Conservatives seem to adopt a double standard.

Obviously, the guaranteed income supplement is a perfect example. For years, the Bloc Québécois has been fighting for the seniors who have been swindled out of the guaranteed income supplement. They are owed money because they were misinformed

and were unable to claim the money at the appropriate time. They must be given full retroactivity, that is, they must be given the money that is owing to them. It is not a gift; they are entitled to this money. Yet, this is not being done.

Naturally, when people have to pay taxes because they have forgotten to declare income over the past five or ten years, retroactivity applies. Those at fault cannot tell the tax man that he caught them too late, so they should only have to pay for the past 11 months. If they get caught, they have to pay taxes for the past five or ten years.

The same goes for Barbados. New legislation was retroactive. No big deal, it provided tax shelters to companies so they could get off without having to pay any taxes. No big deal, retroactivity applied. In contrast, when it comes to reimbursing seniors, when it is time to give them the money they are entitled to, the government says too bad, it cannot be done.

The Liberals did not want to budge when people were asking them to. We challenged them on the fact that they were offering full retroactivity in terms of tax breaks for the richest companies, but were not doing the same for seniors. During the election campaign, the Conservatives said that they would grant seniors full retroactivity. Now they are refusing to do it because they say they are in charge and things have changed.

What does it mean for politics when a member or a minister says that now that he is in government, things have changed? Does it mean that he said whatever he wanted beforehand? Does it mean that the government has the right to withhold the truth and mislead the public? That is a very strange way to operate.

I really want to take this opportunity to emphasize something to all parties in this House. Even though the Bloc Québécois supports the bill before us concerning the tax convention with the United States, we want to re-examine issues related to other tax conventions between Canada and other countries, conventions that are designed not to help workers, but to enable companies to pay next to no tax in Canada and opt out of their fair contribution.

• (1120)

We will continue this work after the holidays. If the Liberals want to work with us, so much the better. I hope that the Conservative government will act as quickly as it says it will.

Hon. Roy Cullen (Etotobicoke North, Lib.): Mr. Speaker, I would like to comment on what the member for Jeanne-Le Ber said. He said some things that are incorrect, in my opinion.

• (1125)

[*English*]

First, when the member for LaSalle—Émard was the finance minister and then the prime minister, the Bloc Québécois members tried to tarnish his reputation because it was in their political interest to do that, and they are still trying to do it.

I will highlight a few facts for the member.

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First, the former finance minister would have recused himself from any discussion around shipping that would have come before him from the Department of Finance or in cabinet. This was a very clear requirement and he followed that rigorously.

Second, all his assets were in a blind trust at that time, so he did not know what was transpiring with respect to Canada Steamship Lines.

Finally, any reasonable person, who understands the world of shipping, would understand that an international shipping company is always set up in a place where there are flags of convenience and where there are tax havens. All these companies operate in that way. If they do not operate that way, they will not be in international shipping for very long. It is a total legal transaction and it is done by everyone.

When is the member for Jeanne-Le Ber going to read the information, get the facts and stop trying to tarnish the reputation of the member for LaSalle—Émard?

[*Translation*]

Mr. Thierry St-Cyr: Mr. Speaker, the omnibus bill that contained the clauses on the tax convention with Barbados and was retroactive to 1995 was introduced by the member for LaSalle—Émard. Now, I am being told that he had never discussed it with finance department officials. How is it that he introduced a bill in this House containing clauses that were allegedly never discussed and whose legal implications he allegedly never considered?

Either the member is mistaken and the former finance minister, the member for LaSalle—Émard, did address that issue and did examine the implications of these clauses, contrary to what the member just said, or the member for LaSalle—Émard, who was the finance minister at the time, never considered the impacts of these clauses and was completely unaware of how clauses in a bill he introduced in this House could affect his family company. I have some trouble imagining that. Either way, he acted irresponsibly.

It is a well-known fact that he did not run the day-to-day operations of Canada Steamship Lines. However, if someone owns a company, he need not be involved directly in its management to know that if it moved to Barbados in 1995 it might be interesting to make the tax agreement retroactive to 1995.

The last item has to do with the competitiveness of these corporations. Let us be frank. If it were really true, why would there not be a special tax treatment for these corporations in Canada? At least the 2% to 5% in tax that could be collected would be paid in Canada. At present, we lose everything. Are we prepared to accept for all time that the existence of tax havens and corporations without infrastructure to support—these shipping companies use our infrastructure and our ports and the consumer goods are destined for our markets or are being shipped by our producers via these ships—justifies the burden being shouldered by Canadian taxpayers alone?

We have to find means of ensuring, among other things, that everyone pays their fair share. The member has just confirmed the Liberal Party's true methods. These companies must be profitable; therefore there is no other option but to be based in a tax haven such as Barbados.

I could make the following argument as I mentioned earlier. Two months ago I became the father of a baby girl. I could say that in order to pay my rent I have no choice but to pay less tax and I will work under the table. It does not work like that. I cannot say that because I need to pay less I have to find a way of not paying my taxes. Everyone has to pay taxes, citizens and corporations alike.

● (1130)

[*English*]

Hon. Roy Cullen: Mr. Speaker, I will make a couple of points.

First, under Canadian tax law, if the direction and control of a company emanates from Canada, then its profits are taxable in Canada. If the member would check the records, he would understand that Canada Steamship Lines at that time had international and domestic operations. The international operations were based outside of Canada. If Revenue Canada ever believed that the direction and control of the international operations emanated from Canada Steamship Lines in Montreal, it could have assessed income tax. There was nothing to preclude that.

Second, the member says that the former finance minister must have known what was in the bill. I do not know on what grounds he makes that statement. Again, if he would check the record, he would understand that when the member for LaSalle—Émard was finance minister, there was also a secretary of state for finance. That is how these matters were handled under the Liberal government. The secretary of state for finance would deal with any matters that touched on international shipping, and the finance minister was absolutely scrupulous about that.

[*Translation*]

Mr. Thierry St-Cyr: Mr. Speaker, I am not sure how many Canadian taxpayers are going to believe that.

If the then minister of finance had no idea what impact this bill would have on his family business, if he did not use his influence, then he is unbelievably lucky. Things just happened to work out for him? I have my doubts.

If the former finance minister and member for LaSalle—Émard is truly as innocent as the hon. member claims, then he is a very lucky man because the bill truly worked out quite well for his family business.

As for where the international division of Canada Steamship Lines International operates from—I mentioned this in my speech—that was one of the things that was questioned by a Quebec journalist who went to Barbados. He knocked on the door of the Canada Steamship Lines International office, but no one answered. There was just a small sign on the door that said: Canada Steamship Lines International.

Since the hon. member is so determined to defend the integrity of his colleague from LaSalle—Émard, then I invite him to go on a little mission. Let him invite us to see the Canada Steamship Lines International offices in Barbados. It would be my pleasure to go there and I am sure a number of my colleagues here in this House would be happy to do so as well. A trip like that would leave us with a lot of free time because visiting the offices of Canada Steamship Lines International would take only 30 to 40 seconds since there practically are no offices.

Government Orders

And if the headquarters are truly in Barbados, with hundreds of employees working there and keeping this company in operation, then, when we return from our trip that the hon. member is going to invite us to take, I will say in this House that I was wrong.

[English]

Mr. Brian Masse (Windsor West, NDP): Mr. Speaker, it is a pleasure to rise to speak to Bill S-2, which is an act to amend the Canada-U.S. tax treaty.

It is interesting to listen to my Liberal colleagues' defence of the member for LaSalle—Émard and his tax avoidance scheme in the Barbados. It is kind of like listening to the captain of the *Titanic* describe how well things went. It is unbelievable not to address the fundamental problems of reflagging and so forth.

I do want to segue a little into this tax treaty bill. It is tempting to spend half an hour or 20 minutes of our time on reflagging ships and also on the consequences to workers and so forth in the avoidance of taxation, but I do want to focus on Bill S-2 in particular.

There are some concerns in this process and in this actual tax treaty that do not resolve significant issues for my riding of Windsor West as well as Essex County and, greater than that, for individuals living in Quebec, New Brunswick and other places, where significant numbers of pensioners collecting U.S. social security and making contributions in the United States had the tax treaty changed on them.

This process still leaves them in limbo and is actually still counter to the private member's bill of the government's own member, the member for Essex. The government has made sure that the bill is basically squirreled away at the finance committee. It has not resurfaced, despite it having one hearing in the last session of Parliament, in which I participated. It has not seen the light of day. Jimmy Hoffa has probably seen more light of day than this bill in the last number of years.

It is very disturbing, because some seniors are being taxed extra. That is different to what they expected. They have had their lives put on hold. They have suffered significant consequences. In fact, some of them are dying. This is very shameful. We should be addressing it. However, this bill will only add an arbitration element for those particular victims of poor taxation policy. The shift happened and they got whacked twice. The private member's bill would rectify that by allowing the taxation system to be for only 50%. Without getting into technical details, it would have provided some equity.

I do want to touch on process, because I think it is important. I know that right now probably only a handful of Canadians are watching this as opposed to the Mulroney-Schreiber affair and the meeting going on right now, but this does affect people. It is important to set out for the record the concerns that we in the New Democratic Party have about why the Liberals and the Conservatives have rammed this through so quickly.

First of all, it is important to recognize that the bill originated in the unelected Senate. Senators are not elected. They are appointed by the Prime Minister, and in fact were by the former prime minister, who is having to explain right now how many bags of cash he took and why. If members recall, he actually loaded up the Senate at one particular point to force through the GST. The party that created the

GST needed the Senate to push it forward. It is ironic that he is here today.

However, we have this bill today coming from an unelected house. Our side of the House, the New Democratic Party, has a concern about that.

What happened subsequently is really troubling. When the bill went to the international trade committee, the member for Burnaby—New Westminster, who represents our caucus, asked for witnesses to be brought forth and for some type of study related to the bill, which is normally what would happen on most committees.

I have been part of a number of different committees where we have moved quickly through clause by clause and so forth when there was a will and the support to do so, but when we have witnesses requested, we almost always have that consultation. That never happened. The Liberals joined with the Conservatives to block that.

The government does have some issues with regard to the tax treaty and we do want to have some of those things improved here, but there are some major unknowns and questions out there. I want to read from a communication I received. It was sent in confidence to me, so I cannot say from which legal firm it came, but it is a reputable Canadian legal firm that is giving its opinion on the tax treaty. I want to read what it has provided me in terms of the new protocol:

On September 21, 2007, a new protocol to the Treaty was signed between the federal governments of Canada and the United States and is expected to be ratified by both countries in 2008. The protocol adds a new provision under Article V of the Treaty (the "permanent establishment" article described above) to implement rules with respect to service income. Once ratified, under the protocol a Canadian company may create a permanent establishment if it provides services within the United States and meets certain thresholds. Thus, business profits associated with service activities could be subject to taxation—

• (1135)

The Deputy Speaker: Order. I am sorry to interrupt the hon. member. The hon. parliamentary secretary to the government House leader is rising on a point of order.

Mr. Tom Lukiwski: Mr. Speaker, in regard to that presentation, I believe, unless I heard incorrectly, that my hon. colleague said he was reading from a document from a law firm. I wonder if he would care to table that.

The Deputy Speaker: The tabling convention applies to ministers, not members, so the point of order is laid to rest, so to speak. The hon. member for Windsor West can resume his speech.

Mr. Brian Masse: Mr. Speaker, if the government wants to appoint me as minister and if it would actually table its documents, maybe I would reciprocate. That is part of the privilege of the House: to keep democracy going in this process. I am going to finish reading the document. The end of the quotation is very important:

Thus, business profits associated with service activities could be subject to taxation for many Canadian companies. These rules are currently set to take effect January 1, 2010 if ratification occurs during 2008.

Government Orders

Therefore, what we have here is the situation of a service industry that could have new taxation added to it through this process. We know that right now there are some concerns with the service sector and the economy and we do not have a full economic analysis of it. That is what is troubling about this bill being brought forth in this manner.

There could be some very valuable elements to the treaty. I think there are. There are some general things that are very good, but at the same time, why do we not have those answers? I find that very difficult to accept, especially given that this is an opportunity to correct historically significant problems.

I also want to touch on the issue of social security and Canadians who have paid in the U.S., are doing so now and face extra taxation. I am going to read another very important letter that talks about the history of this change.

Once again, this bill is not going to address the issue of those Canadians who had the tax treaty altered on them. The government is going to send them to some arbitration process, which is not even described. It could take literally years. We have no idea. And that is if they win, let alone having to go through that and relieve the whole situation. That is a real concern, because the government has a private member's bill from its own member for Essex, who has been pushing that issue, and the government has not even listened to him.

Why the government is not adjusting that specifically in the bill, I do not know. Why it is turning its back on many residents of Ontario, Quebec and New Brunswick, I cannot understand. I want to read the letter for members because it describes, for the record, what has been happening to these ordinary Canadians. It describes what took place with the tax treaty and how it affects them and their lives. The letter comes from Mr. Craig Ridsdale and is entitled "Unfair Tax Laws Burden Seniors". It states:

Many Canadian seniors across Canada have been sitting on their hands since 1997 waiting for the Liberal government to move forward on a pledge made to them to rectify a system of taxation that threatens to leave many of them, particularly low income seniors, in a very difficult financial situation.

In 1984, the Canada-U.S. Tax Convention Act was implemented, primarily to protect the citizens of both countries from being taxed twice on their pensions, be they Social Security in the States or the Canada (and Quebec) Pension Plan here in Canada. However, differences in our taxation systems (Canadians pay taxes when collecting benefits while Americans pay the taxes on their contributions) has meant that Canadians receiving Social Security benefits were being taxed twice.

A series of protocols to amend this bill have made matters even worse for many retirees. Specifically, the third protocol, implemented in 1995 and applicable for the 1996 fiscal year allowed the United States government to charge what amounted to a more than 25% withholding tax on Canadians' pensions. Previously, the second protocol to this treaty allowed only the country of residence to tax social security benefits. For many retired Canadians who paid into the American system over the span of their working lives, what this meant was that over one quarter of their income essentially disappeared overnight.

The fourth protocol, implemented after the disastrous third protocol, allows the Canadian government to tax 85 per cent of Social Security, an increase from the 50 per cent agreed upon in the 1984 act. It also provided the government with the latitude to reduce the 85 per cent limit which it has refused to do.

Since 2001, Canadians Asking for Social Security Equity (CASSE) have been lobbying the federal government to either restore the Second Protocol or at the least grandfather its provisions to include all seniors who were negatively affected by the Third Protocol. To this date nothing has been done.

It is also important that the current Secretary of State for Multiculturalism had a private member's bill on this back in 1998, so what is really troubling about this is that we have a pattern between

the Liberals and Conservatives, who all have said that they want to fix the tax treaty.

Once again we are talking about pensioners, seniors, who are living in Canada. They worked abroad, they paid their taxes there and they paid their taxes at home, but when they actually got their social security benefits things changed and they now get taxed even more on those benefits. That is why the private member's bill to correct this would have been a more equitable situation. Why the government has not done that is unacceptable. This is a real hardship for many people.

● (1140)

We have had testimony at the House finance committee by individuals affected by this. They have come forward and talked about people in their circle who have been fighting this and who have died and about how others have had to sell their homes and how others are having a hard time getting back to the quality of life they thought they were going to enjoy when they retired. That is important, because the human dignity aspect has been lost with regard to this taxation bill.

We were talking earlier about the member for LaSalle—Émard and his issues related to his steamships, to his company and the flag and so forth. This issue is so important. I remember that in Windsor when the member for LaSalle—Émard, as finance minister, was attending the Caboto club, one of the most memorable moments was the fact that he had to slip into the kitchen to avoid the demonstrations out front. He used the back door and walked through the kitchen to go to the event as opposed to meeting with the individuals who were affected by this taxation policy that had been changed.

There have been many statements made by Liberals and Conservatives both, who are fighting over this. Members of the NDP have been consistent on it. What is unfortunate is that it has not led to any changes. I cannot understand that. I cannot understand who in their right mind would want to create an arbitration process for seniors at a time when they need their issue addressed now.

The member for Burnaby—New Westminster was right to ask the government and its officials how much this tax treaty is going to cost. What they estimate is half a billion dollars over three years. That is what is going to be lost in terms of government revenue.

We do not know whether the banks are going to enjoy that money. We do not know who is going to be the real net beneficiary of that arrangement. What we do know is that to fix this historic problem related to seniors who had double taxation, and who were caught in this crossfire of tax treaty analysis and neglect through the United States negotiations, it would cost around \$60 million.

Thus, we have \$1 billion for that sector, which we do not even have a prescribed analysis from. The department said it would come back with more information. At the same time, it would cost around \$60 million if we did not tax at an increased rate seniors who paid their social security in the United States.

Government Orders

That is bizarre, because we know from the evidence presented to us that those individuals are going to spend that money in this country. They are going to use it to get by. They are going to continue to renovate homes and to be in our communities more, and they are going to be able to pay off some of their debts. That is important, because that economic push comes to that collective group.

I cannot understand this. Maybe it has been the hostility. I went on a national campaign for a seniors' charter of rights, which passed in the House of Commons. The member for Hamilton Mountain did a terrific job and pushed the issue through, but we have not had full implementation of the charter. The House and the government have ignored seniors in many respects.

I do not know why they are motivated to move in this direction. In conclusion, I find it really frustrating that the Liberals have joined with the Conservatives on this issue to prevent debate, analysis and full due diligence.

We do want to see our tax treaties updated. We are not opposed to that. They are very beneficial in many respects. Living on the Canada-U.S. border as I do, I have spoken at length in the House of Commons about the Windsor-Detroit border and its importance. We are not opposed to going forward on this, but why, for heaven's sake, are we not doing it properly? Why is it so convenient to let this group of seniors be basically thrust to the side, forgotten and left out of the whole picture? Why is that being contemplated? Why is that being allowed?

Why have the Liberals joined with the Conservatives to prevent the debate about this to even take place? I do not understand that logic. I do not understand why they could not at least have some hearings to get to the root of this structure or maybe move an amendment to fix the situation.

It really shows the lack of influence, I think, of the member for Chatham-Kent—Essex and the whole area around there and of the Conservatives in southern Ontario. When they have a tax treaty this significant and an issue that has been a thorn in the side of the Liberals because they broke promise after promise on it, an issue that has been politically manipulated over the years, they have chosen not to do anything on it in this bill. That is remarkable in itself. It speaks to why the ineffective Conservative caucus of southern Ontario is basically being swallowed up by the oil companies, because the petroleum club is served only by the government.

●(1145)

The Conservatives could not even get a minor tax treaty agreement passed to protect seniors as they had promised in their campaign. This shows disinterest. It also shows arrogance, which they have quickly adopted from the previous government. They are going to have to explain to people why they have to go through arbitration to get this fixed. This is going to be very traumatic.

It is a shame that we did not do the proper due diligence. The member for Burnaby—New Westminster wanted to bring forth witnesses to vet this so it could be a better bill and give us a better tax treaty. Most important, it would give us the chance to address historical problems that the House has never dealt with before.

●(1150)

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, whenever we deal with bills that come to us from the Senate, we feel an extra level of obligation to ensure they pass all the smell tests. There is a serious ethical challenge with the Senate in terms of its own conflict of interest guidelines and its ability to ensure that any of its legislation has not been unduly influenced by people with pecuniary interests.

I am referring to a very fascinating discussion I entered into with Mr. Jean Fournier of the Senate Ethics Office about the fact that the accountability gaps in its offices are so wide one could drive Mack trucks through.

Section 15.(1) of the Senate's own written accountability code says that senators can participate in debate on matters where they have financial interests, provided an oral declaration is made on the record prior to each intervention.

Section 15.(2) says senators can participate in debate on a matter where a family member has an interest, provided a declaration is first made orally on the record. Family members do not have to declare any kind of financial interests unless they have a direct contract with the government. Senators can sit as directors of boards of all major corporations and still participate in debates.

There is another fascinating loophole that senators have written for themselves. They can participate and influence any kind of financial interests as long as they declare it behind closed doors. Unless their cronies disagree, it does not have to be declared to the public. Most Canadians would find that quite shocking.

I was a school board trustee on a small town school board. Our conflict of interest guidelines were much more stringent. For example, it was impossible for any trustee to be part of any debate that had to do with any contract if we had any relative living anywhere in the province of Ontario involved in education, regardless of whether it was post-secondary or kindergarten. That was the standard we met as small town school board trustees.

Our friends in the Senate obviously have a problem writing accountability guidelines for themselves.

If the House wants me to table the letter that I am referring to, I would be more than happy to put it on the public record because people need to see that our friends in the Senate need basic remedial help in reforming themselves. They seem incapable of doing it on their own. The more light we shine on these grievous ethical lapses perhaps the better served we will be as a 21st century democracy.

I would like to ask my hon. colleague, does he believe that any time the Senate gives us a bill that we should give it a bit of extra scrutiny to ensure that it passes the ethical standards test? Obviously, because the ethical bar is abysmally low in the Senate, questions are raised.

Mr. Brian Masse: Mr. Speaker, that is an important question because it sheds some light on a charade that is happening here; that is, the Prime Minister's campaign to reform the Senate.

Here we have a bill where the member for Timmins—James Bay did a good job of outlining some of the conflict issues. Yes, we can drive a truck through it. I am familiar with trucks in my riding. There are 10,000 of them per day that go through, and they would all go through in a single day.

I can tell members that it is really important to connect the dots on this one because we have a Prime Minister who seems to be fighting with the Senate, proposing reform and wanting greater accountability. Yet, when we have a bill that comes from the Senate the government immediately adopts it. It does not amend it, and then it blocks witnesses from actually coming forth. That is the really interesting aspect of it.

So, when we apply what has happened in this particular case to Bill S-2 and the rhetoric of the Prime Minister on wanting to actually reform the Senate, it does not match up.

He can have his tirades here in the House all he wants about the Senate, but it does not really apply to actual practical work taking place here. What is really frustrating about this is that we do not have that level of accountability that we should on this tax treaty bill. It does not matter who gets caught in the crossfire; it is just a matter of expediency to get this off the table and to move it forward.

That is what is really unacceptable. We have a small group of citizens in particular who are really getting hammered by this not addressing the social security issue and the double taxation, and sending them to some arbitration system. Many Canadians out there are thinking that it is great. They get to go to some government arbitrations to fight for something that should have been fixed for them. That is actually terrible. On top of that is the fact that these are seniors.

The Conservatives are going to create a whole new system. It is ironic. They are creating a whole new system as opposed to just fixing a simple problem. Why are they doing it? Their motivation is hard to believe. We know the bill is going to cost around \$500 million in three years. That is the estimate from the department. We know that to fix a simple problem for seniors would cost \$60 million but the government refuses. I do not understand that logic.

• (1155)

The Deputy Speaker: Is the House ready for the question?

Some hon. members: Question.

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

Some hon. members: Yea.

The Deputy Speaker: All those opposed will please say nay.

Some hon. members: Nay.

Some hon. members: On division.

Government Orders

The Deputy Speaker: I declare the motion carried.

(Motion agreed to, bill read the third time and passed)

* * *

CANADA ELECTIONS ACT

The House proceeded to the consideration of Bill C-18, An Act to amend the Canada Elections Act (verification of residence), as reported (without amendment) from the committee.

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC) moved that the bill be concurred in.

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

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

Some hon. members: Agreed.

The Deputy Speaker: I do not think I heard any nays, but we will try it. All those in favour of the motion will please say yea.

Some hon. members: Yea.

The Deputy Speaker: All those opposed will please say nay.

In my opinion the motion is carried unanimously.

When shall the bill be read the third time? By leave, now?

Some hon. members: Agreed.

Hon. Peter Van Loan moved that the bill be read the third time and passed.

Mr. Tom Lukiwski (Parliamentary Secretary to the Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, it is a pleasure for me to stand in the House and speak to this bill at the third reading stage.

Bill C-18, quite frankly, fixes a problem incurred with voting. To provide a bit of context and a brief history of the reason for Bill C-18 coming before the House, it was because the House originally passed Bill C-31 which basically dealt with voter identification.

The intent of Bill C-31 was so that individuals who wished to cast ballots in federal elections would be required to produce identification showing their name and residency. This seemed to me to be a common sense provision because, as we all know, though Canadians have the right to vote, they have to be, number one, Canadian citizens and, number two, reside in the riding in which they wish to cast their ballot.

We wanted to put provisions in place that required individuals to produce identification, verifying that they lived in the ridings in which they wished to cast ballots. That was the genesis of Bill C-31. However, there was a problem. Bill C-31 stated that in determining proof of residency, voters had to prove their residential addresses.

Government Orders

This, of course, was debated in committee. The Chief Electoral Officer of Canada came before committee to analyze the bill. No one in the committee nor the Chief Electoral Officer of Canada recognized the fact that the term "residential address" or "civic address" would in fact exclude a great many Canadians.

Approximately one million Canadians, in fact, do not have residential or civic addresses. These are primarily rural Canadians living in ridings in Canada who would normally be allowed to vote, but instead of having residential addresses have post office boxes or rural route numbers or a land description, which would be their identification of residency.

Bill C-31 inadvertently excluded everyone who did not have a residential address. As I said just a few moments ago, approximately one million rural Canadians were in that category. If people lived in rural Canada, whether it be Saskatchewan, Ontario, British Columbia or Quebec, and had rural route numbers or post office box numbers instead of street addresses, with the passage of Bill C-31 they would be denied their right or ability to vote.

This flaw in Bill C-31 was first discovered in late September, early October, by the office of the Chief Electoral Officer. Following three byelections held in September in Quebec, the Chief Electoral Officer did a review of the voting practices in Quebec during those three byelections and during that examination discovered this flaw in Bill C-31 dealing with residential addresses.

He immediately informed the government, which, in turn, immediately took corrective action and the result is what we have before us today, Bill C-18. It very simply remedies the glitch found in Bill C-31 by stating that any individual who produces proper identification and whose residency information on that identification is consistent with the information on the electoral lists will then be eligible to vote.

In other words, to put it very clearly and graphically, if an individual has a driver's licence that says he or she resides at post office box 123 anywhere in Canada and the electoral list confirms that this individual resides at post office box 123 anywhere in Canada, or to put it another way, if the driver's licence information and the information on the electoral list are consistent, that individual can then vote and that remedied the situation.

● (1200)

That is why we introduced the bill, that is why the bill is before us today and that is why we wish, as a government, to ensure the bill passes and is delivered to the Senate today. We hope then that our friends in the Senate will pass it quickly and give it royal assent before the end of this calendar year.

The urgency is that there may be byelections or a general election very soon in the new year. No one knows the certainty of a general election, but we do know byelections will have to be called before the end of this month. We want to ensure that all Canadians in rural Canada, who had been disenfranchised inadvertently, are now back on the voters list, that they have the eligibility requirements correct and that they will be able to cast ballots.

I know almost all parties in the House, almost all members in the House, support this legislation. The exception being some members

of the New Democratic Party. I find it interesting that their opposition is not really with Bill C-18, but with Bill C-31.

During debate and during committee examination of Bill C-31, the NDP primarily was concerned that many Canadians could potentially be disenfranchised because of the identification requirements contained in the bill. Specifically, the NDP was concerned because of the homeless. Many homeless people, perhaps the vast majority of them, do not possess identification. This was a legitimate concern raised by the members of the NDP. Their solution to that was quite simply that identification requirements contained in Bill C-31 should be eliminated, that people who did not possess proper identification as to proof of identity and residence should still be allowed to vote if they signed an oath or some kind of a declaration at a various polling station on voting day.

While I recognize there will be some individuals in the category of the homeless or maybe other transient individuals who do not have proper identification, the committee determined in its wisdom, and I supported this decision, that the public interest was best served if individuals were required to produce identification.

I believe it is a common sense approach. After all, if people cannot identify themselves, if they cannot prove they actually live in a particular riding, why then should they be allowed to vote? We were concerned about voter fraud. In fact, Bill C-31 was called the voter integrity bill. It was merely intended to ensure the integrity of the voting system, so everyone who wished to vote in a particular riding across Canada would have to demonstrate they actually resided in that riding. I think that is a reasonable approach to take. Hence, Bill C-31 was passed.

The opposition to Bill C-18 from my colleagues in the NDP has really nothing to do with Bill C-18. It goes back to their opposition to Bill C-31. Up to this point, they have been trying to, in my opinion, unduly delay passage of Bill C-18 because of their opposition to the provisions contained in Bill C-31.

However, I am very pleased to see Bill C-18 before us today. I believe we will see passage of this very important bill later today. I also hope, as I mentioned a few moments ago, that our friends and colleagues in the Senate, in their wisdom, will give speedy passage to Bill C-18.

● (1205)

I will reiterate that the bill was brought forward as a corrective measure to ensure that rural Canadians, who had been inadvertently disenfranchised by the provisions contained in Bill C-31, were dealt with in an appropriate manner to ensure they would have the ability to vote in the next general election.

There is nothing more complicated than that. There is nothing more detailed than that. It is merely a simple bill designed to correct an inequity that occurred.

Government Orders

In dealing with the bill in an expeditious manner, as we have, we have demonstrated that Parliament and the committee system within Parliament can work when all members determine that partisan interests should be set aside and the greater good be addressed. Even though there have been disagreements at committee, and I am sure we will still see disagreements to some extent in the debate today, at the end of the day objections will have been duly noted but the bill will pass and for good reason.

I do not want to stand in the House and say that a wrong was not corrected. We have the ability to correct, but we chose not to for whatever reasons. I believe most Canadians would vehemently disagree with that.

While Bill C-18 perhaps should not have been necessary, it was done so to correct an unintended consequence as a result of the passage of Bill C-31.

• (1210)

[*Translation*]

Mr. Mario Laframboise (Argenteuil—Papineau—Mirabel, BQ): Mr. Speaker, it is my pleasure to speak to Bill C-18 on behalf of the Bloc Québécois. The Bloc supports the principle underlying the bill. The House of Commons passed Bill C-31, which modified the Canada Elections Act. The bill was needed to try to address all questions that Quebecers and Canadians might have about eligibility to vote.

For the past several years, the federal government's way of holding elections made it practically impossible to guarantee beyond a reasonable doubt that voters were who they claimed to be. That is why we needed Bill C-31, which was passed in February 2007. I will summarize the bill because that is what gave rise to Bill C-18. Sometimes, the government comes up with solutions to problems that have been around for decades. Sometimes there are little problems with those solutions. The problem we are trying to fix with Bill C-18 is one of the little problems caused by Bill C-31.

Why did we want to adopt Bill C-31, and what was its purpose? From now on, people wishing to vote in a federal election will have to show government-issued photo identification, such as a driver's license, that shows their name and home address. Voters who do not have photo identification will have to provide two acceptable pieces of identification to establish their identity and their home address. The Chief Electoral Officer is responsible for publishing a list of acceptable pieces of identification that voters can show at the polling station.

I will read that list out shortly. The Chief Electoral Officer released it for the byelections that took place this fall in a number of places, including Quebec. Several types of identification may be used by individuals who do not have government-issued photo identification, such as a driver's license. As I said, voters can present two pieces of identification that appear on the published list.

Potential voters who do not have two acceptable pieces of identification will be required to declare under oath that they are the person they claim to be. They must also be vouched for by a registered elector. The objective of Bill C-31 was simple. It required a government-issued piece of photo ID, such as a driver's license. Failing that, it required two pieces of ID from the list supplied by the

chief electoral officer—I discussed this earlier—which was published during the byelections in Quebec this fall. If a person could not establish his identity, he had to take an oath in the presence of a person who was eligible to vote, who had a piece of ID and who knew the potential voter.

We thought this seemed appropriate and perfectly enforceable. We did not see a problem with doing things this way. Once again, I will provide the list of original pieces of identification that could be presented:

Health card, social insurance number card, birth certificate, driver's licence, Canadian passport, certificate of Indian status, certificate of Canadian citizenship or citizenship card, credit/debit card with elector name, Canadian Forces identity card, Veterans Affairs Canada health card, employee card issued by employer, old age security identification card, public transportation card, student ID card, library card, liquor identification card, Canadian Blood Services/Héma-Québec card, hospital card, fishing licence, wildlife identification card, hunting licence, firearm acquisition card/firearm possession card, outdoors card and licences, provincial/territorial identification card, Local Community Service Centre card (CLSC).

• (1215)

Other original documents can also be produced, for example, a credit card statement or bank statement, a utility bill such as a residential telephone or cable television bill or an electricity, gas or water bill, a local property tax assessment, a school, college or university report card or transcript, a residential lease, a residential mortgage statement or agreement, a Canada Child Tax Benefit statement, an income statement or income tax assessment notice, an insurance policy, a government cheque or government cheque stub with the elector's name, a T4E statement of employment insurance benefits, a Canada Pension Plan statement of contributions or old age security statement, a statement of benefits from a provincial workplace health and safety board, a statement of direct deposit for a provincial occupational injury or disability support program, a vehicle ownership or vehicle insurance card, or an attestation of residence issued by the responsible authorities such as shelters, soup kitchens, student or senior residences, long-term care facilities, aboriginal reserves or work camps.

The list of pieces of identification is very long, therefore, and a person must produce two of them if he does not have a government-issued piece of photo ID. It enables electors to find supporting documents almost anywhere, but if they still cannot, they can go to a polling station and take an oath in the presence of someone who knows the person, has met the requirements and already voted.

Government Orders

We thought, therefore, that we had covered everything when Bill C-31 passed. However, there was one little problem. The pieces of identification had to contain the elector's residential address, and that was the problem. Almost all of us have addresses with a street name and number. However, there is still one situation that I myself saw when I was the mayor of a small town. It was only in the late 1990s that my town, Notre-Dame-de-la-Paix, got street names in order to have numbers. This was a requirement of the Government of Quebec, which was forcing most of the towns and small communities to have street names. It was expensive because we had to get names through the Commission de toponymie, prepare announcements, make poles and signs and so forth. That is why it had never been done.

So the municipalities of Quebec all entered the modern age. However, in a few of them and in some other regions of Canada, there are still no street names. As a result, the residential address of some people is just Rural Route 1, for example, without any street number or anything because there is none.

It was at the time of the byelections in Quebec, if not before, that we noticed that some electors had this kind of address. Although there were not very many, there could be a problem because they did not have a residential address in the prescribed form.

The purpose of Bill C-18, which we are debating today, is simply to allow a person to vote if he or she has two pieces of identification with the same information on them, such as Rural Route 1 or Rural Route 2. The purpose of the bill is simply to take this reality in a number of communities all across Canada into account.

I have some figures here. Elections Canada tells us that there are about 1,012,989 electors who do not have a residential address that meets the requirements of the Canada Elections Act as set forth in Bill C-31.

The list of electors is compiled by the Chief Electoral Officer, who is certainly well aware that some people have always provided an address that consists of a rural route. When the census is taken, people provide addresses which indicate "rural route 1" or "rural route 2," and the name of municipality. The chief electoral officer has reported that some 1,012,989 electors have such an address.

In Nunavut, for example, 80% of residents do not have a personal address that conforms to the provisions of Bill C-31 that was adopted in February 2007. In Saskatchewan, some 189,000 electors are in that position, which is 27% of all electors; a significant proportion. In Ontario, this condition affects about 150,000 electors. In Newfoundland and Labrador, it amounts to 23% of the electors. In Quebec, the number is 15,836 electors, or 0.27% of the population, who could be faced with this same problem.

When the chief electoral officer recognized this problem, he drew it to attention of the various political parties. The purpose of Bill C-18 is to correct this anomaly. In doing so, those people who live on rural routes or who only have access to postal boxes—whose address might be "post office box 36" or "post office box 267" and the name of the municipality—which is not a residential address under the requirements of Bill C-31, that is to say, including a street number and street name and the rest, may in future present to Elections Canada workers two pieces of identification that prove

their address is the same as the address that appears on the list of electors.

• (1220)

That will finally correct the situation of those 1,012,989 electors and it will conform to the new Bill C-31.

What is difficult to understand is the position of the other parties. I say the other parties but there is one party that is opposed to Bill C-18, the New Democratic Party, which was also opposed to Bill C-31. The argument advanced by the NDP is that we should preserve the traditional practice where there was practically no requirement for any piece of identification. In fact, a person did not need any identification in order to vote. It was enough to make a declaration under oath.

Obviously, there have been complaints for decades. Among others, in Quebec, for a long time there has been an angry outcry over this manner of voting in federal elections. In Quebec—I am referring to the province—a bill almost identical in every detail to Bill C-31 was introduced in the National Assembly in February 2007. Quebec had already decided to deal with this voting issue in order to ensure that the people who vote are the people who are entitled to vote. That is simply what it amounts to. It is a case of avoiding electoral fraud and underhanded practices.

It is difficult to understand how the parties of this House did not see this. Indeed, it is possible some people might have some minor problems. We talked about homeless people. We would like to work with all parties to resolve the problem facing people with no address. This is one way of proceeding. One way of resolving this for such individuals involves having them go to vote with another eligible voter, someone who knows them and can vouch for them. We would like to work to resolve this problem, but we cannot throw away an entire system that has been established to prevent fraud, toss it all away and return to archaic voting procedures that made it nearly impossible to confirm the identity of most voters.

Why not tackle a specific problem that affects perhaps a few thousand voters, without returning to the previous system, which, after all, does not guarantee any security, provides many opportunities for fraud against a vast majority of voters, and focus instead on solving a problem that affects a small number of voters?

Today, with Bill C-31, we are resolving a problem that affects a million voters. That is a significant number. We do not understand why the NDP will not support this.

When Bill C-31 was drafted, no one, not even the legislative staff who prepared it for the government, saw the problem posed by rural addresses and post office boxes. It only became apparent in practice. At that time, a bill was introduced to resolve the problem facing people who do not have a residential address that complies with the provisions of Bill C-31.

Government Orders

First of all, I would like those citizens listening to us to realize that their address is not the issue. They all have a residential address, whether it is a post office box, rural route or other, even though they may not have a street number. In Bill C-31, for the purposes of the Election Act, the residential address had to indicate a street number with a street name, rural route, or concession for it to be recognized as a personal address. When we refer to number 2 or 200 or 2250 on a street or concession, we are speaking of a personal address. When we refer to rural route 2 or a post office box, then it is much more difficult to locate the individual. It is not a personal address. In the case of a post office box, the mail is addressed directly to the post office or to a post office box, which is not necessarily located at the property address. The purpose of Bill C-18 was to correct that.

The Bloc Québécois will support this bill. We are on the eve of a federal election, which will probably take place in the spring. We do not want citizens to be denied the right to vote. When voters arrive with their identification, election workers may not allow them to vote because the address on their identification—even if the same as the address recorded on the electoral lists—would not be recognized as a personal address since it does not contain a street number. They could be refused the right to vote under the pretext that the election workers are not sure that they are who they say they are and they would be asked to swear an oath.

• (1225)

There is a problem, however, and the Chief Electoral Officer has pointed it out very clearly. It is all very well that someone who has a residential address can vouch for them. However, when someone lives in an area, such as Nunavut, where 80% of the territory has no addresses in the required format, even our neighbour cannot vouch for us, because our neighbour also cannot vote because his or her address does not meet the requirements of Bill C-31.

This is a fairly significant problem for part of Quebec, where it affects 15,836 electors, but even more so, for 1,019,000 electors across Canada. That is quite a large number. We hope that this bill will pass as quickly as possible. That should be done before the end of this session, if possible, so that the Senate can give it royal assent. That will allow the bill to come into force for the next federal election, which, as I was saying, will not be called much later than the spring budget, in my opinion.

Obviously, given that situation, there is some real urgency. Our electors should not have to face problems when they go to vote. We saw this to a very small extent, and forgive me for repeating myself, in the byelections in Quebec. As I said, those 15,000 electors throughout Quebec who were affected in the byelections held in Quebec this fall, do not amount to very many people. In a general election, however, the problem would affect a million electors, or nearly 4% of the population. That could cause a bit of anxiety in some communities.

We would not want things to be difficult for election workers. It is already not easy to find election workers. They are often people who are donating their time. Although the government may view the remuneration as generous, when we look at the number of hours they spend getting training and working on election day, the money the Chief Electoral Officer pays does not amount to a lot.

As well, if the voters are putting additional pressure on the election workers because they are unhappy that their address, the one they have always had and use every day, does not let them vote because it does not comply with Bill C-31, their wrath is going to be directed at the entire voting system and the entire electoral system, but in particular the election workers. Those workers do not deserve to have problems with electors who might—quite justifiably—complain. They have all their pieces of identification and their bills. We heard the list that I read out earlier. They have always received their hydro bills, their public utility bills or whatever at that address. But when an elector goes to the polling station, they are told that they do not have a individual street number, no personal address, and that, therefore, they have to find some other way of proving that they are in fact the right person. Everyone understands the issue and can probably imagine what this will look like on the ground. I would not want election workers to be put into this situation.

Consequently, I hope that all the parties, including the NDP, will appreciate the urgency, given that a federal election could be triggered as soon as the next budget is brought down. We need to act fast and call on Parliament to pass this bill by the end of the session, so that the Senate can give it royal assent. Then, this bill will be in effect when the next election campaign takes place.

To those who may be wondering whether the Chief Electoral Officer will have enough time to act, I say that there will be no problem, because the addresses are already on the voters lists. These addresses consist of a post office box number in a municipality or a rural route without a house number. Consequently, the Chief Electoral Officer simply has to tell election officials that when someone provides photo identification or two other pieces of identification with an address that matches the address on the voters list, the officials can assume it is the right person.

This will prevent 1,019,000 voters from having problems, causing congestion at some polling stations and making scenes for election officials. I repeat, these election officials are not paid well enough for what they do. Some will say people are never paid well enough. We have to consider the number of hours they put in, all the time they spend on site. They have to arrive early, before the polls open. Now, the polls are open for 12 hours. When the polls close, they have to put in as much time as is needed, because in some places, the election results are close.

Obviously, this will not be the case in Quebec, because the Bloc Québécois is going to sweep the province. But I hope the other areas of Canada do not have to deal with close results.

• (1230)

[*English*]

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Mr. Speaker, there are a few items the member raised which need some correction.

Government Orders

He indicated that the New Democrats were opposed to Bill C-31. As it turns out, it was with very good reason. The bill had some serious problems and now we have Bill C-18 in order to fix the problems in Bill C-31. Part of the solution simply does not address some of the concerns that we raised in Bill C-31.

The solution around having the ability to have one person vouch for one potential voter is just not workable. We talked about this in the past. There are a number of homeless people who often have contact with a street worker or case worker and that person will know 10, 15, or 20 people. If those 10, 15, or 20 people have to go out and find 10, 15 or 20 individuals to vouch for them, they simply will lose their opportunity to vote.

In a recent report, Miloon Kothari indicated that the Government of Canada and provincial governments keep very poor statistics on homeless people. His estimate, and many academics feel that this is grossly underrepresented, is that there are least 150,000 homeless people on the streets of Canada.

Is the member saying that 150,000 people in this country simply should not have the right to vote because they cannot find 150,000 people to vouch for them if they do not have appropriate ID?

The second issue that has come up regards first nations. The member for Timmins—James Bay has raised this issue. Many first nations communities are remote and rural communities. Many first nations do not have the required identification. Some band members do not have status cards. There is a long convoluted process. If they lose their status card, they have to reapply to the Department of Indian Affairs to replace it. Sometimes a band council could provide a letter to vouch for someone, but in many cases it is very difficult for people to get the required identification.

Is the member saying it is okay for a minimum of 150,000 people to potentially lose their right to vote? Is he saying it is okay for first nations, who only in the 1960s gained the right to vote in Canada, to be shut out from voting?

[*Translation*]

Mr. Mario Laframboise: Mr. Speaker, I am always amazed at how the NDP handles these matters.

If my colleague had bothered to inform herself of the identification allowed by the Chief Electoral Officer, she would know that the list includes, among other things, an attestation of residence issued by the responsible authorities, such as shelters, soup kitchens, student or senior residences, long-term care facilities, aboriginal reserves, work camps, and so forth.

This is not rocket science. Out of the 150,000 people the hon. member is referring to, most have some form of documentation that they present at soup kitchens. As for the rest, I agree with her, they will need someone to vouch for them. One thing is certain, for anyone, homeless or not, living in a remote area, there are not as many polling stations as there are in Montreal, where there are thousands. If the person votes at the polling station nearest to where they usually live, there will be someone who knows them who would be more than happy to vouch for them.

The NDP wants us to go back to the way things were before, when, in order to vote, one simply had to swear their identity under

oath. That was the whole point of Bill C-31 and everything Quebec has done in the past decade or so to deal with electoral fraud. If the NDP wants to go back to the days of electoral fraud, that is up to them.

I think we should do something about the 150,000 people for whom this causes a problem. We have to have a more thorough look at how we can get them to vote. They all should have a chance to vote. The fact remains that a person without identification, whether they are homeless or not and living near a polling station, can still swear an oath in front of someone who knows them. I am sure that many people know those who stay in a certain sector, even if they are homeless.

• (1235)

Ms. France Bonsant (Compton—Stanstead, BQ): Mr. Speaker, I listened to my colleague talk about Bill C-31 on the right to vote. Fraud is a huge issue. In Quebec, many dead people voted in the 1995 referendum.

I would therefore like to know the opinion of the member for Argenteuil—Papineau—Mirabel. What does he think about using voter cards to avoid all that? No, I am not joking. What does he think about voter cards, which the Bloc Québécois and the Parti Québécois have been demanding for years?

Mr. Mario Laframboise: Mr. Speaker, Bill C-31 represents change. My colleague will understand that 10 years ago, Quebec adopted a bill to avoid voter fraud that is similar to the bill before us. We are therefore one step closer to the day when, we hope, there will be voter cards. Voter cards would allow voters in any province or territory to vote even if they move. With voter cards, voting would be much simpler and easier. In Quebec, the voter card could be used for school board elections as well as municipal, provincial and federal elections. It would prevent voter fraud.

That is the goal of any democracy: to make sure no one manipulates the democratic process or uses it for other purposes. That is the goal Quebec is trying to achieve.

Gradually, we are evolving. The legislation that has been in effect in Quebec for 10 years is being put in place here in Ottawa. We are helping our democracy move forward.

I thank my colleague for her question.

[*English*]

Ms. Jean Crowder: Mr. Speaker, I want to assure the member that I have read the list of required identification. I also know that many homeless people simply do not have identification, nor do they have a residence. The list is lovely, but if people do not have the identification, then they do not have it.

I want to come back to the member's statements around fraud. One of the things the New Democrats have talked about is that both bills, Bills C-31 and C-18, were using a sledgehammer on a problem that was virtually non-existent.

Government Orders

According to the Chief Electoral Officer, in 2006 there was one case of fraud in the entire country, in 2004 there were zero cases, and in 2000 there were three cases. If the member is aware of this apparently large amount of fraud happening, I wonder if he has brought it to the attention of the Chief Electoral Officer. According to the Chief Electoral Officer's records, there simply are not that many cases out there.

• (1240)

[*Translation*]

Mr. Mario Laframboise: Mr. Speaker, earlier my colleague from Compton—Stanstead gave the example of the 1995 referendum in Quebec, which led to many complaints to the Chief Electoral Officer. If only because of this one instance in the life of the democracy that is Quebec, all the great democrats of this world should make sure no one ever tries to manipulate the democratic process by allowing people to usurp other people's right to vote. Quite simply, for the good of democracy, we must make sure that never happens.

Once again, I am having trouble understanding why the NDP does not support these measures. Perhaps this is how the NDP conducts elections. It will have to live with that. That did not do the NDP much good in the last election, but we will see what the future holds. We will keep a closer eye on the NDP and how it conducts elections.

[*English*]

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I normally preface all my speeches by saying that I am very proud to rise in the House and speak to a bill; however, I am not very proud to rise and speak to this bill, because we are speaking about the increasingly dismal trade of politics as it is practised in Ottawa.

When someone does a job badly, and it is found out that the person has done it badly, it is incumbent upon the person to fix it. I have done many different jobs over the years and I have been proud of all of them.

When I was a dishwasher, if the cook did not like the way I washed the dishes, they came back to me right away and I would do them again, otherwise I was not going to hold that job.

A house builder would not get away with putting up a wall wrong. The foreman would come in and determine whether the wall was built right or wrong. If it was built wrong, it would be torn down and rebuilt.

As a musician, boy oh boy, musicians know what would happen if they did not satisfy the crowd on a Saturday night. They would hear about it right then and there and if they were going to keep those gigs, they had to improve.

What is our job here in Ottawa? Our job is to bring forth legislation. We have to do due diligence on legislation. It is incumbent upon all of us at a certain point to check our partisan hats. We need to examine proposed legislation and bring perspectives from our regions. Each of us represents different areas of the country. There are many different political and cultural points of view. We have to look at legislation and determine its efficacy, because at the end of the day, it will become the law of the land. That is our foremost job in the House, and it has to be undertaken with the utmost seriousness.

When we deliver a law that has failed badly, it is incumbent upon all of us in the House to see what went wrong, to step back and see how the mistake happened in order that we can rectify it and take pride in our work.

Unfortunately, as I said, this is becoming an increasingly dismal trade because it seems that when a mistake is made, we do not look at what went wrong. We turn it over to our spin-meisters and our wedge issue people to try to re-write history and what happened. The path to understand how the mistake was made becomes deliberately obscured. When it becomes deliberately obscured, we are doing a disservice, because our fundamental job is to represent the best interests of this country in terms of bringing forward legislation that is applicable, that is just, and that in the field will actually help our citizens.

With respect to Bill C-18, I set out with some high hopes that we would rectify the problems of a badly flawed bill, Bill C-31. My colleagues from the Bloc say that Bill C-31 was brought in to escape issues of widespread fraud. The committee examined issues of fraud because fraud is a very serious threat to the health of democracy. Fraud has to be sought out wherever it exists. It cannot be sought out with vague old wives' tales or writing on the bathroom wall. It has to be proven. It is incumbent upon the Chief Electoral Officer to hunt down any cases of fraud.

The committee looked at the issue of fraud and found one case which occurred in 2006. There were no cases in 2004. There were three cases in 2000. That is not to make light of electoral fraud. We trusted the Chief Electoral Officer to investigate and study any allegations out there. We came back with Bill C-31.

At the time, New Democrats were concerned that people would be disenfranchised. At the end of the day, regardless of what my colleagues in the Bloc say, the right to vote is an inalienable right in Canada. It is enshrined in the charter as one of our fundamental rights. We have to ensure that when people have the right to vote, they are not blocked from voting.

When Bill C-31 came out, lo and behold, we found there were not one but two major problems with it. A million rural residents were not going to be able to vote, thanks to a lack of due diligence in the committee's work. Then there was the issue of the wearing of veils when voting. Now we have Bill C-6. We have a bill that became law and within a few months we already have to have two other band-aid laws to repair the fundamental flaws in the first bill. When we look at Bill C-18, we have to ask ourselves whether it will fix the problem and if it will do it right. That is our obligation at the end of the day.

• (1245)

As referred to many times, the discussion on Bill C-18, is to fix a problem for rural residents. When anyone raises the issue of homeless people, there seems to be a fundamental balancing act. Do we worry about a few thousand homeless people in Vancouver or do we worry about a million residents in rural Canada?

Government Orders

However, nowhere in Bill C-18 does it speak to the issue of rural residents. It speaks to an act to amend the Canada Elections Act, the verification of residents. The verification of residents is the key element that leads to the potential disenfranchisement, as the electoral officer said in one case, of a million rural Canadians, including urban Canadians, first nations Canadians and then homeless people.

I will not to focus too much on Bill C-31, but we need to know where we came from in order to know why we still have a fundamental problem. I know members of the House who were on the committee voted for it, but after questioned how this happened, that they must have missed a translation at third reading.

They did not miss it. They were not interested. We spoke about it. We brought forward witnesses who said that there would be problems with the ability of people to meet the onerous requirements of Bill C-31.

I spoke to Bill C-31. I am not patting myself on the back, but perhaps I was just too lazy to get the records of what everyone else said. However, I know what I said, so I will bring it up, and it is fairly straightforward.

When we discussed Bill C-31, I spoke of the problems we had in the rural parts of my riding and in other communities with mailboxes and the difficulties people would have in voting. That was on the record for many people. I spoke of the issues of photo IDs and the fact that on the James Bay coast, an area I represent, up to 30% of the communities did not even have health cards.

We help them fill out the health cards. The Ontario government does not even bother to do photographs for first nations people. It sends them little trillium stickers because it is cheaper than getting photo IDs. Therefore, we had raised the issue of the problems of identification in these isolated areas.

I had said at that time that I would invite anybody to go into Fort Albany and ask people their addresses. People do not have street addresses and that is how they get by. We find in many of our communities, they simply do not even have the most basic registration that is being required.

We were bringing forward the perspective of our regions and our constituents to bring a sense of reality to the debate. At the time, I remember it was ignored and overlooked. In fact, there was a fair amount of snickering. The old NDP was standing in the way of progress again.

I will refer to evidence at committee at the time from the Nishnawbe-Aski Nation, which was ignored. Witnesses said that the voting changes to Bill C-31 were:

—based on the assumption that the majority of Canadian electors live in urban centres. Until government services are made available in an equitable manner to our people living in remote communities and the amendments to the act reflect the realities of the lives of our people...I suggest that the committee, if possible, visit some of our communities to better understand the challenges we face in our role as Canadian citizens.

They were ignored.

Suddenly now we have a situation where there is an embarrassment that the bill has failed. Therefore, we were all called together to

try to fix it. The issue of fixing it is paramount, but again we have to do due diligence. How do we do due diligence? We have to bring forward witnesses. This is not stalling. This is ensuring that we do not fall into the same mistakes that were made.

The process we went through with the bill was a very dismal, petty process. The Liberal whip tried to push the vote through without any witnesses. How can we go through with no witnesses when 80% of the people in Nunavut have been told they are not enfranchised to vote? Would we not think it would be incumbent upon us in the House, after having made such a colossal error, to at least have a witness who can speak to the bill and say whether or not it addresses the problem? However, no, it was a desire to get this thing done and out of the road by Christmas.

• (1250)

I brought forward four witnesses to speak to the bill because I felt the issue was whether the vouching system would work with what we had to address. There is no problem with the rest of the amendments to Bill C-18. We support the need to get this thing fixed, but the issue is whether vouching, in the way it is laid out, will be a practical, realistic solution to the problem.

We had four credible witnesses. There was a fifth witness, and I do not know where he had come from, but he was allowed to speak as well. They were given two minutes each to give their perspective on the bill. They were interrupted many times. They were cut off at the end. At the end of the day the chair basically told them they did not know what they were talking about.

I found that quite a shocking and sad testimony. Whether we agree with witnesses in committee or not, they come forward so they can give us a perspective and we can test their points of view. We are legislators, so when a witnesses come, whether they represent what we think is the most far out solution, our role is to test them, to ask them the fundamental questions to see if what they have brought forward to us stands the test of reason. That is how we make legislation.

Ian Boyko, from the Canadian Federation of Students, came forward. In his testimony, he said that to have only two minutes to address the problems with the bill and the vouching for ten of thousands of students who would be disenfranchised, he could not even begin to do it. He said that he would take questions, but nobody asked him a one.

I have never seen anything like this. I have never seen such a lack of interest. The head of the Canadian Federal of Students came to a committee and stated that tens of thousands of university students would be ineligible to vote because Bill C-18 would not address the issues they faced and nobody asked questions.

It is a funny situation when we sit in our committee and talk about encouraging young people to vote and how we can find ways to do that. Yet when they came to speak to us, nobody even had a question for them. They wanted it through.

Government Orders

Another astounding statement was from Jim Quail from the British Columbia Public Interest Advocacy Centre. He said that even if the changes went in, the changes that will address some of the issues we face, 700,000 urban residents would still not possibly meet the test. This is based on what the electoral officer had provided previously, and this does not include the other million people. That is based on 5% who would not meet those requirements because they have moved or whatever.

We heard in our committee on a previous bill that 12% to 15% of the voters in Australia now voted by declaration because of the continual movement in urban areas of people moving in and out or people who do not know anyone. Anyone who has an urban riding is well used to this. Even in the urban part of some of my communities, when I go into a neighbourhood six months after an election, it is almost like a completely different group of people in there. Sometimes I wonder if I am walking down the wrong street. However, a major mobility is happening across the western world.

Australia has identified that 15% of the people now vote by declaration. In declaration voting they swear and oath. There is no way to get them on the voters list. We do not have the old style days when we went out and updated the voting list so we ensured people were on there.

Even when we have the voting list, it is not up to date. Some people have tried to do a mail-out and have received calls from people, cranky as all heck, because the person no longer lives at that address or they have been divorced for years so why would a Christmas card be sent that address. We know the problems with the electoral list.

I saw that recently in Ontario. My wife and I went to vote and, lo and behold, she was not on the electoral list, and the house is in her name. I do not know how that happened, but people who trusts the computers that generate the Elections Canada lists put themselves in much higher hands than I would.

● (1255)

What we see is a problem of people who go to vote and are suddenly not on the list, or people who have moved to places where they do not know people. At the end of the day, they have a right to vote.

Jim Quail said that there would be 700,000 based on what the Elections Canada officer said. He could have been blowing smoke with these claims, but our job as legislators is to test him, question him and engage him. If we think these numbers are wrong, we have to test them. That is the only way we can bring forward legislation. Nobody was interested in what he had to say because members wanted the vote to be over.

This is the same pattern that happened with the previous bill. We end up in a situation where we have not done the due diligence, where we have not answered the fundamental question of whether this will work. That is what the legislation has to be able to prove. It has to prove it will work and ensure that the people, who have a right to vote, are able to vote. If we have not answered those questions satisfactorily, then we have failed in our jobs.

We certainly failed the job on Bill C-31. The problem with Bill C-18 is this. Having not answered the questions of why students will

be disenfranchised, or will 700,000 urban residents be affected and how many of the 150,000 homeless people may not be able to vote, we have a serious problem.

The solution being offered is a one voucher system. At face value, it seems a reasonable solution to have someone vouch for another person. I do not have a problem with the concept, but when we make legislation, we have to establish laws that are applicable in the field.

They always say that the camel was a horse designed by a committee. We have had three and four hump camels coming out of our committees because there is such a distinct lack of reality between what we talk about in committee, which is the reality of politics, and what we see in the field. We are all in this business of politics, so we know what the reality is when we go to the voting booths and how the individual poll clerks identify what is acceptable and what is not.

I know a man in Ontario who has lived in the same rural route his whole life. When he went to vote, he was told he was not on the list. He produced his passport and was told a passport was not an acceptable piece of identification. It would get him into Saudi Arabia, but it would not allow him to vote in Ontario. Is this part of the Ontario elections act or is this how they interpret the act? We see the problems in each of these areas.

At the end of the day, the question is whether it works as a piece of legislation. Say I am a student who leaves Timmins—James Bay to go school at the University of Ottawa. After arriving there, I want to vote because the election is on September 15. When I go to vote, I am told I have to have a person vouch for me. What if my neighbour is not there that day or has already voted, then I have to wait on him or I cannot vote.

The example in a rural area is what if I know two people who moved in, but I am only allowed to vouch for one of them? Vouching, at the end of the day, is not practical so we have to go back to the issue of a declaration. Otherwise, people will continue to be disenfranchised. That is why I believe we have failed to do our job with this bill.

● (1300)

The Acting Speaker (Mr. Andrew Scheer): If members have questions and comments, they can do so after the recorded division.

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BUDGET AND ECONOMIC STATEMENT IMPLEMENTATION ACT, 2007

The House resumed from December 12 consideration of the motion that Bill C-28, An Act to implement certain provisions of the budget tabled in Parliament on March 19, 2007 and to implement certain provisions of the economic statement tabled in Parliament on October 30, 2007, be read the third time and passed.

The Acting Speaker (Mr. Andrew Scheer): It being 1 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-28.

Call in the members.

● (1325)

And the Clerk having announced the results of the vote:

Government Orders

Hon. Karen Redman: Mr. Speaker, I rise on a point of order. Despite his best efforts, the member for West Nova did not make it to the chamber before the question was put. Despite the fact that he would love to be registered as voting against the bill, his vote should probably not be counted.

Mr. Yvon Godin: Mr. Speaker, they are missing about another 100 members in the House.

Mr. Gerald Keddy: Mr. Speaker, that would be one less vote against more money for Nova Scotia.

Right Hon. Stephen Harper: Mr. Speaker, since the Liberal whip indicated that the member for West Nova was delayed, I wonder how much further delayed the other 100 members are? How far away are they?

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

(Division No. 30)

YEAS

Members

Abbott	Ablonczy
Albrecht	Allen
Allison	Ambrose
Anders	Anderson
Arthur	Batters
Benoit	Bezan
Blackburn	Blaney
Boucher	Breitkreuz
Brown (Leeds—Grenville)	Brown (Barrie)
Bruinooge	Calkins
Cannan (Kelowna—Lake Country)	Cannon (Pontiac)
Carrie	Casson
Chong	Clement
Cummins	Davidson
Day	Del Mastro
Devolin	Doyle
Dykstra	Emerson
Epp	Fast
Finley	Fitzpatrick
Flaherty	Fletcher
Galipeau	Gallant
Goldring	Goodyear
Gourde	Grewal
Guergis	Hanger
Harper	Harris
Harvey	Hawn
Hearn	Hiebert
Hill	Jaffer
Jean	Kamp (Pitt Meadows—Maple Ridge—Mission)
Keddy (South Shore—St. Margaret's)	Kenney (Calgary Southeast)
Komarnicki	Kramp (Prince Edward—Hastings)
Lake	Lauzon
Lebel	Lemieux
Lukiwski	Lunn
Lunney	MacKenzie
Manning	Mayes
Menzies	Merrifield
Miller	Mills
Moore (Port Moody—Westwood—Port Coquitlam)	
Moore (Fundy Royal)	Norlock
Nicholson	Obhrai
O'Connor	Pallister
Oda	Petit
Paradis	Prentice
Poillievre	Rajotte
Preston	Richardson
Reid	Scheer
Ritz	Shipley
Schellenberger	Smith
Skelton	Sorenson
Solberg	Storseth
Stanton	Sweet
Strahl	Tilson
Thompson (New Brunswick Southwest)	

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Van Loan
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Yelich— 119

Trost
Van Kesteren
Vellacott
Wallace
Warkentin
Williams

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Bell (Vancouver Island North)	Bellavance
Bevington	Blaikie
Bonsant	Bouchard
Bourgeois	Brisson
Carrier	Casey
Charlton	Chow
Christopherson	Crowder
Cuzner	Davies
Deschamps	Dewar
Duceppe	Eyking
Faille	Freeman
Gagnon	Gaudet
Godin	Gravel
Guay	Guimond
Kotto	Laforest
Laframboise	Lavallée
Layton	Lemay
Lessard	Lévesque
Lussier	Malo
Martin (Sault Ste. Marie)	Masse
Mathysen	Matthews
McDonough	Ménard (Hochelaga)
Nadeau	Nash
Ouellet	Paquette
Perron	Picard
Plamondon	Priddy
Regan	Roy
Russell	Savage
Savoie	Siksay
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Members

Baird	Bernier
Bigras	Brunelle
Cardin	Crête
Demers	Hinton
McKay (Scarborough—Guildwood)	Thompson (Wild Rose)— 10

The Speaker: Order, please. Obviously the Christmas spirit has gripped members in matters procedural.

I declare the motion carried.

(Bill read the third time and passed)

* * *

CANADA ELECTIONS ACT

The House resumed consideration of the motion that Bill C-18, An Act to amend the Canada Elections Act (verification of residence), be read the third time and passed.

The Acting Speaker (Mr. Andrew Scheer): When the recorded division was put, the hon. member for Timmins—James Bay had concluded his speech. There now remains 10 minutes for questions and comments.

Government Orders

• (1330)

Ms. Libby Davies (Vancouver East, NDP): Mr. Speaker, I would like to thank the member for Timmins—James Bay for the incredible work that he did at the committee in trying to correct the serious flaws in the bill.

Bill C-18 has a bad history. It started with Bill C-31 when the government moved on legislation that was supposedly based on incidents of voter fraud. I was at some of those committee meetings where we asked questions on whether there was voter fraud going on across the country. Elections Canada told us that there were only isolated incidents and yet that original bill was brought in to a crushing effect. Hundreds of thousands of people, including in my own community of East Vancouver, are now disenfranchised as a result of the original bill and would still be disenfranchised as a result of Bill C-18 that is before us today.

I want to thank the hon. member for the valiant efforts that he made in committee to ensure that some witnesses were allowed to point out the serious flaws in this process and in this bill. However, it seems that this has fallen on deaf ears. Not only has the government been in denial about the impact of this bill, but so has the official opposition and the BQ.

It is quite stunning to see that other parties in this House have refused to acknowledge the disastrous impact of this bill and the impact it will have on people in urban areas, as well as rural areas, but because the issue in urban areas was never addressed we are now disenfranchising people.

I would like to ask the hon. member to comment from the point of view of what he heard from the witnesses and what he will see as the impact of this bill on people in urban areas.

Mr. Charlie Angus (Timmins—James Bay, NDP): Mr. Speaker, I would like to go to the source itself. We had four witnesses give direct testimony to this and they were given two minutes to speak. This is actually what their instructions were. The chair said:

...I'm going to give each witness no more than two minutes to introduce yourselves, and, if you choose, to provide us with an opening statement. That will allow members more time to ask questions that are very specific....

Of course, the punchline was that the Bloc, the Liberals and the Conservatives were all lined up not to ask any questions. Therefore, our chair told our witnesses to introduce themselves and then to sit and wait for questions.

Mr. Ian Boyko, government relations coordinator with the Canadian Federation of Students, said:

I'm going to abandon my remarks today, because two minutes isn't enough to even touch on some of the things we have concerns with.

What I will flag for the committee is that my members are having great difficulty understanding the rush that was involved with Bill C-31 in the spring and now the rush that's involved with Bill C-18 today when there are so many flaws in the Elections Act that prevent students and those with transient addresses from registering to vote.

He went on to say that the bill “will ensure that tens of thousands of students won't be able to meet the Elections Act requirements in the upcoming federal election”.

He continued by saying:

Like I said, we have serious concerns about the way students are being alienated from this process, and why the rush on rural voters and not the rush on other very

important voting populations that were ignored in Bill C-31 and that are also ignored in Bill C-18.

Not one member of the other parties asked Mr. Boyko a question. They were not interested in that testimony.

I could go on and on from this dismal day in committee that shows members were not doing due diligence. Our fundamental job is to ensure that due diligence is always done.

Mr. Rodger Cuzner (Cape Breton—Canso, Lib.): Mr. Speaker, I respect my colleague's intervention on this topic and his understanding of the issues here, and I share his concern. I have heard it time and again over the last number of elections about the preparation of voters lists and the departure from enumeration. We know that the last enumeration was in 1997.

I had an incident in my riding where one community was voting in the poll in the adjacent community and vice versa. There is always contention around this but I know positive steps have been made in advance polling.

The member brought forward some very significant issues. If he could fill me in on when Bill C-31 was passed, I believe the member for Timmins—James Bay was on that committee, would he or his party have had the opportunity to tender a dissenting report at that time?

• (1335)

Mr. Charlie Angus: Mr. Speaker, my colleague, in representing an area like Cape Breton, will know the problems. I do not know where Elections Canada gets its maps from sometimes but I know that in my riding people are sent to polling stations 40 or 50 kilometres up the road. The result of that is that they simply do not vote or, if they do try to vote in their own town, they are told they cannot even though they have been in that town their whole life, and they end up not voting. That is a very serious issue.

When Bill C-31 was brought forward, our party brought forward a number of amendments to try to make the bill workable because at the end of the day, as I keep repeating, our job is to make legislation that works and that is practical.

When we found that there was not that much interest in addressing the issues we were raising, the fact that numerous people would not meet this new requirement and we needed to fix the problem, we ended up voting against that bill because we felt that it would come back to haunt us. It has already come back to haunt us twice.

The other astounding testimony that was given just the other day on Bill C-18 by Jim Quail was that this was now facing a charter challenge. It was going to court. Again, no one seemed interested in asking him any questions about the fact that we might get legislation that gets its rear-end kicked all over the courts. However, I asked him questions and there was a clear legal precedent about any interference in the right to vote.

Once again, if we are going to make laws, we need to ensure they stand up to scrutiny and the test of time. Unfortunately, Bill C-18 could have done it, and we were certainly willing to work at it, but at the end of the day I think we will be back to square one. We will still have problems with the way the vote has come down.

Government Orders

Mr. Paul Dewar (Ottawa Centre, NDP): Mr. Speaker, I want to thank my colleague from northern Ontario for his work on this file having been the member for the New Democratic Party who was on the committee for Bill C-31. I understand his frustration when we have a bill that is supposed to encourage franchise, or at least the integrity and that is what the government would say and the other parties support it, and ends up doing the opposite. It is very frustrating.

We put forward amendments to make sure that every Canadian who is eligible could vote. We put forward the idea of universal suffrage. We believe fundamentally that there should be a universal commitment by any government to have door to door enumerations. We called it universal enumeration for universal suffrage.

We asked for a statutory declaration for voters. We asked for a change in how voter cards are distributed. They should be put in envelopes addressed to the voters, so that there would be no problem with cards lying around.

All of those ideas that we put forward were rejected. It is our submission that we do that first before we meddle with things like putting birth dates on voter's lists and sharing them with political parties so that they can use them for their own purposes.

My question is this. What is it that we can do to fix the bill, so that we do not come back in another couple months having to fix yet another flawed piece of legislation?

Mr. Charlie Angus: Mr. Speaker, the answer should be fairly straightforward. Number one, when we bring forward legislation and we look to new laws, we have to bring forward witnesses, listen to witnesses, question witnesses on the veracity of their viewpoints, and we have to show basic respect for the fact that these witnesses have come forward.

I would like to speak about Ms. Tina Bradford who is a labour lawyer who tried to speak to the committee and she got all of 11 sentences in her statement. She was told by the chair that the committee was running out of time and that was the end of it. This is about whether or not someone should be allowed to vote and she was cut off after 11 sentences. This was an embarrassment. It was like a kangaroo court.

I asked her in questioning because I was the only one asking questions of witnesses who had taken the time to prepare briefs and the time to study. These were people who had come from the legal profession to provide the numbskulls that were looking at this legislation with answers. I cannot say it is anything else but numbskulls. If people are not going to do their homework, if they are not going to ask questions, then how can they say that they know what they are talking about?

I asked her specifically about the issue of voter fraud and enfranchisement. I asked, "Is what we're suggesting in Bill C-18 workable?" She told me that from her experience with working on enfranchising voters, that it was a ridiculous provision. That was her word. She said, "I've only been able to use this vouching system on one occasion and it's a ridiculous provision. It provides nothing to people who vote".

I asked her again about the issue of voter fraud from her experience as a lawyer working on the street. She said, "In all my time volunteering at polling stations I've never experienced any voter fraud. What I do experience is that people are turned away voting for the first time in their lives, people who really want to vote and they are often being turned away". That is what she gave us as testimony.

If people disagreed with it, they should have asked her questions. They should have had it on the record. To allow her 11 sentences, as a statement, shows that we simply are failing in this role in Parliament. As I said, I think it is a very dismal trade when such events are allowed to take place.

● (1340)

Hon. Larry Bagnell (Yukon, Lib.): Mr. Speaker, I am happy to rise to speak to this bill. I am actually delighted that we are getting it before the break because it is a bit disappointing in a way that, as the chair of rural caucus, it is an amendment that is specifically for rural Canadians and is coming so late in the game.

That being said, I am delighted that the entire House is cooperating to ensure that this important amendment gets through, so that rural Canadians are not disenfranchised through some administrative mistake. If not, then somehow we would all have been involved in making something that would have disenfranchised a majority of the voters in the next byelection in the prairies. A majority of voters north of 60 could easily not have been able to vote if we did not make this important amendment.

There are a number of other election provisions that I will speak to today, a few that should and could be made, but of course that is not the topic. The topic today is to primarily deal with these rural Canadians who otherwise could not have a vote.

Therefore, we have to make these administrative amendments. These provisions are to ensure that these Canadians will again be able to vote in a coming election, which could be soon, and certainly in the event of by-elections.

I want to reassure rural Canadians that if for some reason this did not pass, they would still be able to vote because the Chief Electoral Officer has the authority to deal with such a crisis as this and to enfranchise people through whatever mechanisms are necessary. However, that is not really the way to run a navy, it is not the best way to solve this. We in Parliament who create these laws should, when we make an error, make these amendments even if it is an administrative error and fix the law so that all Canadians have the appropriate ability to vote.

That is why during the process of this bill I, too, as some others have mentioned, have urged the committee, Elections Canada and the department drafting the bill, to ensure that homeless people could vote. There are a number of homeless people across the country and we have to ensure that there are enough people who can vouch for them, and people working in the shelters who might know of their locations. There should not be a limit on the number who can sign for these people.

Government Orders

That is why the best solution is to get these people out of poverty. That is why I am very excited that a few weeks ago our leader made a great announcement for a first-ever comprehensive anti-poverty strategy in Canada that would take 30% of these people off the poverty list in the next five years. It would certainly reduce the problem.

We also have other efforts related to homelessness. We have one of the most successful social programs in history, I think, the SCPI program, which everyone I think in the House has eventually championed after seeing its results. It puts these homeless people in specific good shelters for a time until we solve the ultimate problem. Of course, we should be dealing with the root problems and hopefully getting them back into proper affordable housing, and regular housing, as they again get jobs et cetera.

However, until that time if they are in good shelters, we will have them with workers who can then enfranchise them and get them to vote. In particular in my area, I urge the government on this, we need a shelter for teenagers. We have one under that SCPI program that we put in place for adults. There were none at all before that, particularly for men. We would want one for teenagers, so that we could segregate them. It would be much safer for them.

In the north homelessness is also a particular issue in that we do not want people lying in the streets at 60 below. They have to go somewhere and unfortunately, they are going into places where they should not be, where they have to offer sexual favours for shelter or they are crowded in, impugning on children where they should not necessarily be crowded in. All these things could be solved and hopefully some of it will be solved with this anti-poverty strategy that we have announced.

●(1345)

Today we are talking about the disenfranchisement of rural voters. I cannot imagine anyone in the House being against a provision that would ensure all rural Canadians are not stuck with this mistake. It should be fixed, so they can vote under the normal process as they did before.

I am talking particularly about individuals with no street address. Those of us who live in rural areas know many people who do not have a street address. We also know that there are entire communities without street addresses. When I lived in the north I did not have a specific street address. It was R.R. #1, Site 2, Comp 3. Some people live near the highway.

Provinces, territories and municipalities are trying to legislate an end to this problem because street addresses are needed for the fire department and for 911, so people can be found in an emergency. Thousands of people still do not fall into that category. That correction has not been made, and unless we amend the provisions in this bill today, they will not be able to vote.

Santa Claus and I visited a small community in my area on the weekend. This community is spread out along the highway and in rural bush areas where there are no addresses. Many people just have general delivery. A truck goes to the community every couple of days and drops all the mail at the post office. This legislation would not solve this problem.

In my community there are many people who live out in the bush. I remember going down roads in the middle of virtually nowhere and coming upon cabins. These people do not have a particular street address. Some of them have to fly in like they do in Nunavut. All sorts of people only have access to their communities by air and not by road. This may be a surprise to a number of southern Canadians, but there are many areas where there is no road access. In these cases it would be very difficult to have a defined street address as we in southern Canada understand it.

There are other people who could also be affected, such as first nations. I have urged in previous speeches that we make sure these people are not disenfranchised either through this bill or through further amendments to the Canada Elections Act.

Many first nations are in fly-in communities or they live on reserve. They may not have the same type of street numbering system that we are traditionally accustomed to. It is important that these people are not disenfranchised.

Fourteen first nations live in Yukon and a number of these are traditionally nomadic. They do not stay in one area for an entire year. They move around because of the various types of game harvesting or plant harvesting they need to do during various times of the year.

It is important that we take into account the nature of all Canadian lifestyles when we are developing an electoral system. This is not impossible to do.

A Mongolian delegation recently visited here. The Mongolian people, unlike Canadians, have many herds, many cattle, sheep, horses and goats, but they do not have fences or private property the way we do here in Canada. When they need to rest an area for the environment, they simply move their herds over to another steppe, or another mountain, or another valley.

●(1350)

Obviously, they do not have specific street addresses while they are moving around. I questioned them when they were here a couple of weeks ago and they said they had no problem in coming up with solutions to enumerating all their people and making sure that they have a very high percentage of voting, I believe higher than we do. That is great for a country in that part of Asia where democracies are not prevalent, particularly with the sad situation today in Burma.

The provisions were put in with the best intent. There are people who have come to members of Parliament with numerous examples suggesting the occurrence of fraud when identification is not available. Not very many cases could be prosecuted or taken to the final stages. Various people have alluded to many problems that would not be in the existing system if we changed the provisions so that they were similar to the provisions in a number of other countries.

Statements by Members

I do not think anyone in the House would be against improving the integrity of the voting system in Canada. Certainly the hallmark of our democracy is one person, one vote. That people would try to circumvent that really strikes at the heart of our democracy, but in that sense, as I urged earlier in my speech, we have to make sure that in doing this, we do not disenfranchise people. That principle must apply to everyone.

I have mentioned several groups, such as the homeless, first nations people, and people in the rural areas who do not have a street address, but there are other groups in my constituency that I have mentioned in previous speeches on this bill, for example, students.

North of 60, there are no universities, so all our students make a grand migration to universities or colleges in the south. We do have excellent colleges in the north, such as Yukon College, which has some university credit courses, but many of the students in the three territories go to the south. I can say that as the northern critic. The students would be away at election time and would not be residing at their permanent street address. If for some reason they were not properly enumerated, they could fall into the trap of being disenfranchised.

This reminds me that I wanted to speak about the enumeration lists, as I am speaking about things that need to be corrected. I am speaking now to Elections Canada. I do not imagine there is a member of Parliament here who would not suggest that there have been some disastrous situations with the present idea of the permanent enumeration list.

Personally I am quite supportive of a permanent enumeration list, if it is kept up to date. I am sure all members of Parliament have gone to houses in recent elections where 20 or 30 people lived in the house according to the enumeration list. After people moved from the house, they were still listed as living in the house. The list had not been updated.

In my riding, there is a relatively high degree of mobility. There are all sorts of people who change their address, such as students and young people who move in and out with other people. Somehow they just do not show up on the enumeration lists and are therefore lost, or there are too many eligible voters. I am sure that accounts for part of the low degree of voting in Canada. If there are 20 people listed at one address where only three people live, that is going to show up as 17 people who did not vote. It will make it look like Canadians do not vote. Of course, they are not people who really live at the address; they are phantom residents. They have moved somewhere else and are double listed.

•(1355)

I encourage Elections Canada to modernize the enumeration lists to solve that problem. It is a good system to have a permanent list, but Elections Canada has to get a handle on who lives where so that when enumerators go door to door, the list is relatively accurate and the number of people who are enfranchised is more realistic, so we do not have to make amendments and we can spend our time debating ideas and policies.

There are other groups that we want to ensure are not disenfranchised. One of them is not specific to the north and that is the military. It has to do with the street address requirement for

people who move around. The military has a unique way of voting. As I said in previous speeches, I want to make sure that members of the military are in no way disenfranchised by the amendments to improve the integrity of the voting system.

There are two other groups in my area. One is what we call snowbirds. A number of northerners, mostly retired people, go south for the winter, where there are lower heating costs and they can enjoy their retirement in a warmer climate. If they do not have an official street address and cannot vote, they would be unduly disenfranchised. I would urge the people in committee, in the department and in Elections Canada who are studying and improving the elections process to make sure they do not disenfranchise those people.

Another group is people who have to move quickly because of a medical emergency. I visited a hospital in the last election and there were people who had been brought to the hospital from out of town. Therefore, they were not in their poll and they could not vote. I want to make sure that in those cases, people can vote.

In conclusion, since we are breaking for the holidays, I would like to say meilleurs vœux, seasons greetings, *auguri di buone feste, felices fiestas*, peace, pax, paz, mir, mira poki, *frieden*.

Please support this bill so that rural Canadians are not disenfranchised. Let us get this bill through as quickly as possible.

The Acting Speaker (Mr. Andrew Scheer): The hon. member for Yukon still has two minutes left in his allotted time, plus the period for questions and comments.

We will move on to statements by members.

STATEMENTS BY MEMBERS

•(1400)

[*English*]

MARY OLSON

Mr. Rob Merrifield (Yellowhead, CPC): Mr. Speaker, this past week the town of Edson mourned the loss of long time community activist Mary Olson. She passed away at the young age of 53 during her second term as city councillor.

She was a devoted community organizer who was committed to giving back to the people of Edson. She was a founder of the Edson Women's Association and the Edson Youth Justice Committee and was instrumental in establishing the Edson and District Victim Services group.

If she had a passion, she brought it forward and she stood by it. She learned that determination after spending some time living on the streets with her single mother, Dorothy, as Dorothy struggled to finish university.

Through Mary's dedication to the community, her love for the people and her willingness to serve, she was an example to all of us.

Today, I honour Mary and her life of selfless giving to her family and her community.

* * *

HERITAGE RAILWAY STATIONS

Hon. Andy Scott (Fredericton, Lib.): Mr. Speaker, the Canadian Pacific Railway station in Fredericton has fallen into a state of total disrepair.

I am calling on the federal government to amend the Heritage Railway Stations Protection Act, which would close a major loophole.

The York Street site was designated in 1991 as a historic railway station under the Heritage Railway Stations Protection Act. Unfortunately, the site has been neglected for years and its future is in question.

Under the act, a property owner cannot sell, demolish or renovate a site without the approval of the federal government, but it does not speak to inaction, neglect or abandonment.

Built in 1923, the CPR station in Fredericton was designated because of its historical and architectural qualities.

The federal government, through Parks Canada, must correct this flawed legislation and ensure that heritage sites are properly maintained and celebrated.

* * *

[Translation]

BOOK ON QUEBECKERS OF HAITIAN ORIGIN

Mrs. Vivian Barbot (Papineau, BQ): Mr. Speaker, I had the honour to attend the official launch of a book edited by Dr. Samuel Pierre for the Association des ingénieurs et scientifiques haïtiano-canadiens (AIHC), entitled *Ces Québécois venus d'Haïti, Contribution de la communauté haïtienne à l'édification du Québec moderne*.

This book takes the reader through the past 40 years of Quebec's history, telling the stories of 52 Quebecers of Haitian origin. It is a touching tribute to these men and women who have formed close ties to our society. It is also a source of inspiration for younger generations and offers them models of determination, perseverance and excellence that encourage a positive outlook on the future.

My Bloc Québécois colleagues and I are happy to highlight the contribution of the AIHC and of all those whose time and energy went into the production of this unique book, which tells how members of the Haitian community have integrated into and contributed to Quebec society.

* * *

[English]

THE ENVIRONMENT

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, immoral, dishonest, misleading; surprisingly, those are not the words of committee members delving into the Mulroney-Schreiber affair. They are the words of the international community as it condemns

Statements by Members

Canada's refusal to commit to deep emissions reductions to fight global warming.

This week marked the 10th anniversary of the Kyoto protocol. World leaders are gathered in Bali trying to negotiate a global agreement on the second post-Kyoto phase. Why? Because, as UN Secretary-General Ban Ki-moon has pointed out, climate change is the biggest challenge to humanity in the 21st century.

However, under the stewardship of successive Liberal and Conservative governments, Canada's greenhouse gases are now almost 33% above Canada's Kyoto target. We should be with the leaders of the world, not the laggards.

It is an abdication of leadership to suggest that the world can only sign a climate deal if the U.S. does. Canadians expect the Prime Minister to act in our interest, not in the interest of George Bush.

While climate change has been rapid, it is devastating that Canada's response is not.

* * *

FEMALE ELECTED OFFICIALS

Mrs. Cheryl Gallant (Renfrew—Nipissing—Pembroke, CPC): Mr. Speaker, congratulations are in order for Killaloe, Hagarty and Richards Township Mayor Janice Visneskie on her recent acclamation to a second term as warden of Renfrew County.

Long before it became politically correct to demand gender equality among politicians, the smart voters of Renfrew—Nipissing—Pembroke recognized the benefit of balanced representation to lead their local government.

As the first female elected to upper level government, I am joined by Warden Janice Visneskie, Mayor Ann Aikens of the Town of Deep River, Mayor Sandi Heins of the Town of Renfrew, Mayor Mary Campbell of McNab/Braeside Township, Mayor Raye-Ann Briscoe of Admaston/Bromley Township, Head, Clara and Maria Township Reeve Tammy Sonnenburg, and Town of Renfrew Reeve Audrey Green.

There is no higher calling than an elected office. I congratulate citizens of both genders who answer that call.

I look forward to working with Warden Visneskie and all members of councils in Renfrew—Nipissing—Pembroke as we work together to improve the lives of our fellow citizens.

* * *

● (1405)

JOSEPH ZATZMAN

Mr. Michael Savage (Dartmouth—Cole Harbour, Lib.): Mr. Speaker, the remarkable life of Joseph Zatzman ended this week. He was 95.

Born in St. John, he chose the community of Dartmouth as his adopted home. He opened a grocery store on Portland Street, moved into real estate, and became one of Nova Scotia's most significant landlords, most admired business people and prominent public citizens.

Statements by Members

He was elected to town council and in 1963 was elected mayor of Dartmouth. He is our only Jewish mayor and is widely regarded as one of the best mayors in Dartmouth's proud history.

His most significant achievement, and also the most significant in Dartmouth's development, was his leadership in the birth and growth of Burnside Industrial Park. It was his project, his success and his legacy.

His post-mayorality life continued to be one of achievement and recognition.

Although he lost some zeal for life after the death of his beloved Leah, he continued to be one of our most respected and beloved citizens until his death this week.

Our whole community feels his loss. To his family, including my friend, his son Michael, we offer our condolences on the loss of a man whose beliefs were simple—faith, family, and community—but whose achievements were remarkable.

* * *

LEBANON

Mr. Deepak Obhrai (Calgary East, CPC): Mr. Speaker, yesterday in Beirut an explosion killed Lebanese Brigadier General Francois al-Hajj and a number of other people. Canada strongly condemns this new terrorist attack, which comes at a time when Lebanon is putting forth considerable effort to find a political solution to the current crisis.

Canada sends its condolences to the families of the victims and to the people of Lebanon.

We also reiterate our firmest support for Prime Minister Fuad Siniora and his government.

This attack against the stability and democracy of Lebanon must not weaken the resolve of the Lebanese people to resist those who seek to destabilize their country.

Those who committed this act of violence and those who support them must be brought to justice.

* * *

[Translation]

MINISTER OF PUBLIC WORKS AND GOVERNMENT SERVICES

Mr. Thierry St-Cyr (Jeanne-Le Ber, BQ): Mr. Speaker, the Minister of Public Works finally announced on December 10, 2007, the federal government's contribution for the relocation of the Montreal planetarium to the Rio site.

During the press conference, the unelected minister put on a shameful display of partisanship unworthy of his position. Indeed, although the host of the event had planned to invite the federal representatives from east Montreal, the unelected minister apparently objected, despite the fact that these federal representatives joined forces to complete the project.

Furthermore, this unelected minister, showing absolute pettiness and a complete lack of ethics, took it upon himself to invite and introduce Conservative candidates from Montreal Island, emphasizing

that they would likely be his future colleagues in the House of Commons.

Coming from someone who was not elected, this contempt for the democratic process is not only unacceptable, but I think it is safe to bet that Montrealers will not soon forget it.

* * *

[English]

GOVERNMENT POLICIES

Mr. Ed Komarnicki (Souris—Moose Mountain, CPC): Mr. Speaker, what a refreshing change it is from a previous government that was full of talk and no action to a government that gets things done. We are a government that speaks and takes action, and that promises, then delivers.

Let us have a look at what the government has accomplished and what it has delivered. We have reduced the GST from 7% to 6% to 5%.

We have reduced the lowest personal income tax rate to 15%. We have increased the amount Canadians can earn before paying income tax to \$9,600.

We have delivered \$100 per month to parents for each and every child under six years of age.

We have reduced the national debt by \$37 billion, with interest savings used to further reduce taxes.

When it comes to protecting our streets, the government has delivered by introducing sweeping reforms on the justice front.

After having listed a number of initiatives that will put more dollars than ever before in the pockets of all Canadians, I would like to wish all members of the House, and indeed all Canadians, a very merry Christmas and a happy and prosperous new year.

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DUNLAP OBSERVATORY

Hon. Bryon Wilfert (Richmond Hill, Lib.): Mr. Speaker, the David Dunlap Observatory opened in 1935 on land donated in trust to the University of Toronto by the widow of astronomy supporter David Dunlap. Under the terms of the trust, the Dunlap heirs would regain ownership of the university facility if it closed.

The University of Toronto recently announced that it will declare the observatory surplus and put it up for sale.

I believe that this is such an important historic site because it is the largest observatory east of the Rocky Mountains and it is where the first black hole was discovered in 1972 by astronomer Thomas Bolton.

It is unfortunate that at this time it will be the highest bidder who will control that particular property.

Statements by Members

I have spoken with and urged the Government of Canada to consider creating a large national urban park that would be the first of its kind in the greater Toronto area. I believe that all orders of government should participate in support of this. I believe the residents of Richmond Hill want to maintain this great jewel, not only for the people of Richmond Hill, but for Canada.

* * *

• (1410)

[Translation]

BLOC QUÉBÉCOIS

Mr. Jacques Gourde (Lotbinière—Chutes-de-la-Chaudière, CPC): Mr. Speaker, the Bloc Québécois is like Santa Claus. The story is that he is the one who makes and delivers the gifts, but we know that is not what really happens.

People can write letters to Santa Claus, but at the end of the day, it is our government that has the means to take action, to keep its word and to deliver the goods.

The Bloc Québécois has introduced 242 private members' bills, but has managed to get just two private members' bills passed and that was just to change the names of two ridings. If the Bloc was truly Santa Claus, then Quebec families would be disappointed with their gifts this year.

For every issue, the Bloc has a solution. The only problem—and it is a huge problem—is that they are stuck in the opposition benches and cannot implement their solutions.

Those who do not have the responsibility that comes with being in power can say or ask for anything they want. Our government is proud to act in the interest of Quebec and Canadians where the Bloc simply cannot.

* * *

[English]

GOVERNMENT POLICIES

Ms. Catherine Bell (Vancouver Island North, NDP): Mr. Speaker: the softwood lumber sellout, which increased raw log exports, the rapid expansion of the tar sands so we can pipe bitumen to the U.S., the deregulation of air traffic safety, and the introduction of security certificates. I could go on about all the shameful ways in which the Conservative government is harmonizing Canada's trade, safety and environmental policies with George Bush's United States.

Canadians know that the introduction of these measures will have long-lasting negative impacts on our jobs, our communities and our sovereignty. Under the Security and Prosperity Partnership, Canada will have less and less ability to adopt independent and sustainable economic, social, cultural and environmental policies.

In the long run, this could have a lethal effect on Canadian public programs such as universal health care and public education.

As members of Parliament, we are each privileged to represent a portion of this country, but we also have a duty to protect it. I see it as my duty to do all I can to stop the SPP from going any further.

[Translation]

UNIVERSAL DECLARATION OF HUMAN RIGHTS

Mr. Mario Silva (Davenport, Lib.): Mr. Speaker, 2008 marks the 60th anniversary of the Universal Declaration of Human Rights.

UN Secretary General Ban Ki-Moon has called on all countries to mark this anniversary by renewing their commitment to human rights throughout the world.

[English]

Let this task start first and foremost with the United Nations itself, which needs to deal with pressing issues like Darfur and genocide.

The often repeated one-sided resolutions against Israel to the exclusion of all others, such as Iran, undermine the General Assembly and the Human Rights Council, as well as diminish the UN's credibility, and this ultimately hurts the noble goal of universal human rights.

We need to all join in echoing the words of the UN Secretary-General when he says that countries should “promote the Declaration's ideals and principles of justice and equality for everyone”.

If universal human rights are to be enjoyed by all, then we must all do our part.

* * *

[Translation]

BILL C-482

Ms. Pauline Picard (Drummond, BQ): Mr. Speaker, last November I tabled Bill C-482 to amend the Official Languages Act. The amendments proposed by the Bloc Québécois would require the federal government to recognize Quebec's Charter of the French Language.

Yesterday, at the Standing Committee on Procedure and House Affairs, this bill was deemed votable by everyone except the Conservatives. Those who boast constantly about having recognized the Quebec nation refuse to even vote on a fundamental aspect of this very nation: the French language.

The Conservatives attempted to impede debate on the primacy of the French language by citing false constitutional arguments. In one fell swoop they clearly demonstrated that the motion adopted by this House on the Quebec nation is nothing but empty words and that the recognition is meaningless.

Recognition of the Quebec nation means respecting the primacy of Bill 101 in Quebec.

*Oral Questions**[English]***POVERTY**

Ms. Tina Keeper (Churchill, Lib.): Mr. Speaker, across my constituency of Churchill, and indeed the entire country, Canadians are united in their demands for immediate action to address poverty in this country.

The 30-50 plan recently unveiled by the Liberal leader will reduce the number of Canadians living below the poverty line by at least 30% and, more importantly, will cut the number of children living in poverty by half within five years.

It will improve the child tax benefit, help lift vulnerable seniors out of poverty by increasing the guaranteed income supplement, and create a “making work pay benefit” to lower the welfare wall and encourage personal success and independence.

When implemented, this approach will then, and only then, set Canada back on track toward a fair and just society.

* * *

• (1415)

UNITED NATIONS CONFERENCE ON CLIMATE CHANGE

Mr. Joe Preston (Elgin—Middlesex—London, CPC): Mr. Speaker, when it comes to flip-flopping on climate change, the Liberal Party cannot escape the truth. In recognition of the Liberals' complete failure over 13 years to fight climate change, we are happy to continue awarding a special Liberal with the flip-flop of the day during the course of the current United Nations Conference on Climate Change taking place in Indonesia.

Today's award goes to Bob Rae, who said on November 2, 1979, “In my opinion, if we look at the record, the most hypocrites in this House are in the Liberal Party of Canada”.

Bob Rae also said on November 30, 1979, “It is amazing how the Liberal party at moments of convenience, and when they are looking for a policy and looking for a leader, suddenly latch on to an issue about which they have no coherent point of view at all”.

Bob Rae concluded by saying on July 10, 1980, “Nothing embarrasses the Liberals because they do not know the meaning of shame. They are without shame; they are shameless”.

This government could not agree more.

[Translation]

Hon. Peter Milliken: Order, please.

Pursuant to order made this morning, the House will adjourn this afternoon for the Christmas holidays.

[English]

I wish to advise hon. members that, as is the custom, I will be hosting a reception following private members' hour, whenever that might occur, in Room 216, to which all hon. members are invited.

ORAL QUESTIONS*[Translation]***CHALK RIVER NUCLEAR FACILITIES**

Mr. Michael Ignatieff (Etobicoke—Lakeshore, Lib.): Mr. Speaker, on Tuesday in this House, the Minister of Health said that a two or three day delay in the production of isotopes would affect more than 200,000 patients around the world.

Can the Minister of Health explain why his colleague, the Minister of Natural Resources, waited two days before informing him of the impending crisis? He waited two days and put 200,000 patients at risk.

Hon. Tony Clement (Minister of Health and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, of course when the government was informed of this situation, we took vigorous action to ensure the health and safety of Canadians.

[English]

When we heard about the situation at AECL being an unscheduled, prolonged shutdown, this government acted. We contacted over 800 hospitals and institutions. We ensured that triaging was taking place in the health care system.

This, we believe, has helped divert catastrophe until such time as the reactor will fire up and will deliver much needed isotopes for Canadians and for the rest of the world.

Mr. Michael Ignatieff (Etobicoke—Lakeshore, Lib.): Mr. Speaker, one minister is not talking to the other. The same minister admitted that he only learned of the crisis two days after the Minister of Natural Resources. We are talking two days and 210,000 patients put in danger.

The left hand of the government does not know what the right hand is doing. Why did it take 48 hours for one minister to talk to the other in the middle of a national crisis?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, I think the testimony on Bill C-38 indicates that this government and the ministers acted as quickly as possible upon learning the information.

The real question is why the deputy leader of the opposition does not listen to himself. He says this was a crisis, but as late as this Tuesday afternoon, he was still insisting the government should defer to the Canadian Nuclear Safety Commission, to Ms. Keen, and not act at all. That is the position he is going to have to explain.

Mr. Michael Ignatieff (Etobicoke—Lakeshore, Lib.): Mr. Speaker, the Prime Minister well knows that this is entirely false. We worked in cooperation with the government to get this done.

Let me ask this. On Tuesday the Department of Justice told the nuclear regulator that it was not going to provide legal counsel on the Chalk River crisis. Why did the Minister of Justice withdraw legal services to the commission? Why did the government subvert the legal authority of the regulator? What message is the government trying to send to other federal regulators: "Watch out or we'll come after you too?"

•(1420)

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, the opposition has it wrong again. The Department of Justice continues to offer legal services to the Canadian Nuclear Safety Commission.

What it did suggest, with respect to the Chalk River reactor, was it might be a good idea that it engage independent legal advice, so there would be no potential or conflict of interest. It seems to be a pretty reasonable proposition.

Mr. Omar Alhabra (Mississauga—Erindale, Lib.): Mr. Speaker, I have independent advice that this is not true.

My question is for the Minister of Justice. It is clear that the government has deliberately been undermining the Canadian Nuclear Safety Commission. Incredibly, the justice department cutoff legal advice to the regulator on Monday, just before that act was introduced.

The minister ordered his officials to stop giving legal counsel or doing any work on the Chalk River research reactor. This is a clear violation of the minister's obligations. Is it the minister's intent to kill Canada's nuclear regulator?

Hon. Rob Nicholson (Minister of Justice and Attorney General of Canada, CPC): Mr. Speaker, there were so many mistakes in that question I hardly know where to begin. The member is completely wrong.

Legal services continue to be provided to the Canadian Nuclear Safety Commission. Inasmuch as there was a discussion with respect to the Chalk River reactor, the department gave the very sensible advice that it may want to contact independent legal advice with respect to that issue.

Why can those members not accept good advice?

Mr. Omar Alhabra (Mississauga—Erindale, Lib.): Speaking of advice, Mr. Speaker, this week the Prime Minister cowardly attempted to undermine the credibility of the nuclear safety commissioner by accusing her of being a partisan hack, and the record shows she is not.

Ironically, the Prime Minister decided to overrule an independent and credible commissioner by relying on the advice of the Durham Conservative Riding Association's vice-president.

How can anyone have confidence in Canada's nuclear safety when the Prime Minister personally makes the decision and relies on the advice of partisan hacks?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, on Tuesday afternoon, the Liberal Party was attempting to defend the actions of Ms. Keen, which were going to put hundreds of thousands of people's health in jeopardy. That night, the Liberal Party completely abandoned Ms. Keen and passed the government's

legislation. Yesterday, it continued to abandon her and passed the legislation through the Senate. Today, it is back to trying to defend the actions of Ms. Keen and the Nuclear Safety Commission.

The government's legislation has spoken clearly. It has passed. Canadians are going to get those—

The Speaker: The hon. member for Laurier—Sainte-Marie.

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[Translation]

FORESTRY INDUSTRY

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, the federal government has been conspicuously absent from the summit on the future of the forestry sector despite the fact that unions, businesses, the Minister of Natural Resources and Wildlife, Claude Béchard, the Minister of Finance, Monique Jérôme-Forget, and environmental groups have unanimously called on the federal government to help the workers, businesses and communities affected by the crisis in the forestry sector.

Will the Prime Minister finally use money from his enormous budget surpluses to provide immediate assistance to the forestry industry?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, as I have said many times, when this government came to power, we took action to protect the industry. We recognize the need for further action.

We made a promise in the Speech from the Throne, which the Bloc Québécois rejected. Even so, we are consulting with our partners in the federation and the private sector to ensure the best possible response to this situation.

Mr. Gilles Duceppe (Laurier—Sainte-Marie, BQ): Mr. Speaker, acknowledging the forestry crisis in the throne speech is meaningless if the government does nothing about it. The government must take immediate measures, such as bringing back the fund to diversify the forestry economy, granting refundable tax credits to skilled workers who move into resource regions, or implementing a program to support the development of ethanol production from forestry by-products.

With the projected surplus for 2007-08, the Prime Minister has more than enough money to move forward with our proposals. Will he take action?

•(1425)

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, in the past two years, we have started programs to help older workers who have been forced to relocate because of this crisis. We have started programs for communities that have been affected. We have set up tax advantages to help the sector. We have signed an agreement with the United States to get \$5 billion back for the sector.

There is still work to do, but in the past 17 years, the Bloc Québécois has not done a thing for the forestry sector, and it will not

The Speaker: The hon. member for Montmagny—L'Islet—Kamouraska—Rivière-du-Loup.

*Oral Questions***MANUFACTURING AND FORESTRY INDUSTRIES**

Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, yesterday, at a meeting with his Quebec and provincial counterparts, the Minister of Finance missed another opportunity—after the Speech from the Throne and the economic statement—to announce tangible short-term measures to help the manufacturing and forestry industries, which are in desperate need of assistance. The minister should understand that the tax cuts he keeps talking about are not a solution for businesses that are not generating a profit and therefore not paying taxes. I hope he will understand that once and for all.

Given the expected \$11.6 billion surplus, does the minister realize that his failure to act is scandalous, that he must act now and that he has the means to do so?

[*English*]

Hon. Jim Flaherty (Minister of Finance, CPC): The action by the federal government, Mr. Speaker, has been early and large, particularly compared to the action of other governments. We brought in \$1.3 billion in accelerated capital cost allowances and a 100% writeoff of new equipment over two years. That was not done now, that was done last March, and is now a part of the budget bills that have been passed.

In addition, there have been \$60 billion of tax reductions in the month of October, over this year and the next five years, including \$12 billion, not million, for Quebec.

[*Translation*]

Mr. Paul Crête (Montmagny—L'Islet—Kamouraska—Rivière-du-Loup, BQ): Mr. Speaker, what the minister does not seem to realize is that at the forestry summit all of Quebec has put forward as its very first recommendation that the federal government provide immediate assistance to the forestry industry.

The forestry industry needs an injection of \$1 billion from this year's surplus. Will he listen to the unanimous demand of Quebec and help the forestry industry immediately?

[*English*]

Hon. Jim Flaherty (Minister of Finance, CPC): I am sure the member opposite knows, Mr. Speaker, that our government has already set aside, and this was done before, \$72.5 million in the targeted initiative for older workers.

I know the member opposite wants to look at things in a grim way at Christmastime, but Canada's job growth champions today include the province of Quebec. In fact, Quebec now enjoys the highest percentage of adults with jobs ever recorded, at 61%.

* * *

[*Translation*]

THE ENVIRONMENT

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, the former premier of Quebec, who is now the Conservatives' special advisor in Bali, has publicly admitted that, "Canada has a credibility problem that stems from the fact that it has not delivered the goods in 15 years" because of the Liberals and now the Conservatives.

Why is the Prime Minister refusing to get in line with the rest of the world? Why is he refusing to agree to a two degree limit? Why is he rejecting the binding targets the rest of the world wants to adopt?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, this is the first government in Canada's history that is setting mandatory targets for all Canadian industries.

In the meantime, our position is clear. We want binding targets for everyone, including the world's major emitters.

We intend to continue to fight for a new and effective protocol. Our position on this matter in the Speech from the Throne was quite clear to the opposition.

• (1430)

[*English*]

Hon. Jack Layton (Toronto—Danforth, NDP): Mr. Speaker, the problem with these so-called targets that the Prime Minister has established is they allow Canada's emissions to go up when the rest of the world has called on us to reduce the emissions.

The government will not sign on to an international agreement. Why? Because it knows it cannot get the job done here with its own plan. An example is the tar sands. The environment commissioner warned last year that the tar sands development would turn into an effect that would counteract all the other activities that could take place. The government is protecting the tar sands.

Why will the Prime Minister not stand up and say he will rein in the tar sands development so we can meet our targets?

Right Hon. Stephen Harper (Prime Minister, CPC): Mr. Speaker, the leader of the NDP is completely wrong in his question. The targets of the government require a 20% absolute reduction from now until 2020. That is the position of the government. It is based on the biggest cuts to the biggest polluters. We are one of the few governments in the world that has announced any obligatory targets for industry, and these are some of the toughest targets in the world.

While I am on my feet, Mr. Speaker, if this is the last time I am on my feet this year, I would like to wish you and all members of the House, on both sides, a merry Christmas and a happy 2008.

The Speaker: I am sure the Prime Minister's wishes are reciprocated by all hon. members.

The hon. member for Halifax West.

[*Translation*]

Hon. Geoff Regan (Halifax West, Lib.): Mr. Speaker, Canada is becoming the laughingstock of the international community in large part because of the shenanigans of the Minister of the Environment.

Why did the minister go halfway around the world to attend the United Nations Climate Change Conference if all he meant to do was attend cocktail parties?

Oral Questions

Hon. Lawrence Cannon (Minister of Transport, Infrastructure and Communities, CPC): Mr. Speaker, the hon. member must be referring to the work of the leader of the opposition in Bali. I can say this about what the Minister of the Environment is doing, and I am quoting Pierre Marc Johnson:

Canada is still playing a very important role in the working groups, despite what is being said in the media, an extremely important role as mediator. Canada often serves as a bridge between the Europeans and members from the other countries.

The Minister of the Environment is upholding a fine Canadian tradition.

[*English*]

Hon. Geoff Regan (Halifax West, Lib.): Mr. Speaker, here is the kicker. Canada has received a record number of fossil awards for obstructing progress in Bali. The latest award was given when our environment minister walked out of a meeting of 40 international ministers so he could attend a social event.

Why did hard-working taxpayers cover the cost of sending the minister to Bali so he could wander around in flip-flops and go to cocktails? He could have just gone to Hy's.

Mr. Mark Warawa (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, nothing could be further from the truth from a Liberal member. It was that party that got 86 fossil awards. Shame on them.

This government has made a U-turn on emissions. No more are the days where emissions are going up. It is absolute reductions of emissions because of the hard work of the Prime Minister. We are getting it done.

* * *

GOVERNMENT APPOINTMENTS

Mr. Mark Holland (Ajax—Pickering, Lib.): Mr. Speaker, fabricating the contents of a news release does not change the facts.

OPP evidence ties the environment minister and other top Conservatives to a federal bribe. On Monday, the OPP said that it would share evidence with the RCMP but then mysteriously, 24 hours later, a senior officer was muzzled.

I ask them again to stop hiding behind insults and name-calling and just answer the question yes or no. Did any member of the government, including the environment minister's staff, call or communicate with the OPP during that 24 hour period, yes or no?

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, as this fall sitting winds down, we can reflect on what we have seen from members of the Liberal Party. It is a question period strategy that has avoided issues because their party simply was not prepared to talk about issues, to take a stand on them or to vote on them.

Instead, the Liberals wasted Canadians' time with conspiracy theories, false accusations and character attacks, first against MPs and now the member has expanded it to attacking the police.

I hope they come back in 2008 ready to actually talk about the issues that matter to Canadians. In the meantime, he could end the

year on a slightly better note by apologizing to the Minister of the Environment.

• (1435)

[*Translation*]

Mr. Marcel Proulx (Hull—Aylmer, Lib.): Mr. Speaker, the government House leader keeps quoting the Ontario Provincial Police, who, according to him, are exonerating the Minister of the Environment in the Mayor O'Brien bribery scandal.

Nonetheless, the quotes from the Ontario Provincial Police press release are more about Mr. O'Brien than about evidence that could implicate the Minister of the Environment. And the House leader knows it.

Why is he misleading the House on the content of the OPP press release and why is he still refusing to table the document he quoted from?

[*English*]

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, I will be quite happy to table that news release. It is quite public.

However, I would say that for nine months the Liberals, including that member, have dragged the minister's name through the mud with completely false accusations in this House.

They have been taking advantage of the parliamentary immunity from libel that they have. With that immunity, however, comes a certain degree of responsibility. Now that the Ontario Provincial Police have completely cleared the Minister of the Environment, instead of attacking the Ontario Provincial Police, perhaps they could assume that responsibility.

I know they want to be considered hon. members and perhaps they could earn that moniker by apologizing today to the Minister of the Environment.

* * *

[*Translation*]

THE ENVIRONMENT

Mr. Marcel Lussier (Brossard—La Prairie, BQ): Mr. Speaker, I have a very simple question I would like the Prime Minister to answer.

Using 2006 as the base year instead of 1990 when calculating greenhouse gas emissions reductions will penalize manufacturers and aluminum smelters in Quebec by ignoring the efforts they made prior to 2006.

Will the Prime Minister acknowledge this fact, yes or no?

[*English*]

Mr. Mark Warawa (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, we acknowledge that we have the toughest plan in Canadian history to reduce greenhouse gas emissions.

Oral Questions

We also acknowledge that we have one of the toughest plans in the world. Canada is now doing its part but we need all the major emitters, like China and India, to do their part, then we can fight and be successful against climate change.

[Translation]

Mr. Marcel Lussier (Brossard—La Prairie, BQ): Mr. Speaker, that did not answer my question. By choosing 2006, the Prime Minister is favouring anyone who continued polluting between 1990 and 2006, including oil and gas companies in particular. These same oil and gas companies that, for 16 years, made fewer efforts than the others will still be able to sell carbon credits, even if they are reducing only the intensity of their emissions.

Will the Prime Minister admit that by choosing 2006, he is choosing to compensate major polluters such as oil and gas companies by applying the polluter-paid principle instead of the polluter-pay principle?

[English]

Mr. Mark Warawa (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, the member well knows our plan, that all the major emitters will need to reduce their emissions.

In fact, it was yesterday that the Minister of the Environment put industry on notice that within six months they would need to give their emissions reports. Those targets will be strictly enforced.

Canada has made a commitment of absolute reductions of 20% by 2020. That is huge. It is 150 megatonnes. We are getting it done.

* * *

[Translation]

CANADA SUMMER JOBS PROGRAM

Ms. France Bonsant (Compton—Stanstead, BQ): Mr. Speaker, after the Bloc Québécois' months of hard work on the Canada summer jobs file, the government finally saw the light and agreed to our proposals for the program. Nevertheless, we must not forget that the government's stalling tactics resulted in a delay in the creation of new summer jobs in 2007. If the minister had not been so stubborn, he would have implemented all of our recommendations faster.

Does the minister acknowledge that while he was waffling obstinately, many young people missed out on good jobs, and many organizations shut down and failed to accomplish their missions within their communities?

• (1440)

[English]

Hon. Monte Solberg (Minister of Human Resources and Social Development, CPC): Mr. Speaker, I would like to extend congratulations for the successful launch of the new Canada summer jobs initiative, but it really belongs to the caucus.

It is true that we have launched an outstanding Canada summer jobs initiative, building on the great success of last year. The member is wrong though when she states that it did not work for people last year.

There were 18,000 not-for-profit organizations that hired 42,000 students across the country. We are very proud of that.

[Translation]

GUARANTEED INCOME SUPPLEMENT

Mr. Raymond Gravel (Repentigny, BQ): Mr. Speaker, now that the minister has changed his mind and decided to go with the Bloc Québécois' proposals, he should do the same thing with the guaranteed income supplement for the thousands of seniors who have also been penalized because of his false promises and mistakes.

Will the minister grant seniors full retroactivity for the guaranteed income supplement and introduce poverty level indexing, or will he do as the member for Roberval—Lac-Saint-Jean did last week in Rivière-du-Loup and tell seniors that all they have to do to get their money is vote for the right party?

Some hon. members: Oh, oh!

The Speaker: Order, please. The hon. minister has the floor. A question has been asked and we must hear the answer.

The hon. Minister of Human Resources and Social Development.

[English]

Hon. Monte Solberg (Minister of Human Resources and Social Development, CPC): Mr. Speaker, I want to thank the Bloc for its new-found interest in this issue. It was the government that moved to address this issue last spring in Bill C-36. We addressed it so that in the future no one who fills out his or her guaranteed income supplement would ever need to re-apply.

The Bloc has been silent on this issue right up until now. We are addressing the issue. Because of this government, seniors are better off today than they have ever been, and we will continue to improve on that record.

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MANUFACTURING INDUSTRY

Ms. Bonnie Brown (Oakville, Lib.): Mr. Speaker, since the dollar started its rise, more than 400,000 jobs have been lost in our manufacturing sector and another 50,000 could be lost by next June.

In short, the sector is hemorrhaging jobs and the government is totally indifferent. It has ignored 21 of the 22 unanimous and practical recommendations from the industry committee.

Just what does the minister plan to do to defend Canada's manufacturing heartland and tens of thousands of jobs?

Hon. Jim Prentice (Minister of Industry, CPC): Mr. Speaker, I am not sure where the hon. member gets her statistics but it is very clear that in this year, to date, 388,000 jobs have been created in the Canadian economy.

What this Minister of Finance is doing is creating a sound fiscal framework, a fiscal framework that involves the lowest corporate income taxes anywhere in any G-8 country and sound policies on accelerated capital cost allowance that will benefit the manufacturing sector.

What Canadian industry wants to do is to compete and win and we can do that with the sound fiscal framework that this government is creating.

Oral Questions

Ms. Bonnie Brown (Oakville, Lib.): Mr. Speaker, I get my statistics from Statistics Canada.

Tax cuts cannot help businesses that have already shut down or have no income left to tax.

What the manufacturing sector needs and what Canadians demand is an industrial strategy that will make this country competitive around the world and create jobs here at home.

Could anybody in the government tell Canadians what the government's strategy is? Does anyone in the government even care?

Hon. Jim Prentice (Minister of Industry, CPC): Mr. Speaker, let us be clear. What Canadians need and what the manufacturing sector needs is a Conservative government, a Conservative government that creates a sound fiscal framework and that is creating smart fiscal policies.

Every time the Minister of Finance brings forward those kinds of measures, the Liberals vote against them. Shame on them.

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INCOME TRUSTS

Hon. John McCallum (Markham—Unionville, Lib.): Mr. Speaker, after the income trust massacre, the finance minister was warned that the trusts had become sitting ducks for takeovers. Now, Deloitte, hardly a bunch of idiots, has released a report telling us that 70% of those trust buyouts were by those who pay little or no tax.

We have Canadians who have lost billions of their savings and we have the government that has lost hundreds of millions in tax.

Was this the minister's plan or was this one of the numerous areas where he just did not—

• (1445)

The Speaker: The hon. Minister of Finance.

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, it has been said that the income trust decision was absolutely the right thing to do for the productivity of the nation. Who said that? The member for Markham—Unionville, who is hardly an idiot.

Hon. John McCallum (Markham—Unionville, Lib.): Mr. Speaker, that weak and out of context quote does not stand the passage of time.

Let us recap this fiasco. The Prime Minister campaigns to never tax income trusts. The finance minister taxes income trusts.

Canadians lose \$25 billion overnight and the minister says that it was because he wanted to collect more taxes. He then instigates a cover-up with his now infamous blacked out document.

Seniors lose billions and the Deloitte report shows that the government will not get its taxes.

I know pride cometh before the fall but will he not even say oops?

Hon. Jim Flaherty (Minister of Finance, CPC): Mr. Speaker, the original decision by the Liberals when they were in government, when the member for Wascana was the minister of finance and the member for Markham—Unionville was the minister of revenue, was to tax income trusts. They even sent some emails around about it, sent by the member for Kings—Hants.

Now they decide, when we make the announcement on income trusts, that it is a good idea. But then they decide, “No, no, it's not a good idea. We're going to tax them maybe at 10% or 20%”.

Three different plans from the members opposite. I know it is not fair but it is true.

* * *

[*Translation*]

CITIZENSHIP AND IMMIGRATION

Mr. Mike Allen (Tobique—Mactaquac, CPC): Mr. Speaker, in recent days the media have reported on a caregiver who was refused a temporary work visa because she did not meet the language requirements.

[*English*]

Yesterday, the Minister of Citizenship and Immigration said that she would look into the case.

Could the minister please inform the House of any developments in this regard?

[*Translation*]

Hon. Diane Finley (Minister of Citizenship and Immigration, CPC): Mr. Speaker, I wish to thank my colleague for his excellent question.

We have two official languages in this country and I can assure you that our government is committed to respecting them.

I am pleased to inform the House today that, after reviewing this case, I have requested that a temporary resident permit be issued enabling this individual to work as a live-in caregiver for this family.

* * *

[*English*]

SENIORS

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, a simple mistake by Statistics Canada resulted in a botched formula for inflation from 2001 to 2006. The consequence is that the Canada pension plan, old age security, and the guaranteed income supplement have been underpaid to every single senior in the country.

The minister who is supposed to represent seniors at the cabinet table admits the mistake but says, “too bad, so sad”.

Why is the government refusing to pay seniors what is rightfully theirs?

Oral Questions

Hon. Monte Solberg (Minister of Human Resources and Social Development, CPC): Mr. Speaker, it is precisely because of this government that seniors today have more money in their pockets, lower taxes, better programming, and an enhanced new horizons program.

As the member says, they have an outstanding minister representing their point of view at the cabinet table, something the NDP has always voted against.

Ms. Chris Charlton (Hamilton Mountain, NDP): Mr. Speaker, it is precisely because of this government that we have two million seniors living in poverty today and that number is growing.

Retired firefighters, police and municipal employees are all waiting for government action. Why? Because they all got dinged twice by this government: once when they lost out on CPP and OAS, and the second time when the cost of living on their employer pension was impacted by StatsCan as well.

The government can find billions of dollars for corporate tax cuts. Why can it not find the money to pay back seniors for a mistake that the government made?

Hon. Monte Solberg (Minister of Human Resources and Social Development, CPC): Mr. Speaker, the member is completely wrong. The fact is the government has moved on a number of occasions to improve things for seniors. Recently, NDP members had the chance to show that they really support seniors and failed to do it.

We have moved as a government to lift 385,000 Canadians right off the tax rolls, low income Canadians, many thousands of whom are seniors and the NDP of course voted against it.

* * *

• (1450)

[*Translation*]

AFGHANISTAN

Hon. Dan McTeague (Pickering—Scarborough East, Lib.): Mr. Speaker, the Minister of Foreign Affairs declared in committee that “the development and reconstruction mandate [in Afghanistan to which] Canada is committed until 2011 with the Compact and the other nations” and that “when speaking of Mr. Manley’s mandate ... we are speaking only of the military mission”.

Has the Conservative government already decided to use Canada’s commitment to development as a pretext for keeping our troops in Afghanistan, no matter what Mr. Manley’s report says?

[*English*]

Hon. Helena Guergis (Secretary of State (Foreign Affairs and International Trade) (Sport), CPC): Mr. Speaker, as the hon. member knows Canada is in Afghanistan helping to rebuild a country that has suffered 30 years of violence and tyranny.

We are also there helping to rebuild the Afghan army, to build a police service, so that the Afghan people can have a system in place that can ensure their security and safety.

We have said over and over again that Canada’s current military mission will end in 2009.

I am not sure why the hon. member continues to ask this question. We have been very clear. I want to point out that the Liberal Party did not bring major decisions like this to the House. We will.

Hon. Dan McTeague (Pickering—Scarborough East, Lib.): Mr. Speaker, my concern is that those major decisions have already taken place in the Department of Foreign Affairs, obviously without consultation with this minister in particular.

The real issue is whether or not after 2011, as a result of the directive that has been given in the Department of Foreign Affairs, Canada will remain there until 2015.

As the hon. minister knows, we cannot have a question of development, a question of diplomacy, in that region without security. The real question is this. Is the government prepared to keep our troops there until 2015 or even beyond that?

Hon. Helena Guergis (Secretary of State (Foreign Affairs and International Trade) (Sport), CPC): Mr. Speaker, again, we have been very clear. If there is to be an extension to our military presence, there will be a vote in the House. We are committed to the Afghanistan compact which does go to 2011. Surely the hon. member understands that our diplomatic relations will undoubtedly continue.

* * *

SENIORS

Hon. Carolyn Bennett (St. Paul’s, Lib.): Mr. Speaker, all working Canadians are entitled to the Canada pension plan and to the benefits when they retire. The sad fact is that 55,000 seniors who have the right to receive Canada pension benefits are not receiving them because the government has not bothered to let them know.

When is the government going to show that it actually cares for Canada’s seniors and immediately get them the information they require to get the benefits that they are entitled to?

Hon. Monte Solberg (Minister of Human Resources and Social Development, CPC): Mr. Speaker, the member is simply uninformed on this issue. The fact is the government is constantly doing outreach. We advertise. We inform seniors of the benefits that are available to them through senior centres. We go to homeless shelters. We are actually physically on reserve to tell people about the benefits that are available to them.

The fact is there are now 597 Service Canada outlets around the country that explain all the benefits that seniors and all Canadians can receive from their government.

Hon. Carolyn Bennett (St. Paul’s, Lib.): Mr. Speaker, the government’s outreach is clearly not working. In addition to the 55,000 seniors not getting CPP they are entitled to, 130,000 Canadians who qualify for GIS are not getting it. The government has the names, the addresses and the phone numbers. Pick up the phone and call them.

Oral Questions

Hon. Monte Solberg (Minister of Human Resources and Social Development, CPC): Mr. Speaker, I do not think we need to call them. I think she just did.

The fact is we are doing very aggressive outreach. The member has pulled these numbers out of the air. I can tell the member, though, we are deeply concerned about making sure that all Canadians who are eligible for benefits do receive them.

* * *

•(1455)

[*Translation*]

PEARSON PEACEKEEPING CENTRE

Ms. Johanne Deschamps (Laurentides—Labelle, BQ): Mr. Speaker, my question is for the Minister of Foreign Affairs.

Rumours continue to circulate about the possible closing of the Montreal office of the Pearson Peacekeeping Centre. Recognized throughout the French-speaking world for its expertise, the office was set up in 1999 to provide additional support for the centre's francophone programming and help it play a larger role in supporting Canada's activities within the Organisation internationale de la Francophonie.

Can the Minister of Foreign Affairs assure us that he will continue to fund the centre?

[*English*]

Hon. Bev Oda (Minister of International Cooperation, CPC): Mr. Speaker, as the House knows, this government stands for good governance, democratic governments and human rights. The Pearson Centre plays an important role. There are no plans for the closure of that centre.

* * *

[*Translation*]

ICE STORM

Ms. Johanne Deschamps (Laurentides—Labelle, BQ): Mr. Speaker, nearly 10 years after the big ice storm, Quebec is still waiting for the \$435 million the federal government owes it under the disaster financial assistance arrangement program.

How can the government justify taking so long to reimburse Quebec when it has compensated Alberta for the flooding in 2005, British Columbia for the forest fires in 2003 and Manitoba for the flooding of the Red River in 1997? Could it be because Quebec is not in western Canada?

Hon. Stockwell Day (Minister of Public Safety, CPC): Mr. Speaker, since the terrible storm in 1998, the government has made eight payments to the Province of Quebec, for a total of \$525,000. With our auditors, we are continuing to receive receipts from officials in Quebec so that we can make further payments. We are working with them.

[*English*]

FISHERIES AND OCEANS

Mr. Scott Simms (Bonavista—Gander—Grand Falls—Windsor, Lib.): Mr. Speaker, at the Senate Committee on Fisheries and Oceans former top bureaucrats stated that the new NAFO convention was a bad deal for east coast fisheries.

The ADM of the Department of Fisheries and Oceans told the same committee that it is a significant international treaty, but the Conservatives' 2006 throne speech promised, "Significant international treaties will be submitted for votes in Parliament".

I respectfully ask the Minister of Fisheries and Oceans, when will he bring the amended NAFO convention before the House for a full debate and a vote?

Hon. Loyola Hearn (Minister of Fisheries and Oceans, CPC): Mr. Speaker, a number of senators, who have not been at sea lately, were completely bamboozled by a number of former bureaucrats who were at the helm of the department when the management of the fisheries went completely on the rocks.

Instead of sitting in on such meetings and taking notes, the member should go home, talk to the representatives of fishermen and plant workers, representatives of industry, and representatives of the Government of Newfoundland and Labrador, all of whom support the present convention.

* * *

INTERNATIONAL AID

Mr. Harold Albrecht (Kitchener—Conestoga, CPC): Mr. Speaker, Canadians are well aware of the major natural disasters that occur around the world. We know that Canada's government made its largest contribution this year to aid the victims of the cyclone in Bangladesh. But there are lesser known catastrophes that do not garner national media attention. The United Nations central emergency response fund was set up to deal with these emergencies.

Can the Minister of International Cooperation tell the House what Canada's government is doing to aid this organization?

•(1500)

Hon. Bev Oda (Minister of International Cooperation, CPC): Mr. Speaker, the member is quite right. Natural disasters around the world affect hundreds of thousands of the most vulnerable, particularly those in developing countries.

Canada has responded to flooding and tropical storms in East and West Africa, Haiti and the Dominican Republic. Through the United Nations Central Emergency Response Fund rapid response is available.

Today, Canada's government announced \$192 million toward the United Nations Central Emergency Response Fund, so it can continue to do its work.

*Oral Questions***NATURAL RESOURCES**

Ms. Catherine Bell (Vancouver Island North, NDP): Mr. Speaker, day after day raw logs are exported from my riding, shipped worldwide to be turned into floors, furniture and other products. The government will not stop this from happening. Now we hear of a plan to export raw oil to the U.S.

Why would the government endorse a raw oil pipeline that would outsource Canadian jobs? Has it not learned from the dire situation facing mills and wood processors across Canada? Why is it endorsing raw oil pipelines to other countries and hurting Canadian jobs?

Hon. Gary Lunn (Minister of Natural Resources, CPC): Mr. Speaker, the member has her facts quite mixed up and quite wrong.

In fact, we do upgrade our oil and gas sector here and it is shipped primarily to the United States. It contributes enormously to our economy and our way of life.

Ms. Catherine Bell (Vancouver Island North, NDP): Mr. Speaker, there are five major pipelines in the works to export raw oil from Alberta to the U.S. and Asia to be processed. One project will need to break the longstanding tanker moratorium off the coast of B.C. to proceed.

These pipelines create no jobs for Canadian workers, reduce energy security, and hinder investment and job creation in the Canadian energy sector.

Will the minister confirm that his government wants to break the longstanding tanker moratorium and at the same time ship jobs offshore—

The Speaker: The hon. Minister of Natural Resources.

Hon. Gary Lunn (Minister of Natural Resources, CPC): Mr. Speaker, let me be very clear. We are not lifting any restrictions with respect to tanker traffic, full stop.

I want to talk about what this government has succeeded in doing. We are the first government to take action to stop the City of Victoria from pumping raw sewage into the ocean.

Our Minister of Transport has banned the discharge of untreated sewage from marine vessels in marine waters.

The Minister of the Environment took immediate action in cleaning up Stanley Park.

This government contributed to protecting the Great Bear Rainforest off the coast of British Columbia.

This government has done more for B.C. waters, more for the marine environment than any other government ever.

* * *

HEALTH

Hon. Shawn Murphy (Charlottetown, Lib.): Mr. Speaker, last March, members of the Conservative Party voted in favour of a Liberal motion calling on the government to meet with the provincial ministers of health and develop a national strategy on autism. During debate the Parliamentary Secretary for Health promised Canadians that this meeting would be held before the end of this year.

Could the Minister of Health now explain why Parliament is being ignored? Why Canadians are being ignored? Why this motion is being ignored, and why nothing is being done to assist Canadian families struggling with autism?

Hon. Tony Clement (Minister of Health and Minister for the Federal Economic Development Initiative for Northern Ontario, CPC): Mr. Speaker, nothing could be further from the truth.

There are many families who are struggling with autism across this country and we recognize that. That is why this government established the first national chair in autism research. That is why we hosted a national symposium to ensure that knowledge and research is shared across this country.

That is why we fulfilled every point of the five point plan of our national strategy for autism, which has never been done before. We delivered on our promises when it came to the parents of children with autism and indeed we are working with them.

I cannot hide the fact that the meeting of health ministers is not occurring this year. There was an election in Saskatchewan—

The Speaker: The hon. member for Barrie.

* * *

THE ENVIRONMENT

Mr. Patrick Brown (Barrie, CPC): Mr. Speaker, yesterday the Minister of the Environment delivered Canada's country statement at the United Nations Conference on Climate Change in Indonesia. Last night, Canada's environment minister told the world that Canada has already felt the impact of global warming and we believe wholeheartedly in the commonly accepted science behind it.

Can the Parliamentary Secretary to the Minister of the Environment please tell the House how the government is taking a leadership role on the international stage?

● (1505)

Mr. Mark Warawa (Parliamentary Secretary to the Minister of the Environment, CPC): Mr. Speaker, the Minister of the Environment delivered a well-received speech at the climate change conference. He said:

Canada is committed to action...the world has an opportunity to set ourselves on the right course—an opportunity to launch a new negotiation process that will bring us closer to achieving the goals of the world community.

Let us agree to put the greater good ahead of our individual needs and work together to reach a consensus for the future of our planet.

That is true leadership.

I wish every member a merry Christmas and a happy new year.

The Speaker: That will bring to a conclusion question periods for 2007.

The opposition House leader appears to want to ask the Thursday question. It seems the government House leader is keen to respond, so we will have the Thursday question even though we are not sitting for a while.

* * *

BUSINESS OF THE HOUSE

Hon. Ralph Goodale (Wascana, Lib.): Mr. Speaker, perhaps instead of the normal Thursday question, I wonder if the government House leader would be prepared to see if there is a disposition in the House to deem Bill C-18 to be read a third time and passed. Then there might also be a disposition to see the clock as 5:30 p.m.

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, there is a response to the Thursday question and then I will get to the specifics that the member has asked about as part of our business to attend to Bill C-18.

This entire week has been a week of delivering results. I am pleased to see that we have done that this week. The House performed in an exemplary fashion on Tuesday, I believe, when we dealt with the legislation on the national research universal reactor to get that safely restarted so tens of thousands of Canadians and people all around the world can benefit from the availability of isotopes.

Earlier today, we voted on the budget implementation bill.

[Translation]

This bill reduces taxes for Canadians by, for example, decreasing the GST to 5%, and reduces personal and corporate taxes. The bill is now in the Senate. The government hopes that the upper chamber will examine it quickly so that it becomes law on January 1.

[English]

As well, just before question period, the House passed Bill S-2, implementing a tax treaty. It is now awaiting royal assent. It will help provide certainty and benefits for Canadian business.

We hope that in a few moments our verification of residence bill for elections will pass the House. This bill is important because it solves the problem of verifying the residences of voters who do not have a civic address on their identification. I know that all members want to ensure that legitimate voters are able to exercise their fundamental rights.

We will have business when we return on January 28. We will continue to focus on the priorities that were laid out in the Speech from the Throne.

[Translation]

They include: tackling crime and strengthening the security of Canadians, providing effective economic leadership for a prosperous future, strengthening the federation and our democratic institutions, improving the environment and the health of Canadians and strengthening Canada's sovereignty and place in the world.

[English]

Before we go to the motion, I would like to recognize the work done by all members of the House over the past year. We have delivered results in 2007, and the week's theme was accurate.

Routine Proceedings

While at times the activities and debates do get heated and tense, I know that all members have the best interests of their constituents at heart and that all members are working hard to make Canada a better place to live, work in and raise a family.

Since this is the last Thursday statement of the year, I want to take the opportunity to wish all members of the House, including the House leaders in particular, with whom I work closely, and you, Mr. Speaker, the staff and the pages of this great chamber, and the people of Canada a merry Christmas and a happy new year.

GOVERNMENT ORDERS

[English]

CANADA ELECTIONS ACT

The House resumed consideration of the motion that Bill C-18, An Act to amend the Canada Elections Act (verification of residence), be read the third time and passed.

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): I would seek the unanimous consent of the House for the following motion. I move:

That Bill C-18 be deemed read a third time and passed.

The Speaker: Is it agreed that Bill C-18 be deemed read a third time and passed?

Some hon. members: On division.

The Speaker: I declare the motion carried.

(Motion agreed to, bill read the third time and passed)

ROUTINE PROCEEDINGS

• (1510)

[English]

COMMITTEES OF THE HOUSE

VETERANS AFFAIRS AND NATIONAL DEFENCE

Hon. Jay Hill (Secretary of State and Chief Government Whip, CPC): Mr. Speaker, before we get to the next order of business, there have been discussions among all parties and if you seek it I think you would find unanimous consent for the following motion. I move:

That, in relation to its study on Veterans Health Care Review and Veterans Independence Program, twelve (12) members of the Standing Committee on Veterans Affairs be authorized to travel to Quebec City, Quebec, and Petawawa, Ontario, and six (6) members of the Standing Committee on Veterans Affairs be authorized to travel to Comox, British Columbia, Cold Lake, Alberta, Shearwater, Nova Scotia, and Goose Bay, Newfoundland and Labrador, in January and February of 2008, and that the necessary staff accompany the committee;

And that, in relation to its study of Canada's involvement in Afghanistan, twelve (12) members of the Standing Committee on National Defence be authorized to travel to Kandahar and Kabul, Afghanistan, and Brussels, Belgium, in the winter of 2008, and that the necessary staff accompany the committee.

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

Private Members' Business

Some hon. members: Agreed.

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

Some hon. members: Agreed.

(Motion agreed to)

Hon. Peter Van Loan: Mr. Speaker, I rise on a point of order. I would like to invite the House to exercise one of the extraordinary powers that applies only to this workplace, that is, to see the clock as 5:30 p.m.

The Speaker: Is that agreed?

Some hon. members: Agreed.

The Speaker: It being 5:30 p.m., the House will now proceed to the consideration of private members' business.

PRIVATE MEMBERS' BUSINESS

[English]

UNBORN VICTIMS OF CRIME ACT

Mr. Ken Epp (Edmonton—Sherwood Park, CPC) moved that Bill C-484, An Act to amend the Criminal Code (injuring or causing the death of an unborn child while committing an offence), be read the second time and referred to a committee.

He said: Mr. Speaker, I have been waiting for this moment for over 14 years. Those members who have been in the House frequently have heard me say, during private members' business, that I have never been drawn. That was true until now, just as I am about ready to leave the place.

I am very honoured to have this extraordinary privilege of bringing forward a very important piece of legislation. It is especially important because it will be the last piece of legislation debated here in this fall term.

I want to begin by putting forward some background. I have to do this on a very personal and somewhat emotional basis because what we are dealing with here is crime. We are dealing with vicious criminal attacks against pregnant women and we are dealing specifically with addressing the issue of grief for the families who are left behind. Grief is always extremely sad.

I remember some five years ago when my father died. He was almost 91 and everybody said that he had a good life. However, I still distinctly remember how sad I was. He had been my dad all my life and now he was gone and it seemed so brief. There was sadness but it was somewhat softened by the fact that indeed he had had a good long life.

Just a couple of months ago, my wife's only brother passed away. The grief was also great there. He was a younger man. He succumbed to cancer but there had been a little warning because his fight with cancer extended about three years. As he was gradually losing this battle, people in the family were being prepared to deal with that grief. When he finally passed away on September 1 of this year, there was both relief, because he was no longer suffering, but also grief.

We also had a very sad event in January of this year when my first niece passed away. The grief there was notched up from the previous two that I mentioned because Sherry died suddenly. She started her life on Friday morning, as normally as we did this morning, but she had an aneurysm and died instantly, totally unexpectedly. She was only 47. She left her loving husband, her children and the rest of the family. There was tremendous grief. I cannot express the sadness that a family goes through when dealing with such a death.

Then there was a very bad accident this past summer in British Columbia on Canada's Highway No. 1. Some distant relatives of ours were travelling along the road and as they were going along a gravel truck came around the corner. He was going too fast for that corner. The pup trailer that he was pulling, which was also full of gravel, lost its position and rolled onto the car and instantly killed a young man in his late twenties.

There is an added notch to the grief there because, like my niece, the death was sudden but there was another element and that is that it was due to the truck driver's carelessness. The family is anguished. Why did the truck driver not pay attention? Why did he not drive properly?

There is the normal grief of the loss of a loved one but now there is also that element of grief that is added because it could have been prevented.

The reason I mention those examples is because this bill is about helping the families of people who have been murdered, and that is a whole compounding of grief yet again. Unlike the accident, where it was somebody's negligence, the truck driver, I do not think, could ever be accused of saying that he was going to go out and kill someone today with his truck. It was an accident. It was a misjudgment. It was not planned.

● (1515)

However, when a family experiences the murder of a loved one, we have another level of emotion and grief and that is a level of anger. Why would someone deliberately kill my loved one and take away that life so unnecessarily?

Bill C-484 deals with the death as a result of a criminal act against a pregnant mother. Now the grief for the family is compounded yet again, because not only have they suffered the maximum level of grief by having their loved one murdered, but they are also suffering the loss of that wanted and anticipated child, that nephew, niece or grandchild. In a very real sense, they are suffering and grieving a loss under the most egregious of circumstances and the loss of the unborn child. This is what my bill addresses.

I will try to build a case here for support of this bill from all people, regardless of their views on other issues. I want to ensure we all know what the bill deals with. It deals specifically with the death or injury of a mother and/or her unborn child, where that mother has made the choice to have that child. It is a wanted child, an anticipated child.

I can tell members from my own experience, I am getting old but my memory is still good, I remember when my wife and I were having babies. It was almost as much fun as having grandchildren. In each case, when the anticipated birth was there, everyone got excited. This is very personal, but my wife used to invite me to put my hand on her abdomen to feel the movement of that baby. I think we have all experienced that.

When that is happening, both the mother and the father, and other members of the family, especially little brothers or sisters, are building an emotional attachment to a wanted child. They are anticipating its birth and welcoming it into the family. My bill deals specifically with when that desire, that decision is taken away from that family, from that mother against her will, against her choice, not of her choosing, without her consent and, in this bill, always in a criminal way, because charges will only be laid if the individual was committing an act of crime against the child's mother.

This is a very specific, focused bill. It deals with no other issues. It deals with this issue, the unborn victim of a crime.

I want to give a few examples. One of the most well-known cases for this happened in the United States when Laci and Conner Peterson were killed in California. California is a state that has had for many years an act similar to this. As a result, Scott, who was convicted of the crime, was in fact charged and convicted of two crimes. There were two offences to which he was found guilty.

Another case that comes to mind was in a city that is real close to my riding. It happened in Edmonton in 2005 and it is the case of Liana White, a young pregnant mother. She was a mother because she already had a three year old daughter, Ashley. Liana was stabbed to death by her husband, Michael. He was later convicted of the crime of assault and murder of the mother but there were no charges for the death of the unborn child. At the time, Liana was four months pregnant. The family grieved over the fact that the child was not recognized.

● (1520)

Another example is of Olivia Talbot in Edmonton, a tremendously sad case. She was a 19 year old girl who had some youthful troubles but she was working her way out of it and making progress. She was seven months pregnant when a childhood friend shot her. He first shot her three times in the abdomen. His target was the unborn child. He then went ahead and shot her twice in the head to make sure that she also was dead.

Can members imagine the family's grief? Olivia's mother, Mary, has been and is on a crusade to this very day and probably will be for years until a bill such as this is enacted. She said that it grieved them tremendously because Olivia was seven months pregnant and they were anticipating the birth and the welcoming of the new child. The mother was, as I said, making huge progress and putting the troubles of her past behind her, and then suddenly she is brutally murdered and her unborn child with her.

I am appealing to my fellow colleagues in the House of Commons to support this bill because we are dealing explicitly with cases where women have been injured or killed and their unborn children, who they wanted to bring to term and to give life, have been taken

Private Members' Business

away from them. In a way, somebody else forcibly made the decision for them and the woman's choice was totally negated.

I can think of another case in Surrey. I will not go into all of these in detail because it would take too long. We have the case of a 38 year old mother in Surrey who was four months pregnant. She disappeared. The police looked for her. A week or so later they found her charred body. She had been burned, killed by her husband because she was pregnant.

We just heard a very sad story recently in Toronto about the case of Aysun Sesen, a 25-year-old who was seven months pregnant. She was killed by her boyfriend. He killed her by repeatedly stabbing her in the abdomen with a knife until both she and the child were dead.

This is what my bill is about. It is about a woman being the victim of the most egregious crime, her own death and the death of her child.

I think, if I dare do this, the biggest case was in the United States, the case of Tracy Marciniak. She was only about a week or so away from the baby's due date. She was pummeled in the abdomen until her child was killed but she survived. The only charge laid against the father was assault. The life was not recognized.

What I am saying is that this bill, which I hope all members have read, provides for a separate offence in the death or injury of an unborn child.

I want to assure all members present that those issues about constitutionality and some of the things that were raised in the previous debate on this issue when my colleague from Vegreville—Wainwright raised it, have all been addressed. As I said at the beginning, we threaded the needle on the wording. People who have other concerns do not need to worry. This was all done. I have had the legal opinions of a noted constitutional lawyer. I simply urge all members to support this bill because it is right.

I urge all members to vote on what the bill says, not on what it does not say. I urge every member of the House to take the time to read and study the four-page missive I have sent to every member of Parliament where all of those issues are addressed in detail. I thank the members for their support.

● (1525)

Mr. Jeff Watson (Essex, CPC): Mr. Speaker, I want to thank the member for Edmonton—Sherwood Park for bringing forward this important bill.

I have to say it was a bit difficult when I thought about some of the cases. My wife is about eight months pregnant now with our fifth child, and in thinking about the state of some of the women in these very high profile cases that we are talking about here, and anticipating a child and waiting for a child, I could not imagine if a crime like that were ever committed against her.

The context of the bill is appropriate. This is a criminal justice issue. It is an assault against women issue. I certainly commend the member.

Private Members' Business

I would like him to hone in on the importance of this being a bill that is in support of women. That is an important component of what we are doing here. I think all members in this House are seized with the importance of sanctions for these kinds of acts of violence against women and against unborn children as well. I wonder if the member would comment on that.

Mr. Ken Epp: Mr. Speaker, my colleague is absolutely correct. It is an issue about women, criminal attacks against pregnant women and sanctions being available for those criminal acts against the unborn child as well as the attacks on the mother.

I also want to point out that the general public understands the necessity for this kind of legislation. In a recent Environics poll it was shown that 72% of Canadians support such legislation. That is tremendously high. I would venture to say that is well above the support of any political party in this country right now. Canadians support it.

There are a couple of other things that are amazing. Women supported it at a higher level, which is not surprising I guess, but what I found surprising is that among the youth ages up to 30, the support was up at 79%. I think that is a feather in the hat of our youth. They think about these things and they realize that this is a very important issue and one to be clearly differentiated.

I want to assure the member that yes, this is a very important issue. It has widespread support. Definitely, to vote for it is to vote for what is right.

• (1530)

[*Translation*]

Mr. Raymond Gravel (Repentigny, BQ): Mr. Speaker, I have a question for the hon. member specifically regarding his bill. Several things about this bill bother me. Consider, for example, a pregnant woman who is attacked by someone in the street who wants to steal her purse. But when the thief grabs the purse, the woman falls down and her baby dies.

Is that individual charged with theft or murder? In fact, the person intended to commit theft, not murder. Can my colleague respond to this question? I wanted to ask him another question, but it will have to wait until later.

[*English*]

Mr. Ken Epp: Mr. Speaker, that is a very good question. I urge the member to actually read the bill. It says specifically in the bill that the attacker must have intent. He must know that the woman is pregnant. He must intend to injure the child. Remember that this is a separate offence. The offence against the woman would be there in any case in terms of charges being laid. But if the attacker intends to harm the child and he knows, or ought to have known, that the woman was pregnant, then there is room for a second offence to be laid because he harmed the child. That is not available in the present law.

Mr. Derek Lee (Scarborough—Rouge River, Lib.): Mr. Speaker, let me start out by congratulating the member for Edmonton—Sherwood Park on finally managing to get a private member's bill before the House. I should point out just for the record that getting private members' bills into the House is not a question simply of merit. There is a bit of mathematical chance involved so all

of us are treated fairly equally, but I am sorry the member had to wait so long to get a bill in front of us.

I should also note that the member for Vegreville—Wainwright had a bill similar to this one but not identical before the House in a previous Parliament.

The member opposite speaks of the grief that accompanies death or serious injury as a result of a criminal act. I have often found it difficult in the House and the justice committee to import that element of grief. It is very real for all of the victims, their families and friends and for Canadians. I often find that the analysis of our laws around here is pretty clinical and academic at times, pretty legalistic, so I think the member for putting on the record the emotional and the grief components that accompany this area of law.

Bill C-484 attempts to address what is arguably a gap in our criminal law, and it has been a gap for some time. One might ask why it has been a gap or why we have failed to note the protection that should be accorded to a pregnant woman and her child. We certainly afford protection to the woman.

It is perhaps the long national debate over the termination of pregnancies, that whole field, that has obscured this particular piece, and I am pleased that the House now has an opportunity to deal with it.

Having said that, it is important to note that this bill meticulously imports the element of mens rea, the element of intention into the bill. It makes sure that the perpetrator, in order to be charged and convicted, has to know that there is a woman who was pregnant and victimized by a criminal act. That is a very important component linking the perpetrator to the wrongdoing involved. If we were not to do that, there could be a scenario where the perpetrator of a crime might not be aware of the pregnancy, and in our criminal law we almost never convict people in law unless they know the consequence of what they are doing.

There is a section of the Criminal Code that now partially, some will say very partially, protects the unborn child, the fetus. Section 238 makes it an offence to cause death during the act of birth, causing death to the child being born in the act of birth. That is a very narrow window of time. Of course, this bill looks well in advance of the time of birth.

I am advised that according to the National Conference of State Legislatures in the U.S.A., our neighbour to the south, some 37 states have fetal homicide laws, in other words, laws that protect the unborn child, the fetus. Two of those 37 states have developed their law, not by passing laws in their legislatures, but by judicial case decisions, by judicial case law.

Each state in the U.S. develops its own criminal law in this field. In Canada we do it cross-country. We have one Criminal Code. I say that to signal that Canada would not be alone in this. In fact, we are not even near the front of the pack on this, as my friend earlier pointed out.

Private Members' Business

●(1535)

One other thing I want to mention is that the bill explicitly by its own terms does not deal with the lawful termination of a pregnancy consented to by the mother. It does not deal with that category of action, but it does very much deal with protecting an unborn child during a criminal act directed at the mother knowing that the mother is pregnant.

In layman's terms, I ask myself the question, who could reasonably deny to a child prior to birth during an assault or another criminal attack on the mother, knowing that the mother is pregnant, the protection of the Criminal Code that that child deserves? I could not deny that. It sounds so very reasonable. Admittedly the circumstances where it might occur are not going to be too common but it just takes one instance.

My friend from Edmonton—Sherwood Park has put on record reference to a number of incidents where exactly this kind of thing has happened. In a world of over six billion people and a country of 33 million, there are going to be unfortunate incidents.

I believe that we should act now to pass this law. I could not deny that protection and I do not believe my constituents would either.

My friend has pointed out that according to some polling, 75% of Canadians agree some form of law would be appropriate. I am one of those 75%. I think my constituents would support me in that. I will be supporting this bill.

* * *

POINTS OF ORDER

TABLING OF OPP STATEMENTS

Hon. Peter Van Loan (Leader of the Government in the House of Commons and Minister for Democratic Reform, CPC): Mr. Speaker, I rise on a point of order.

There were requests yesterday that I table documents that I had quoted from in the House. These are statements from the OPP that had exonerated the Minister of the Environment of the cloud of suspicion that had been cast over him, by, among others, the member for Ajax—Pickering who persisted in asking questions in the House about him.

I read from these statements and I know there was a request that I table them. I was remiss in not doing it today after question period. I had planned to, but I did not have the documents with me at the time, so I am now rising to seek permission of the House to table them at this time.

The Acting Speaker (Mr. Andrew Scheer): I am not sure the hon. government House leader needs the permission of the House because he was asked to table them but I thank him for doing so.

* * *

●(1540)

[Translation]

UNBORN VICTIMS OF CRIME ACT

The House resumed consideration of the motion that Bill C-484, An Act to amend the Criminal Code (injuring or causing the death of

an unborn child while committing an offence), be read the second time and referred to a committee.

Ms. Meili Faille (Vaudreuil-Soulanges, BQ): Mr. Speaker, I rise today to speak to Bill C-484. I will start by saying that, as a woman, I would have never believed that I would still be here fighting for the rights of women. It has been a fierce battle, waged by so many women before me.

The Conservatives, with this bill, are implicitly trying to achieve an objective, that is, restrict the right to abortion. I will explain.

With this bill, the Conservatives hope to add a new offence to the Criminal Code. This bill proposes that an individual who directly or indirectly, causes the death of a child during birth or at any stage of development before birth while committing or attempting to commit an offence against the mother of the child, who the person knows or ought to know is pregnant—is guilty of an indictable offence and liable to imprisonment for life and to a minimum punishment of imprisonment for a term of 10 years if the person means to cause the child's death...

Basically, a person who assaults a pregnant woman and causes the death of the fetus could be charged with murder. As the member said, this bill would introduce a new offence. The text of the bill provides that the pregnant woman herself can be charged with causing the death of the fetus inside her. Clearly, the battle for women's rights is not yet won. The bill clearly states that in cases of a crime committed against an unborn child, a fetus, a person cannot use the defence that the child was not a human being.

Gestation of the unborn child begins with conception and ends with birth. Case law has confirmed that an unborn child is not a legal person. I understand that such a clause can apply at the moment of birth, when the fetus becomes a human being. It is something else entirely to grant these rights to an unborn child, a fetus, when it is not a separate entity from its mother.

The Conservatives are trying to make substantial changes to the Criminal Code's definition of a child, which is quite specific. Section 223 of the Criminal Code states that:

223.(1) A child becomes a human being within the meaning of this Act when it has completely proceeded, in a living state, from the body of its mother, whether or not

(a) it has breathed;

(b) it has an independent circulation; or

(c) the navel string is severed.

I am sure you will agree that the government is making a surreptitious attempt to deprive women of their freedom of choice regarding abortion.

After attacking the right to abortion by questioning the medical necessity of that procedure, the government is now attacking that right by attempting to recognize the rights of the fetus. It seems that this bill was devised to set a precedent for recognizing the fetus' right to life and thereby restrict the right to abortion and perhaps even abolish it completely.

Private Members' Business

It is up to women to decide. They have their own reasons for their choices. This is a pro-life bill that is trying to hide behind the concept of the unborn child. This bill opens the door to limiting women's power to be free and to make the choices they have the right to make.

I was recently reading some surveys and responses to surveys. We learned that the Conservative member for Edmonton—Sherwood Park, who describes himself as pro-life, had said in response to a survey conducted by the Campaign Life Coalition for the 2006 federal election that he considered that human life began at conception. In 1997, he responded that if he was elected, he would work to remove abortion from the services covered by the Canada Health Act. He is not the first Conservative member to have said that. There are also rumours going around about a committee being formed here in the House with both Conservative and Liberal members.

The previous bill the Conservatives introduced was similar, but was deemed unconstitutional. A few changes have been made to it, but the objective is the same. The Conservatives' determination is an indirect threat to women's rights, and that threat is evident in the member's remarks.

• (1545)

He is trying to do indirectly what he would like to do directly.

No one is happy about an abortion. It is not something anyone wishes for. But women must be able to make that choice, for any number of reasons. Women are entitled to have their decision honoured. It is a difficult decision they do not take lightly. Women fought long and hard to win the right to abortion.

With this bill, the Conservatives are trying, in a roundabout way, to attack those rights by making dangerous statements or by attempting to give legal personality to the fetus. They are separating the fetus from the mother and rewriting the legal definition of the child. That is what they are trying to do with this bill.

Women have a fundamental right to interrupt a pregnancy. It is a way of exerting control over their lives and their living conditions. This bill challenges women's rights. The courts have repeatedly had to rule on the right of the fetus and the possibility of restraining the conduct of the mother in order to protect the child's right to be born. In every case, the Supreme Court has refused to invade the privacy of pregnant women and limit their right to freedom and independence.

This was the case in *Tremblay v. Daigle*, in which a father sought an injunction to prevent the mother from having an abortion, claiming that the fetus had a right to life. The Supreme Court once again ruled that only human beings have constitutional rights and that these rights start at the time of live birth. The Court also rejected the father's claim that he had rights over the fetus as a father. The Court determined that the father could not obtain an injunction to prevent the pregnant mother from exercising her constitutional right to choose to have an abortion.

With all due respect to the members, the consensus in society is clear and was evident during the last election campaign. The Leader of the Conservative Party himself made a commitment not to reopen the abortion debate. The measure proposed in Bill C-484 goes

against that commitment. The House will obviously have to look at this issue and women will have a decision to make come election time. It is clear that the lobbies who subscribe to moral and social conservatism are hard at work in the back rooms of Ottawa. We need to be vigilant. Putting an initial restriction on abortion opens the door to a whole series of other restrictions.

With respect to the rights of the fetus, there is already a large body of case law arguing that the fetus is not a human being. I think that the mistake in this bill is to try to change the definition of a child. The law is clear on the definition of a human being.

I urge the House not to support this bill, which opens the door to the criminalization of abortion. There is a hidden objective in this bill to prevent a woman from choosing whether or not to have a child.

[English]

Ms. Alexa McDonough (Halifax, NDP): Mr. Speaker, I am pleased to have an opportunity this afternoon, in the dying moments of this fall session, to speak to Bill C-484, a bill that its sponsor has chosen to entitle the unborn victims of crime bill.

Having reviewed this private member's bill, and even before hearing the speech of the member who has introduced it, I came to the conclusion that there were some major concerns about it. They have lead me to indicate that I am unable to support such a bill.

It is a private member's bill and it is important to remember that. Every member has the opportunity to consider where he or she stands on the bill. However, a brief discussion among my colleagues does not lead to the conclusion that there is a great deal of support or enthusiasm for the bill.

At the outset, I do not doubt for a moment the sincerity of the member for Edmonton—Sherwood Park. I listened to his comments, which came after my having read the bill. Therefore, I was even more intent on listening to what he would say in introducing the bill, to determine whether he would dispel some of the very uncomfortable concerns I had about the possible implications of the bill.

He devoted a considerable part of his speech in the House this afternoon to the victims of families that have lost a wanted child, the successful outcome of a pregnancy through a violent attack on a pregnant women.

I do not think there is a single member here, regardless of where they stand on this bill, who cannot empathize 100% with the grief that such a loss would cause an individual and their loved ones. However, it has reminded me that there is a good reason why we do not turn over the drafting, or the crafting or the adoption of laws in a democratic and diverse society to people who are singled out for being grief-stricken by personal tragedy.

I did not expect to say this until I listened to the amount of focus on the issue of grief, but I returned briefly in my own life experience to my period of time as a psychiatric social worker. Grief is a very normal human emotion, and it is something around which we comfort people and support them. However, we also know that grief is almost always accompanied by feelings of anger, despair, rage and quite often revenge.

Private Members' Business

In our democratic society, we have long decided that revenge is not a proper basis for drafting or adopting our laws. A great deal of psychiatric evidence indicates that if there is a great deal of reinforcement for the notion of revenge, when someone has suffered a loss through a violent, unacceptable act, it impairs the emotional healing process.

I do not want to go further down that road, but my discomfort with the bill, before hearing the comments of the member for Edmonton—Sherwood Park, has been deepened and intensified by the amount of emphasis he placed on the issue of grief, anger and rage. I do not question his sincerity about identifying and empathizing with the grief, but I think it is a very questionable basis for introducing such a law.

• (1550)

Let me say that I also heard many comments about how this is something that women very much want and need, and he even referred to some polling. I have to say I would need to be convinced based on a great deal more information than he shared, but if he wanted to share the basis for a claim that there is a very high percentage of women who are really looking for this, I would give it my consideration.

However, I would find it extremely surprising, because I have to say that in my almost 40 years of involvement in the women's movement, and my 28 years in public life, where it has been well known that I very much see the responsibility of myself and every other woman in public life to be responsive to women's concerns, I have never had a single woman, a single advocate, a single representative of a single organization, or an individual family member come to me and say that this is a law they would like to see implemented.

That does not mean it is not worthy of introduction and consideration, I want to say that, but to cite it as something that large numbers of women want and need, I find surprising. Maybe I am a little bit suspicious about that, when I would think that if this was something widely felt and wanted by women there might be some indication in the House and there would be a good number of women here for this debate and wanting to put forward their views.

Maybe I am a little unfair in saying this, but in regard to coming from the caucus with by far the least number of women in the House, then one wonders whether it is really an authoritative basis for the member for Edmonton—Sherwood Park to talk about how much women want and need this.

I will speak from my own personal experience. In my region of Atlantic, the government party has run 32 men for Parliament in the 32 seats in Atlantic Canada, so I am not sure about the authoritativeness of speaking on behalf of women's pressing needs.

Let me say, however, that there are a lot of things women desperately need that have been ignored by the government. Not one of them that has ever come to my attention is a call for this kind of bill. Women certainly need a lot more protection against domestic violence and violence that is visited on them in far too many communities.

I would say that at the heart of my concern about the bill is that it does indeed arouse considerable concern, real apprehension, about

whether it is in fact a thinly veiled step in the direction of recriminalizing abortion in our country. I am sure there are going to be protestations, with people saying, no, no, that was made clear, the language was made clear and all the rest of it, but let me say that it further made me uncomfortable to hear several references, both from the Conservative sponsor of the bill and from the Liberal who spoke in support of it, to a number of American states, mostly southern U. S. states, and in particular, South Carolina, as one of the states that has had considerable experience with this bill.

Let me say the evidence is very clear that the bill not only could become a thin edge of the wedge in the direction of recriminalizing abortion, but actually identified as one of the benefits of the bill is that to adopt such a bill could in fact accomplish that very objective that sponsors of the bill in South Carolina have cited as the reason for their introduction of the bill.

There are many more things I could say, but I think that in the final analysis the point is that women need to be protected far more effectively and aggressively against violence, and that is the best way to protect vulnerable fetuses. If that were the objective, then we would be very much wanting to support such a bill.

We do not, however, feel persuaded. As I say, it is a private member's bill. I do not want to speak for others in my caucus, but I, for one, am very uncomfortable with where the bill is intended to go and what its real purpose is. I want to say that those concerns have already been expressed by a good many of my colleagues, so I think members have gotten the impression: I will not be supporting this private member's bill.

• (1600)

Mrs. Joy Smith (Kildonan—St. Paul, CPC): Mr. Speaker, I rise today to speak to private member's bill, Bill C-484, which aims to amend the Criminal Code with respect to the injury or causing the death of an unborn child. I commend my colleague, the member for Edmonton—Sherwood Park, who proposes the creation of new offences and penalties where an unborn child is injured or killed when an offence is committed against the mother.

I believe the majority of the members in the House agree with the intent of my colleague's bill.

On a personal note, his heartfelt passion to ensure that violence against women and children does not occur is very compelling. I have looked at all his notes and the bill very carefully I support 100% the intent of the bill.

Surely a criminal assault that seeks to involve or harm an expected child is deserving of a sanction. However, I am not yet convinced that the private member's bill in this form is the best way to proceed without a bit of further examination. I have some concerns that the bill may reduce rather than increase the actual penalty for causing harm or death to an unborn child, and I will tell members why.

Subsection 223(2) and section 238 of the Criminal Code currently provides some protection to the unborn child by stating that a person commits homicide by killing an unborn child in the act of birth, under certain conditions. Both offences carry a maximum penalty of life imprisonment.

Private Members' Business

The Criminal Code also contains comprehensive assault and homicide offences, which apply to violent acts against pregnant women. Under the accumulated common law, resulting harm to unborn children is considered an aggravating factor for sentencing purposes and the offender is punished severely.

Should the code permit two charges to be laid in such cases, as proposed by Bill C-484, it is likely that the two sentences would be served concurrently. Pregnancy, as an aggravating factor, could no longer be taken into account and, therefore, the end result ultimately could be a shorter sentence than is currently provided for in the law.

I do not believe this is the intent of this important bill, but we have to realize that it could be the result and we have to guard against that.

I would respectfully suggest that perhaps what is most needed is a Criminal Code amendment to allow for consecutive sentences for offences of this nature, as well as other serious personal injury offences.

During the last election campaign, our government proposed that sentences for multiple convictions be served consecutively. I have spoken with the justice minister and I am confident he will introduce legislation early in the new year to address this deficiency in the law.

The justice minister has been extremely busy over the course of the year. Our government's efforts and our aggressive law and order agenda, including Bill C-2, the tacking violent crime act, are very much appreciated by women all across the nation.

Bill C-2, which is currently before the Senate, merges most of the criminal laws from the last session of Parliament into one comprehensive bill, and we know what that bill includes. It includes mandatory minimum penalties for firearm offences, age of protection, dangerous offenders, impaired driving and reverse onus on bail for firearm offence.

The proposed reforms to deal with dangerous and repeat violent offenders are of particular importance to this dialogue today to address a concern that I believe needs to be looked at today in the context of this very important debate, which is violence against women and children in general.

The dangerous offender proposals are designed to address concerns with respect to the ability of police, crown prosecutors and the courts to sentence and manage the threat posed to the general public by individuals who are at very high risk to reoffend sexually and violently. The victims of sexual and violent assaults are all too often women.

Under Bill C-2, where offenders are convicted of a third sufficiently serious offence, the Crown must formally advise the court that it has considered whether to bring a dangerous offender application forward. The declaration requirement is intended to ensure more consistent use of the dangerous offender sentence by Crowns in all jurisdictions.

• (1605)

Where the Crown decides to bring such an application, an offender convicted of a third primary designated offence, a narrow and proportionate list of the 12 most serious and violent sexual

offences that commonly trigger a dangerous offender designation, and often that is involved in this kind of a crime that we are speaking of today, will be presumed to be a dangerous offender unless he or she could prove otherwise.

Bill C-2 also proposes reforms to ensure that persons who are designated as dangerous offenders are appropriately sentenced.

I do not want to go over my time and I want to make sure that I get everything that I wanted to say said. The approach our government has taken has been a step in the right direction to bring law and order to our country. We are all familiar with Bill C-2.

Early last month the Minister of Canadian Heritage acknowledged woman abuse prevention month in Ontario. Members were talking about combating violence against women and women abuse, and these are common threads in legislation here in Parliament. In Winnipeg several projects were announced recently, one of which is to combat violence against women with intellectual disabilities.

I want to applaud our government for its efforts to recognize and prevent violence against women. I want to particularly applaud the member for bringing this bill forward. I reiterate my support for the intent of this private member's bill.

I do question its effectiveness in its present form in actually providing lengthier jail terms for the offence of injuring or causing the death of an unborn child while committing an assault against the mother. This type of horrendous, abhorrent crime must be addressed. Having said that, all these issues should be taken into consideration so that this bill achieves its intended objective.

[*Translation*]

Mr. Raymond Gravel (Repentigny, BQ): Mr. Speaker, I am somewhat uncomfortable with this bill. I was listening before to the speech by the NDP member for Halifax and I agree with what she said.

As a Catholic priest, I find it somewhat difficult to relate to this bill quite simply because the member who tabled it belongs to a pro-life group, the Campaign Life Coalition, which, in my humble opinion, is a fairly extremist and fanatical group. I am pro-life, but I do not belong to that group.

In my opinion, this bill will open the door to recriminalizing women who have an abortion, and that is not a good thing. I am against abortion, but I do not believe that is how we will deal with the problem of abortion. I have always stated that we need education, support and assistance for women dealing with unwanted pregnancy. In my opinion, the problem of abortion will be solved with these types of measures and not by recriminalizing abortion. I absolutely do not want that.

When a pregnant woman is assaulted or killed and her fetus is killed at the same time, I agree completely that it is an abominable crime. It is revolting, but at the same time I believe that when the fetus is in its mother's womb, they are one being. Only when it leaves her womb does it become a child. I believe that is the Supreme Court definition of 1969.

I know that killing a pregnant woman, like any murder, is a serious matter. However, I believe it is dangerous to establish a new law that would treat the murder of the fetus and of the mother as a double murder. I believe that it is dangerous and that is not how we will put an end to abortion. Not in this way.

As I just said, it is more through education, support, love and understanding. There are any numbers of things we can do to reduce the abortion rate in this country. As long as we fail to take control of the situation and we fail to be there to help these pregnant women, who are often facing financial difficulties or problems in their relationship, until we resolve those problems, there will always be abortions. That is what is needed, rather than—through new legislation, that is Bill C-484—recriminalizing the murder of a pregnant woman.

I also mentioned that pro-life group, Campaign Life Coalition. I know that the president of the Quebec group is Luc Gagnon. That group's journal is always full of condemnations and rejections, and there is never any love or compassion in their journal. In my view,

Private Members' Business

what is needed is compassion when a woman is dealing with a pregnancy caused by rape or any unwanted pregnancy. I do not feel there is any compassion within that group. I therefore oppose that pro-life group, just I oppose the pro-choice group, whose views are, in my opinion, too exaggerated, too unrealistic.

As I was saying, I think a moderate approach is needed. It is not by creating new legislation that we will successfully reduce the number of abortions and creating new committees, if we can say—

• (1610)

The Acting Speaker (Mr. Andrew Scheer): Order, please. I am sorry to have 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.

[*English*]

It being 4:12 p.m., pursuant to order made earlier today, the House stands adjourned until Monday, January 28, 2008 at 11 a.m., pursuant to Standing Orders 28 and 24(1).

I hope all my colleagues have a merry Christmas and a safe and happy holiday season.

(The House adjourned at 4:12 p.m.)

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